

SMARTR PRIVACY POLICY

Romkii Pty Ltd and its subsidiary companies if any (together **We, Us, Our**) are committed to protecting and securing the privacy and confidentiality of your personal information. From 12 March 2014, we are subject to the new privacy requirements as a result of implementation of the Australian *Privacy Amendment (Enhancing Privacy Protection) Act 2012* (the **Privacy Act**), which amends the *Privacy Act 1988*. In particular we must adhere to the *Australian Privacy Principles* in relation to collecting, using, disclosing, securing and allowing access to, your personal information.

SCOPE OF POLICY

This policy (together with our end-user licence agreement as set out at www.smarttheapp.com (**EULA**) and any additional terms of use incorporated by reference into the EULA, together **Our Terms of Use**) applies to your use of:

- SMARTR VERSION 1 mobile application software (**App**) hosted on the Apple App Store, once you have downloaded or streamed a copy of the App onto your mobile telephone or handheld device (**Device**).
- Any of the services accessible through the App (**Services**) that are available on the App Site or other sites of ours (**Services Sites**), unless the EULA states that a separate privacy policy applies to a particular Service, in which case that privacy policy only applies.

This policy sets out the basis on which any personal data we collect from you, or that you provide to us, will be processed by us. Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it.

INFORMATION WE MAY COLLECT FROM YOU

We may collect and process the following data about you:

- **Submitted Information:** information that you provide by filling in forms on the App Site and the Services Sites (together **Our Sites**), including the Device's telephone number. This includes information provided at the time of registering to use the App or any of the Services, subscribing to any of the Services, posting material or requesting further services. We may also ask you for information when you enter a competition or promotion sponsored by us and when you report a problem with any of Our Sites.
- **Additional information:**
 - if you contact us, we may keep a record of that correspondence;
 - we may also ask you to complete surveys that we use for research purposes, although you do not have to respond to them;
 - details of transactions you carry out through any of Our Sites and of the fulfilment of your orders or reservations; and
 - details of your visits to any of Our Sites including, but not limited to, traffic data, location data, weblogs and other communication data, whether this is required for our own billing purposes or otherwise and the resources that you access.
- **Device information:** We may collect information about the Device or any computer you may use to download or stream a copy of the App onto your Device, including, where available, the Device's or computer's unique Device identifiers, operating system, browser type and mobile network information as well as the Device's telephone number, for system administration and to report aggregate information to our advertisers. We may associate Device information with Submitted Information and will treat the combined information as personal data in accordance with this policy for as long as it is combined.

- **Location information:** when you use one of our location-enabled Services, we may collect and process information about your actual location. Some of these Services require your personal data for the feature to work. If you wish to use the particular feature, you will be asked to consent to your data being used for this purpose. You can turn off this feature at any time in Settings on your iPhone.
- **Log information:** when you use the Services or view content on Our Sites, we may automatically collect and store certain information in server logs, including but not limited to internet protocol (**IP**) addresses, internet service provider (**ISP**), clickstream data, browser type and language, viewed and exit pages and date or time stamps.
- **Unique application numbers:** when you install or uninstall a Service containing a unique application number or when such a Service searches for automatic updates, that number and information about your installation, for example, the type of operating system, may be sent to us.

COOKIES

Our Sites use cookies to distinguish you from other users of Our Sites. This helps us to provide you with a good experience when you use the App or browse Our Sites and also allows us to improve the App and Our Sites.

A cookie is a small file of letters and numbers that we store on your browser or the hard drive of your computer if you agree. Cookies contain information that is transferred to your Device's hard drive.

We use the following cookies:

- **Strictly necessary cookies.** These are cookies that are required for the operation of Our Sites. They include, for example, cookies that enable you to log into secure areas of Our Sites, use a shopping cart or make use of e-billing services.
- **Analytical/performance cookies.** They allow us to recognise and count the number of visitors and to see how visitors move around Our Sites when they are using them. This helps us to improve the way Our Sites works, for example, by ensuring that users are finding what they are looking for easily.
- **Functionality cookies.** These are used to recognise you when you return to Our Sites. This enables us to personalise our content for you, greet you by name and remember your preferences (for example, your choice of language or region).
- **Targeting cookies.** These cookies record your visit to Our Sites, the pages you have visited and the links you have followed. We will use this information to make our website and the advertising displayed on it more relevant to your interests. We may also share this information with third parties for this purpose.

WHERE WE STORE YOUR PERSONAL DATA

The data that we collect from you will not be transferred to, and stored at, a destination outside the Australia.

All information you provide to us is stored on our secure servers in Sydney, Australia. Any payment transactions will be encrypted. Where we have given you (or where you have chosen) a password that enables you to access certain parts of Our Sites, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, We cannot guarantee the security of your data transmitted to Our Sites; any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access.

We may collect and store personal data on your Device using application data caches and browser web storage (including HTML 5) and other technology.

Certain Services include social networking, chat room or forum features. Ensure when using these features that you do not submit any personal data that you do not want to be seen, collected or used by other users.

