



## Breakaway Inc – Privacy Policy

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### 1. Our Privacy Commitment

We have created this Privacy Policy (“**Policy**”) to demonstrate our commitment to protecting your privacy and the personal information in our care.

This Policy represents how Breakaway Inc. (53 852 792 649) (**Breakaway**) manages your personal information in accordance with the *Privacy Act 1988* (Cth) (**Privacy Act**). Breakaway seeks to safeguard the privacy of your personal information in accordance with the Australian Privacy Principles (**APP’s**) contained within the Privacy Act. This Policy will set out how to collect, hold, use and disclose your personal information.

In addition to this Privacy Policy, we may also have specific and additional privacy provisions that apply to certain activities or promotions. In the event of any inconsistency between the provisions of this Privacy Policy and those other specific and additional provisions, the specific and additional provisions provided to you will apply.

By providing personal information to us, you consent to our collection, use and disclosure of your personal information in accordance with this Privacy Policy and any other arrangements that apply between us. We may change our Privacy Policy from time to time by publishing changes to it on our website. We encourage you to check our website periodically to ensure that you are aware of our current Privacy Policy.

This Privacy Policy may be amended Breakaway or revised at any time. The revised Policy will take effect when it is uploaded on our Website. This Privacy Policy represents the latest version of the Breakaway Privacy Policy.

### 2. What kinds of Information will be collected?

2.1. Breakaway may collect personal information and sensitive information about you.

2.2. We may also collect payment information including, but not limited to:

2.2.1. name;

2.2.2. mailing or street address;

2.2.3. email address;

2.2.4. telephone number and other contact details;

2.2.5. age or date of birth;

2.2.6. credit card information;

2.2.7. your device ID, device type, geo-location information, computer and connection information, statistics on page views, traffic to and from the sites, ad data, IP address and standard web log information;

- 2.2.8. details of the products and services we have provided to you or that you have enquired about, including any additional information necessary to deliver those products and services and respond to your enquiries;
  - 2.2.9. any additional information relating to you that you provide to us directly through our website or app or indirectly through your use of our website or app or online presence or through other websites or accounts from which you permit us to collect information;
  - 2.2.10. information you provide to us through customer surveys; or
  - 2.2.11. any other personal information that may be required to facilitate our dealings with you or your dealings with us.
- 2.3. Personal information is any information about you that identifies you or by which your identity may be reasonably determined.
  - 2.4. The kinds of personal information that may be collected from you includes, but is not limited to, your full name, email address, physical address, employment details, phone number, company contact details and payment details.
  - 2.5. By collecting your personal information, we are able to contact you when required and provide you with the best possible service. If you choose not to provide your personal information to us, we may be unable to provide you with access to parts of our website or certain content, products or services offered by us.
  - 2.6. Sensitive information includes information or an opinion about an individual's race, religion, political or trade association, among others. We will only collect sensitive information in circumstances where you have consented to the collection and if the information is reasonably necessary for us to provide our services.

### **3. How will you collect my personal information?**

- 3.1. Breakaway will collect your personal information directly from you, from online sources and from third parties.
- 3.2. We will only collect personal information about you:
  - from you (including via online enquiry forms submitted by you, our direct discussions with you, any emails, letters, faxes or any other form of communications you send to us);
  - from your subscriptions with us (including to our online promotions or publications);
  - if you have created an online account either directly with us or an affiliated third party to make payments to us, from use of that online account;
  - from any person authorised by you to provide such personal information to us (such as your professional advisors or personal representatives);
  - from third party contractors and suppliers we engage to help us provide services to you; and
  - from external sources where the information is publicly and readily available.
- 3.3. By using our Website, we may automatically record details about you including your address, domain name and the date and time of your visit to our Website (including the web pages viewed), your browser and operating system.
- 3.4. We may also use cookies on our Website. Cookies are small pieces of information that allow an organisation to track websites browsed by you. If you do not want to allow cookies to be used to collect information, you may

disable cookies on your computer by changing the security and privacy settings in your browser. However, if you do disable cookies, you may not be able to interact with our website or take advantage of the improved functionality that cookies enable.

3.5. Where you provide us with personal information of third parties (including company associates) you warrant that those relevant individuals have consented to you disclosing their personal information to us.

#### **4. How will my information be used?**

4.1. We may use your personal information:

- as necessary to provide services to you;
- in administering our Website;
- in order to enable your access to our Website services;
- to send you marketing communications;
- for customer relationship management purposes and to supply to you the services which you have requested;
- to send you statements and invoices and collect payments from you;
- to analyse client needs and improve the services we provide;
- for audit, regulatory and compliance purposes;
- to provide information requested by you;
- for accounting and administrative purposes; and
- for statistical compilation and analysis for marketing, advertising or research purposes.

4.2. Information other than personal information collected when you visit our Website may be used to monitor usage of and decide how to improve and promote our Website, products and services (including online advertising).

#### **5. Who will my information be disclosed to?**

5.1. We may disclose your personal information:

- to our contractors, agents and service providers for the purpose of providing services to you, to allow us to operate our company and for the purpose of storing your personal information;
- our existing or potential agents, business partners or partners;
- our sponsors or promoters of any competition that we conduct via our services;
- to service providers for the purpose of communicating information including offers, promotions, programs and information about services that are specific to your needs and may be of interest;
- to any government or regulatory bodies as required by law or as necessary to provide services to you;
- to financial institutions, such as banks, for the purpose of activating a subscription to a service on our website;
- to third parties with whom we are affiliated for the purpose of those third parties providing you with information about their services and promotions;
- to any person with your consent;

- where your information is publicly available;
- where your information has been de-identified for statistical or research purposes;
- in connection with any sale of our company; and
- to our professional advisors, dealers and agents to obtain advice.

