



PRIVACY POLICY

SmartEncrypt Pty Ltd (“us”, “we”, “our” or “data controller”) is committed to protecting the privacy of individuals or organisations who interact with us. We own and operate the SmartEncrypt software product (“**Software Product**”) available via an authorised organisation who have the right to licence or host the software to you (“**Reseller**”).

This Privacy Policy (“**Privacy Policy**”) outlines the types of information we collect, hold, use or disclose when you interact with us and provides you with your rights or choices in relation to that information. This Policy may be updated from time to time, any updates will be publicised on our website and/or email notification to you.

What information do we collect?

Personal Information means information or an opinion (including information or an opinion forming part of a database), whether true or not and whether recorded in a material form or not, about an identified individual, or an individual who is reasonably identifiable.

When using a licence to use the Software Product, we will collect the information directly from you or from a Reseller who may provide your information to us for the purposes of using the Software Product. The following types of information collected includes but is not limited to the following:

- Email address;
- First name and last name;
- Phone number;
- Address, City, State, Province, ZIP/Postal code;
- Job title;
- Company name; and
- Any other items reasonably necessary to allow us to provide you with access to the Software Product, collectively referred to as “**Account Data**”.

We may also collect the following:

- Information on how the Software Product is accessed and used ("**Usage Data**"). Data may be collected automatically either generated using the Service or from the Service infrastructure itself (e.g. the duration of a page visit). The Usage Data may include information such as your computer's Internet Protocol address, browser type, browser version, the pages of our Service that you visit, the time and date of your visit, the time spent on those pages, unique device identifiers and other diagnostic data.
- Information about your location if you give us permission to do so ("**Location Data**"). We use Location Data to provide features of our Service, to improve and customise our Software Product. You can enable or disable location services when you use our Software Product at any time by way of product or device settings.

Please see our Cookie Policy with regards to other types of data collected.

How we collect personal information?

We will collect personal information directly from you when you purchase a licence to our Software Product. Alternatively, we may receive your personal information from a Reseller who is authorised to supply you with the Software Product.

Your personal information will not be sold or used for any other purposes than to provide you with access and allow use of the Software Product.

How we use your personal information?

We may use the personal information provided by you or a Reseller to provide, improve, develop our Service. The following types of communications may be sent to you:

- provide you with access to use the Software Product;
- provide you with customer support or customer service (whichever may be relevant);
- send you system generated messages or notifications in relation to the operation of the Software Product such as support messages, customer service messages, updates, security alerts, account notification.
- monitor the use of the Software Product;
- to detect, prevent and address technical issues; and
- to process payments – refer to the Service Providers section below.

If you provide your contact details, we may use this information for the following unless you have opted out of receiving such communication:

- Newsletters and marketing - to provide you with news, updates, special offers and general information about other goods, services and events which we offer that are similar to those that you have already purchased or have enquired about.

Why do we collect, hold, use and disclose personal information?

The security of your personal information is important to us. We've implemented several security measures to protect any personal information provided to us from any unauthorised access. However, please note that no method of transmission over the internet or method of electronic storage is 100% secure. While we strive to use commercially acceptable means to protect your Personal Information, we cannot guarantee its absolute security.

Disclosures

We will not disclose your personal information to any other party unless you have consented to the disclosure or unless it is legally required as described below.

Business Transaction

If SmartEncrypt Pty Ltd is involved in a merger, acquisition or asset sale, your Personal Information may be transferred. We will provide notice before your Personal Information is transferred.

Disclosure for Law Enforcement

Under certain circumstances, we may be required to disclose your Account Data if required to do so by law or in response to valid requests by public authorities (e.g. a court or a government agency). As we do not store or have access to your files, no encrypted files will be disclosed to Law Enforcement or any third party.

Legal Requirements

We may disclose your Personal Information in the good faith belief that such action is necessary to:

- To comply with a legal obligation;
- To protect and defend the rights or property of SmartEncrypt Pty Ltd;
- To assist with the prevention or investigation into any suspected or actual breach in connection with the Software Product.
- To assist with the protection of the personal safety of End Users of the Software Product.

Retention

We will retain information in accordance with the requirements of relevant Laws.

