



Smartrak Privacy Policy

Australia and New Zealand

Updated: 19 June 2020

About this policy

Smartrak understands that privacy is an important issue for many individuals, and we are committed to protecting your privacy.

This Privacy Policy explains how our Australian and New Zealand entities collect, hold, use and disclose your personal information.

In this Privacy Policy, "Smartrak" (or "we," "us," or "our") means, collectively, Smartrak Aust Pty Ltd and Digitrak Pty Ltd (located in Australia), Smartrak Ltd, Stop Tags Ltd, and Smartrak Systems (located in New Zealand).

Personal Information

Generally speaking, personal information is any information that can be used, directly or indirectly, to identify, locate or contact someone.

We collect and hold kinds of personal information that are reasonably necessary for, or directly relate to, us doing business with you (or the business entity that you represent). Given this, the types of personal information that we collect depends on the nature of our relationship with you, and may include your name, contact details (including address, telephone number and email address), date of birth, gender, and, in relation to GPS devices or GPS device tracking or alarm monitoring services provided by us (or our contractors, distributors or resellers), your vehicle registration, asset identification, drivers licence details (including conditions), and information transmitted by that GPS device, including fleet data, vehicle speed, and GPS device location. Under certain circumstances, personal information may also include other information that can reasonably link to a particular person, such as internet protocol (IP) addresses, unique device identification numbers, employment information, and internet activity.

Why we collect, hold, use and disclose personal information

We collect, hold, use and disclose personal information about you when it is reasonably necessary for our business functions and activities. These include:

- (a) providing you with goods that you order and services that you request (including GPS device tracking and alarm monitoring services, which may include procuring that emergency assistance is provided to you);
- (b) marketing and selling our goods and services;
- (c) communicating with you, including providing you with information (including by way of newsletter) about our business, goods, services and facilities, and relevant news and events that we think may be of interest to you, and seeking your opinion on the quality of, and proposed changes to, our goods, services and facilities;
- (d) assessing and processing any enquiries and requests that you make (including employment enquiries and requests, orders for goods, and requests for services);
- (e) administering and managing our relationship with you;
- (f) providing you with invoices and reminder notices;
- (g) complying with health and safety and other legal requirements; and
- (h) resolving any complaints that you may have about us or our goods, services or facilities.

By providing us with your personal information, you consent to us collecting, holding, using and disclosing your personal information for the purposes listed in this privacy policy. If you do not

provide us with personal information about you that we request, we may not be able to undertake certain activities for you (or your employer or principal), including providing you with information, goods or services that you (or your employer or principal) request us to provide.

We will only collect, hold, use and disclose your personal information for purposes other than those listed in this privacy policy if you have consented to such acts, or if we are otherwise permitted, required or authorised by law.

We will only collect sensitive information about you with your consent (unless an exception applies under relevant laws), and we only collect sensitive information if it is specifically relevant and necessary for our primary purposes of conducting, improving, maintaining and developing a business relationship. All sensitive information is collected and used in accordance with this privacy policy. We do not use government identifiers (e.g. tax file numbers) to identify individuals.

We never sell, rent or trade your personal information.

How we collect personal information

We collect personal information that is communicated to us in writing or orally, including by way of letters, emails, through forms (including forms on our website, and forms relating to the commissioning or configuration of devices or an application for related services), and during meetings and phone conversations. This personal information may be communicated to us when you make an enquiry about our goods, services or facilities (including via email or through our website), sign up to receive information from us, seek advice from us, attend an event provided by us or otherwise held on our premises, enter a competition, participate in a survey, or apply for employment with us.

We will usually only collect personal information about you from you (including from any device carried personally with you or within your vehicle), however in some situations we may collect personal information about you from a third party (such as your employer (or principal if you are a contractor) in relation to devices or related services provided by that person in an employment context). We will only collect personal information about you from a third party if it is unreasonable or impracticable for us to collect this information directly from you, or we are otherwise permitted, required or authorised by law to collect this information from the third party.

In most circumstances it will be necessary for us to identify you in order for us to do business with you, however, where it is lawful and practicable to do so, you have the option of dealing with us anonymously or by using a pseudonym.

Cookies

Our websites utilise cookies. Cookies are small pieces of information that can be stored in your computer memory (session cookies) for the purpose of recording information about your visit to our website. Cookies may collect and store your personal information. We use cookies to enhance your experience of our website and to monitor web traffic and provide us with analytics which help us to improve our services and offerings. Cookies allow our website to remember who you are during your visit so that when visiting a secure section of our website you do not need to login on each page accessed. You can configure your browser to accept all cookies, reject all cookies, or notify you when a cookie is sent.

Our Cookie Policy is outlined here: <https://smartrak.com/cookie-policy/>

Analytics Tools

Smartrak uses analytics tools, such as Google Analytics and Adobe Analytics. To provide website visitors with more choice on how their data is collected by Google Analytics, Google have developed the [Google Analytics Opt-out Browser Add-on](#).

