

## Grafton Create – Privacy Policy

Effective Date: 8 May 2023

This Privacy Policy sets out, in accordance with the Australian Privacy Act, the Australian Privacy Principles and, where relevant, the European General Data Protection Regulation the way in which Grafton Create Pty Ltd ABN 38 661 641 541 (**we, us, or our**) may collect, store, use, disclose, manage and protect your personal information when you interact with us, access our services, use our APIs, or provide us data, access our website located at [www.graftoncreate.com](http://www.graftoncreate.com) (**Website**) or enquire about, purchase or obtain our products or services (collectively, **Services**).

If you do not agree to us handling your personal information in the manner set out in this policy we will not be able to provide our Services to you and you should not provide us with any personal information. From time to time we may make changes to this policy. Please make sure you review our Privacy Policy each time you visit our Website to keep up to date on any changes.

### What is personal information and what kinds of data do we collect?

We follow the definition of personal information given in the Australian Privacy Act: *“Personal Information means information or an opinion about an identified individual, or an individual who is reasonably identifiable: whether the information or opinion is true or not; and whether the information or opinion is recorded in a material form or not.”*

In this policy, we refer to personal information as data. The kinds of data we may collect, hold and process about you depends upon how you interact with us. This information may vary but primarily we collect your data in order to provide you with our Services:

- your IP Address, information about your location, and the computer system you are using;
- your name, contact details and certain identity information when you register for an account to make a purchase from our Website;
- how you interact with us including via the Website;
- messages, emails, and other correspondence and frequency of enquiries when you interact with us;
- other information required to provide a Service or information you have requested from us;
- any information relating to you that you provide to us directly.

### How do we collect your data?

We collect data directly from you, for example when you provide that information to us, we contact you or when you open an account with us. We also collect data when providing you with our Services, or when you participate in our Services (including marketing activities). We may collect personal information from publicly available sources such as the internet and social media, and third parties to enable us to provide our Services.

### Why do we collect your data?

We collect your data for a number of reasons, including:

- to operate, develop, improve or refine our Services as well as tailoring our Services to give you a customised experience;
- to provide our Services or information about our Services and activities as well as to promote and drive engagement with our Services;
- to send communications you request or contacting you and responding to your enquiries as well as communicating with you about our Services;
- to ensure consistency of service across our business and for internal corporate purposes as well as to comply with our legal obligations;
- to enable us to make use of third party service providers whose products or services are used in the provision of our Services to you;
- to provide third parties with information about you and your activities to assist us in providing our Services;
- to cooperate with law enforcement bodies and government agencies where required by law.

Our use of you data may extend beyond the uses described above but will be restricted to purposes that we consider to be related to our business functions and activities.

### Who do we share your data with?

We may disclose your data to others as described in this policy for the following reasons:

- our related entities and organisations involved in our funding arrangements such as advisers and investors;

- our service providers and contractors including but not limited to entities that verify your identity, process payments on our behalf, product or content developers, designers and/or distributors, direct marketing and market research companies;
- merchants or financial institutions to facilitate your use of our Services or when we have to investigate a claim, dispute or mistaken payment;
- considering any concerns or complaints you raise against us including managing any legal action between you and us;
- law enforcement or government agent as required by law.

### **How do we hold and secure your data?**

We store your data digitally (unless legally required to retain in hard copy format). All digital material is secured using password protected computers and databases. Where data is no longer needed for the purposes set out in this policy, we ensure that such data is destroyed or de-identified.

### **Do we send your data overseas?**

We are an organisation based in South Australia, Australia. All our data is stored in Australia. However, service providers we use may have other arrangements for the storage of their data including outside of Australia. Where applicable, in the event that your data is sent overseas, we will use our best endeavours to ensure that any overseas service provider will keep your data secure and confidential.

### **Do we use your data for direct marketing?**

We may use your data to communicate directly with you to promote our Services. We use direct marketing to provide you with information about our Services. If you receive direct marketing material from us, and do not wish to continue receiving it, please contact us by any of the methods stated in this policy, asking to be removed from all future direct marketing programs.

Once we have received your opt-out request, we will remove you from our direct marketing programs as soon as reasonably practicable. Please be aware that unsubscribing from one part of our Services (for example, a newsletter) will not automatically remove you from all other Services.

### **How to access data we hold about you?**

If you wish to access data we hold about you, please contact us.

We will review your request and may ask further details from you to verify your identity. We reserve the right not to provide you with access to your data if we are unable to verify your identity to our reasonable satisfaction. An administrative fee that covers our time spent in locating and putting the information together, may be charged to cover our costs in providing you with access. We will notify you of the administrative fee before it has been incurred.

We will respond to your request within a reasonable period of time by either providing you with access, or if we refuse your access request, we will provide you with reasons. Generally, requests may be denied where: (a) we believe your request is frivolous or vexatious, we are entitled to reject a request by law, (b) we are unable to verify your identity, or (c) you have not paid the administrative fee (if any).

### **How to correct data we hold about you?**

If you believe that your data held with us is inaccurate, incomplete or out-of-date, please contact us.

We will review your request and respond to the request within a reasonable period of time. If we don't think that the information is incorrect, we will give you notice and reasons. You have the right to ask us to include a statement with the information that you believe the information is inaccurate, incomplete, misleading or out-of-date.

### **What about the General Data Protection Regulation?**

The General Data Protection Regulation is the European Union (**EU**) data protection law. Australian-based organisations that offer goods or services to persons in the EU or target or monitor the behaviour of persons in the EU may be required to comply with the GDPR regulatory regime.

We are an Australian based organisation providing services within Australia. From time to time, we may capture or collect data that passes through the EU. This might occur, for example, if a person in the EU accesses the Website and we collect analytical data about them, enquiries about our Services from the EU, or if one of our customers gives us data about a person in the EU. If this occurs, we will treat the data received in accordance with this policy.

Where data is processed or monitored in the EU, you may have additional rights, such as: (a) the right to request that we delete your data unless we require that information to comply with a legal obligation, or need it to bring or defend a legal claim; or (b) the right to restrict our processing of your data (where it is inaccurate, would be unlawful to process, or where it has not been deleted due to us needing it to meet a legal obligation).

**Can you deal with us anonymously or using a pseudonym?**

When contacting us, you can do so either anonymously or by using a pseudonym. However, if you do so, we may not be able to provide you with accurate or useful information, and you may not be able to open an account with us or access the full range of our Services. Further, we may not be able to investigate incidents or complaints you have made.

**How can you make a complaint?**

If you have a question or complaint, you can contact us:

Email: [contact@graftoncreate.com](mailto:contact@graftoncreate.com)

We take all complaints seriously and will respond to you within a reasonable period of time, usually 30 days, unless we consider your complaint to be frivolous or vexatious or if we are unable to verify your identity. If we are unable to resolve your complaint within this period, we will notify you and work with you to agree to an extension.

If you are not satisfied with the way we have handled your complaint, you can make a complaint to the Office of the Australian Information Commissioner at [www.oaic.gov.au](http://www.oaic.gov.au).

**How to contact us?**

If you have questions about how we manage your data or wish to obtain a printed version of this policy, you may contact us by email [contact@graftoncreate.com](mailto:contact@graftoncreate.com)