Service Providers

We may employ third party companies and individuals to facilitate our Service ("Service Providers"), provide the Service on our behalf, perform Service-related services or assist us in analysing how our Service is used.

These third parties have access to your personal information only to perform these tasks on our behalf and are obligated not to disclose or use it for any other purpose.

Payments

We may provide paid products and/or services within the Software Product. In that case, we use third-party services for payment processing (e.g. payment processors).

We will not store or collect your payment card details. That information is provided directly to our third-party payment processors whose use of your personal information is governed by their Privacy Policy. We endeavour to engage payment processors who are certified compliant with global payment account data security standards.

Links to Other Sites

Our Software Product may contain links to other sites that are not operated by us. If you click a third-party link, you will be directed to that third party's site. We have no control over and assume no responsibility for the content, privacy policies or practices of any third-party sites or services. We strongly advise you to review the Privacy Policy of every site you visit.

Your rights and choices in relation to the personal information we collect

In any case, to exercise your rights, you will need to contact us by using the details found in this Policy. Please note that in instances where you make the above requests, we may ask you to verify your identity before actioning such requests.

For those in Australia, you have the right to:

- **The right to access personal information.** Whenever made possible, you can access your Personal Information directly within your account settings section. If you are unable to perform these actions yourself, please contact us to assist you.
- **The right of rectification.** You have the right to have your information rectified if that information is inaccurate or incomplete.

If you are a resident of the European Economic Area, you have certain data protection rights. SmartEncrypt Pty Ltd aims to take reasonable steps to allow you to correct, amend, delete or limit the use of your Personal Information. If you wish to be informed about what Personal Information, we hold about you and if you want it to be removed from our systems, please contact us.

- **The right to access the information.** Whenever made possible, you can access your Personal Information directly within your account settings section. If you are unable to perform these actions yourself, please contact us to assist you.
- **The right of rectification.** You have the right to have your information rectified if that information is inaccurate or incomplete.
- **The right of deletion.** You may request that personal information is erased when it's no longer needed or if the processing of your information is unlawful.
- **The right to object.** You have the right to object to our processing of your Personal Information for marketing purposes.
- **The right of restriction.** You have the right to request that we restrict the processing of your personal information.
- **The right to data portability.** You have the right to be provided with a copy of the information we have on you in a structured, machine-readable and commonly used format.
- **The right to express your view regarding automated processing.** You have the right to contest decisions based on automated processing that may affect you.

Complaints

If you would like to get in touch with us to lodge a complaint regarding our Policy, or our conduct in relation to this Policy, please contact our Privacy Officer per the details at the end of this Policy. We will endeavour to respond within 28 days of receiving a complaint.

Alternatively, you may wish to contact a relevant data protection authority about our collection and use of your Personal Information.

International transfers of information

Information that we collect may be transferred, stored and processed by us and or our Affiliates in Asia Pacific. Your information, including Personal Information, may be transferred to and maintained on devices located outside of your state, province, country or other governmental jurisdiction where the data protection laws may differ from those of your jurisdiction.

If you are located outside Australia and choose to provide information to us, please note that we transfer the data, including Personal Information, to Australia and process it there.

Your consent to this Privacy Policy followed by your submission of such information represents your agreement to that transfer. SmartEncrypt Pty Ltd will take all the steps reasonably necessary to ensure that your data is treated securely and in accordance with this Privacy Policy and no transfer of your Personal Information will take place to an organisation or a country unless there are adequate controls in place including the security of your data and other personal information.

Children's privacy

Our Software Product does not address anyone under the age of 18 ("Children").

We do not knowingly collect personally identifiable information from anyone under the age of 18. If you are a parent or guardian and you are aware that your Child has provided us with Personal Data, please contact us. If we become aware that we have collected Personal Information from children without verification of parental consent, we take steps to remove that information from our servers.

Changes to this policy

This Policy may be updated by us from time to time. We will let you know via email and/or a prominent notice on our Service. The updated Policy will be publicised on our website and the Policy's effective date will be updated.

You are advised to review this Privacy Policy periodically for any changes.

How to contact us

If you have any questions or would like to contact us, please use the following details below:

Email	privacy@smartencrypt.com
Mailing Address	Level 19, 100 Miller Street, North Sydney NSW 2060

Please attention all correspondence to Privacy Officer.