5.2. We will not sell, transfer, assign or rent your personal information.

5.3. We may need to disclose or transfer your personal information if our company is acquired or merged with another entity.

5.4. If we are required by law to release information about you, we will cooperate fully. We may disclose your information in order to investigate, halt, or take action regarding illegal activities.

## **6. Will my information be used for direct marketing?**

6.1. We may use or disclose your personal information for direct marketing purposes including to promote our services or to provide you with information and marketing materials about the services our company offers.

6.2. If you subscribe to receive information from our Website, then your e-mail address and other information that you provide will be recorded.

6.3. If you do not wish to receive Direct Marketing communications from us, you can 'opt out' by clicking the 'Unsubscribe' link in our emails or other electronic communications, or sending an email to us at the contact details contained in paragraph 12 below with your contact details requesting that you no longer receive Direct Marketing materials from us. We will remove you from our Direct Marketing database as soon as reasonably practicable after receiving a request.

## **7. Am I able to use a pseudonym instead of my full name?**

7.1. While you are not required to provide your personal information to us, if you wish to utilise our services it may not be practical for you to use a pseudonym or otherwise to not identify yourself.

7.2. We may require you to provide certain personal information or payment information to provide our services. If you do not provide some or all of the personal information or payment information requested, we may not be able to provide you with some or all of the services you request.

## **8. Is my personal information being disclosed overseas?**

8.1. Personal, sensitive and payment information which we collect will be held by our company in our servers located in Australia.

8.2. Personal, sensitive and payment information which we collect may be stored and processed in and transferred between countries abroad where our service providers operate.

8.3. Your personal, sensitive and payment information may also be accessible to our contractors, agents and service providers located in Australia.

8.4. You agree to such cross-border transfers of your personal information.

## **9. How do you collect my payment information?**

We may be required to collect payment information from you to pay our account for services. This information will be obtained directly from you or persons acting on your behalf and from third parties. This information will be disclosed to our contractors, agents or service providers in order to facilitate payment for our services.

## **10. How is my information protected?**

12.1. We will take all reasonable steps to protect any personal or sensitive information which we hold about you, and to keep this information accurate and up to date.

12.2. We may store your personal information and payment information in hard copy or electronic format.

12.3. We take reasonable steps to:

- ensure that any personal information or payment information we hold or disclose about you is up to date, complete and correct; and
- protect your personal information and payment information from misuse, interference, loss, and unauthorised access, modification and disclosure using electronic and physical security measures such as securing our offices and utilising passwords, firewalls, encryption or digital certificates to protect our electronic information.

12.4. We will destroy or delete any of your personal information or payment information which we no longer need to retain noting that we are required by law to retain certain information for a number of years after we have ceased providing the services.

## **11. How can I correct or access my personal information?**

13.1. We rely on the accuracy of the personal information you provide to us.

13.2. You may request that we provide you with access to the personal information we hold about you. Unless we can legally refuse such a request, we will provide you access to this information.

13.3. All requests about the personal information that we hold should be made by email or in writing to us (see paragraph 12 of this Privacy Policy for our contact details).

13.4. We will try to respond to all written requests in a reasonable timeframe.

13.5. If we are satisfied that your personal information requires correcting because it is misleading, inaccurate, out of date or incomplete, we will correct the information we hold about you.

13.6. If we deny your request to access your information or we refuse to correct your information that we hold, we will provide you with written reasons of the refusal within a reasonable timeframe.

## **12. Who can I contact to access or correct my personal information?**

12.1. You may access and / or request that your personal information be edited or corrected by writing to one of the following:-

Email: [info@breakaway.com.au](mailto:info@breakaway.com.au)

In writing: Privacy Officer, Breakaway, KR Benson Park, between 28 & 30 Bell Street, Clontarf, Queensland, 4019, Australia or PO Box 114, Margate Beach, Queensland, 4019, Australia

12.2. We rely on your feedback to keep your personal information up-to-date, accurate and complete.

### 13. Who can I contact with complaints?

13.1. If you believe that we have breached our privacy reporting obligations under the Act, or you are unsatisfied with the manner in which we have dealt with your personal information, you may make a complaint by emailing or writing to us at:

Email: [insert] or [insert]

In writing: Privacy Officer, Breakaway, [insert]

16.2. We will respond to you within 30 business days to attempt to resolve any complaints or disputes.

16.3. If you are still unsatisfied, you may wish to direct your complaint to the Office of the Australian Information Commission at <http://www.oaic.gov.au/> or alternatively:

Phone: 1300 363 992

In writing: The Office of the Australian Information Commissioner, GPO Box 5218, Sydney NSW 2001

### 14. Meanings

*In this Privacy Policy:*

14.1. a reference to *us*, *our* or *we* is to Breakaway Inc. (53 852 792 649);

14.2. *Act* mean the *Privacy Act 1988* (Cth);

14.3. *Payment Information* includes identification information (for example, name, date of birth, driver's licence number, current and recent addresses and employment details), historical details of payment (including type and amount of payment sought or obtained) and credit card information;

14.4. *Website* means all of the pages located on the website you are currently viewing, being <http://www.Breakaway.org.au/>.

### Contact us

*For further information about our Privacy Policy or practices, or to access or correct your personal information, or make a complaint, please contact us using the details set out below:*

*[Insert contact position]*

*[Insert address]*

*[Insert email address]*

*[Insert phone number]*

**Effective:** *[Insert date]*