The add-on communicates with the Google Analytics JavaScript (ga.js) to indicate that information about the website visit should not be sent to Google Analytics.

The Google Analytics Opt-out Browser Add-on does not prevent information from being sent to the website itself or to other web analytics services.

More information about how Google Analytics is used by Smartrak can be found here:

<https://www.google.com/analytics/terms/us.html>

Adobe also provides a range of [opt-out options](#) for Adobe Analytics.]

Disclosure of personal information

We may disclose your personal information to:

1. our related entities (subsidiaries and affiliates) (which may be located overseas, including in Australia, New Zealand and the USA);
2. our contractors;
3. agents;
4. consultants;
5. professional advisors (including business partners, advertising partners, mailing and printing houses, IT providers and other service providers) who assist us in undertaking our business functions and activities, including running our websites, and providing tracking and alarm monitoring services. In relation to alarm monitoring services, we may also disclose your personal information to emergency services.

We will also disclose your personal information where we are required or authorised by law to do so.

How we hold personal information

We hold personal information by recording and storing it in a variety of forms, including in hardcopy and electronic files and databases. Servers on which we store personal information are located in Australia, New Zealand, and USA (and servers on which our third party service providers store information may be located outside of these locations).

If we hold personal information about you that we no longer need for any purposes for which it may be used or disclosed under the relevant laws, we will take reasonable steps to destroy that information or to ensure that it is de-identified.

Data Security

We take reasonable steps to ensure that the personal information we hold is protected from misuse, interference, loss and unauthorised access, modification or disclosure.

The use of, and access to, your personal information by us is restricted to employees and contractors who need to know that information to provide services to you. We maintain physical, electronic and procedural safeguards to limit access to your non-public personal information.

Unfortunately, transmission of information via the internet is not completely secure. Although we take reasonable steps to protect your personal information, we cannot guarantee the security of your personal information transmitted to us through our website or other electronic means. Any electronic transmission of personal information is at your own risk.

Third-Party Providers

Some applications and services embedded within, or linked from, our website or services, such as maps and social media platforms, are controlled by third-party providers. These third-parties may use cookies, alone or in conjunction with other tracking technologies, to collect information about you when you use our website or navigate away from our website. These third parties may also have privacy policies that differ from ours. For example, they may collect personal information about your online activities over time and across different websites, and other online services, and may use this information to provide you with interest-based (behavioural) advertising or other targeted content. We do not control these third-parties or their privacy practices, and this Privacy Policy does not apply to any third-party website or service you may access through our website or services. If you have any questions about a third-party provider's privacy policies or advertising, you should contact the responsible provider directly.

Non-Personal Information

This Privacy Statement does not restrict our collection, use or disclosure of any aggregated information or information that does not identify, or cannot be reasonably linked to, any individual.

How you may access and seek correction or deletion of your personal information

If we hold personal information about you, you have the right to request access to that personal information, and to request its correction (if you think that it is inaccurate, out-of-date or incomplete). Such request may be made by contacting us in writing to: compliance@smartrak.com

We will respond to your request for access, correction of your personal information within a reasonable period after the request is received (and we will endeavour to respond within 30 days after the request is received). We may ask you to verify your identity to ensure that personal information we hold is not improperly accessed.

If your request is unlawful or may interfere with the privacy of others, we may reasonably refuse to provide access to your personal information.

If we refuse to grant you access to, or to correct, your personal information, we will provide you a written notice that sets out the reasons for our refusal (provided that it is not unreasonable in the circumstances to set out those reasons), and the complaint process that you may use if you disagree with our refusal.

We may charge you for providing you access to personal information that we hold about you (provided that the charge is not excessive).

How you may complain about a breach of privacy law and how we will deal with such a complaint

If you feel that we have not complied with a privacy law or we have acted in a manner that is inconsistent with this privacy policy, you may make a written complaint by posting or emailing your complaint to the postal address or email address set out below:

Address:

Smartrak Privacy Officer
P O Box 7239
Hamilton East
Hamilton 3247

Email:

compliance@smartrak.com

If you make such a complaint, we will investigate your complaint, and we will endeavour to respond to your complaint (and notify you of the outcome of our investigation) within 30 days of us receiving the complaint.

Contact Information

If you have any questions about this privacy policy, or if you would like to request access to, correction of, or make a complaint about our management of, your personal information, you can contact us by email at compliance@smartrak.com. Please address all of your correspondence to The Privacy Officer – Smartrak.

Your California Privacy Rights

If you are a California resident, California law may provide you with additional rights regarding our use of your personal information. To learn more about your California privacy rights, visit the CCPA Privacy Notice.

We may update this Privacy Policy from time to time, and updates will be published on our website, or you may contact us using details above to request a copy.