USES MADE OF THE INFORMATION

We use personal data and other information collected through the Our Sites (a) to register you with Our Sites and our offers or deals as requested by you, (b) to provide you with the requested products and services, (c) to provide you with information about products and services on Our Sites or on other websites and to communicate with you to the extent necessary to provide such requested products and services, (d) to build features that will make the services available on the Our Sites easier to use and (e) for an improved user experience and general optimization purposes. This includes faster deal requests, better customer support and timely notice of new services and special offers. From time to time, we may contact you to request feedback on your experience in using the Our Sites, to assist us in improving the Our Sites, or to offer special savings or promotions to you as a user of Our Sites, where you have indicated your consent to receiving such communications. If you would prefer not to receive notices of special savings or promotions, you may simply opt out from receiving those by replying to us using the hyperlink provided in these notices. We may also use your data, or permit selected third parties to use your data, to provide you with information about goods and services that may be of interest to you. We or they may contact you about these.

If you are an existing customer, we will only contact you by electronic means (e-mail or SMS) with information about goods and services similar to those that were the subject of a previous sale to you.

If you are a new customer, and where we permit selected third parties to use your data, we (or they) will contact you by electronic means only if you have consented to this.

DISCLOSURE OF YOUR INFORMATION

We may disclose your personal information to any of our related bodies corporate, which means our subsidiaries, our ultimate holding company and its subsidiaries, as defined in section 50 of the *Corporations Act 2001*.

We may disclose your personal information to third parties:

- In the event that we sell or buy any business or assets, in which case we may disclose your personal data to the prospective seller or buyer of such business or assets.
- If Romkii Pty Ltd or substantially all of its assets are acquired by a third party, in which case personal data held by it about its customers will be one of the transferred assets.
- If we are under a duty to disclose or share your personal data in order to comply with any legal or regulatory obligation or request.
- In order to:
 - enforce or apply the EULA, Our Terms of Use and other agreements or to investigate potential breaches; or
 - protect the rights, property or safety of Romkii Pty Ltd, our customers, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.
- We will store credit card and bank details on the Stripe payment gateway.

YOUR RIGHTS

You have the right to ask us not to process your personal data for marketing purposes. We will usually inform you (before collecting your data) if we intend to use your data for such purposes or if we intend to disclose your

information to any third party for such purposes. You can exercise your right to prevent such processing by checking certain boxes on the forms we use to collect your data. You can also exercise the right at any time by contacting us by e-mail to sebastian@smartrtheapp.com.

Our Sites may, from time to time, contain links to and from the websites of our partner networks, advertisers and affiliates (including, but not limited to, websites on which the App or the Services are advertised). If you follow a link to any of these websites, please note that these websites and any services that may be accessible through them have their own privacy policies and that we do not accept any responsibility or liability for these policies or for any personal data that may be collected through these websites or services, such as contact and location data. Please check these policies before you submit any personal data to these websites or use these services.

ACCESS TO INFORMATION

The *Australian Privacy Principles* give you the right to access information held about you. Your right of access can be exercised in accordance with those principles and the Privacy Act.

We will take all reasonable steps to correct any information you find inaccurate. Should we deny access and or refuse to correct your personal information, we will provide you with reasons that will be based on the grounds provided by the Privacy Act. All requests for access to personal information should be made e-mail to sebastian@smartrtheapp.com.

COMPLAINTS

We place a high priority on effectively dealing with any complaints you might have about breach of your privacy. We prefer that complaints about breaches of the Privacy Act and the Australia Privacy Principles are made or confirmed in writing so that we can be sure about the details of the complaint. Generally, we will only accept complaints from an individual who believes an act or practice of us has interfered with their privacy and may have breached one of the Australian Privacy Principles.

A complaint should identify whether it is about:

- the collection, use or disclosure of personal information;
- the security or storage of personal information;
- the accuracy of personal information;
- a refusal to give access to, change or delete personal information.

Our Privacy Officer will normally deal with privacy complaints. If the Privacy Officer is involved in the conduct the complaint is about, the complaint will be dealt with by an alternative officer appointed by us who was not involved in the complaint.

We will attempt to confirm with the complainant:

- their understanding of the conduct relevant to the complaint;
- their understanding of the Australian Privacy Principles relevant to the conduct;
- what they expect as an outcome.

We will inform the person making the complaint:

- whether we will conduct an investigation;
- the name, title and contact details of the investigating officer.

After we have completed our enquiries, we will contact the complainant, usually in writing, to advise the outcome and invite a response to our conclusions about the complaint. If a response is received, we will assess it and advise if we have changed our view.

If the complainant is unsatisfied with the outcome, we will advise further options including, if appropriate, review by the Privacy Commissioner within the Office of the Australian Information Commissioner.

CHANGES TO PRIVACY POLICY

Any changes we may make to our privacy policy in the future will be posted on this page and, where appropriate, notified to you by notifying you of a change when you next start the App or log onto one of the Services Sites. The new terms may be displayed on-screen and you may be required to read and accept them to continue your use of the App or the Services.

CONTACT

Questions, comments and requests regarding this privacy policy and the App are welcomed and can be made by e-mail and should be addressed to the Privacy Officer at sebastian@smarrtheapp.com.