

Privacy Policy

Your privacy is important to us, so we have developed this privacy policy (“**Privacy Policy**” or “**policy**”) that contains important information such as who we are, how and why we collect your personal information, as well as how we use, share, transfer and store this information, including in relation to your access and use of our website, the Service or Service Materials. We ask that you read it carefully as it contains important information and explains how to contact us if you have any questions.

By accessing and using our website and services, you consent to us processing your personal information as described herein. If you are an activity provider and you are inputting Personal Information on behalf of your customers, volunteers or other third parties, you must obtain their consent beforehand. Obtaining an individual’s consent is particularly important where you are collecting Sensitive Information, as described below. If you are a company administrator (“**Admin**”) or field operator (“**User**”) and you do not wish to provide your Personal Information, we will not be able to provide you with the Service.

Capitalised terms in this Privacy Policy that are not defined have the same meaning as in our Terms of Use.

WHO WE ARE

References to **we**, **us**, **our** or **Op Dox** are to Op-Dox Pty Ltd. We are a company based in Apollo Bay, Victoria. Our Australian Company Number (ACN) is 686 927 177. You can contact us at admin@opdox.com.au. We own and operate the Op Dox app, a mobile-first, software-as-a-service platform (the “**Service**”) built specifically for adventure and activity-based businesses and tour operators. The Service enables you to manage safety checklists, risk assessments, incident reports, and live weather conditions from a single, user-friendly app.

PERSONAL INFORMATION

In the *Privacy Act 1988* (Cth) (“**Privacy Act**”), Personal information means information or an opinion which relates to an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not (“**Personal Information**”). It is any information that can be used to identify a natural person and commonly includes information such as your name, address, phone number, email and date of birth. It may also include geolocation data or an IP address. Sensitive information (“**Sensitive Information**”) includes, without limitation, things like racial or ethnic origin, sexual orientation or practices, criminal record and health information. Such information is given additional protection under the law.

INFORMATION WE COLLECT

If you are an Admin or User, we will collect Personal Information that is reasonably necessary to provide the Service to you. We may also collect information for administrative functions associated with the Service, such as billing, support and

account management. The Personal Information we typically collect and hold about you may include:

- your full name, business address, phone number, email address and any other contact details you provide;
- your login credentials (username and password) provided when you create an Op Dox account; and
- details of your use of the Service such as the date and time of your visit, your IP address, your social media handles, and any other information that you share with us.

We will also collect and store the Personal Information and Sensitive Information of your customers, volunteers and third parties that you disclose to us via the Service. This may include their:

- name
- contact details
- emergency contact information
- gender
- height and weight
- photos and videos, but only to the extent that a natural person is identifiable
- medical information, such as allergies, dietary requirements, pre-existing injuries, medical conditions or disabilities
- injuries and / or near-misses sustained during an activity and recorded via the Service, and
- first aid treatments or similar interventions administered.

HOW WE COLLECT PERSONAL INFORMATION

If you are an Admin or User, we collect your Personal Information directly from you when you create an Op Dox account and continue to use the Service. We also collect Personal Information whenever you input such information into the Service on someone else's behalf (e.g. an Admin on behalf of a User, or a User on behalf of a customer, volunteer or third party). We also use cookies to collect session and browsing data from you when you use our website to customise and optimise your user experience.

We may also collect your Personal Information when:

- responding to your queries about the Service, troubleshooting and support, and other general inquiries;
- you contact us by any means including email, social media, or our website; and
- we are required by law.

If you are an Admin or User, in the vast majority of cases we will only collect Personal Information about you directly from you. If, for whatever reason, we receive information about you from a third party, we will take steps to make you aware of the information provided by that third party. Personal Information that we receive from third parties will

be treated in accordance with this Privacy Policy. We will only collect Personal Information from third parties if it is unreasonable or impracticable to collect this information directly from you or if we are otherwise permitted to do so.

PURPOSE OF COLLECTION

We collect Personal Information to provide you with the Service and enable you to streamline your adventure activities and provide great experiences to customers. We collect, hold, use and disclose your Personal Information to:

- operate, protect, improve and optimise our business and the Service
- send information on news, publications, blog posts and other content to you which we think may be of interest to you by email or other means
- perform accounting, billing and other administrative and operational functions
- respond to queries and feedback, and
- comply with our legal obligations.

Enable Admins and / or Users to:

- register and use their Op Dox accounts
- plan and execute activities
- record incidents, accidents and near-misses to ensure the safety and wellbeing of all customers and participants
- assess a participant's medical history or fitness for an activity, and
- contact a designated contact in case of an emergency.

We may otherwise collect, hold, use and disclose your Personal Information where we are required or authorised to do so by law (for example, if we receive a warrant from the police or a subpoena from a court) or for any other purpose for which you provide consent.

DISCLOSURE

We may disclose Personal Information in accordance with the above purposes to:

- third parties to whom you authorise us to do so (for example, other individuals with your organisation)
- third parties which provide services to us (e.g. our business outsourcing providers who assist us in providing IT services)
- our partners, affiliates, contractors and consultants, who assist us in providing the Service to you
- regulatory authorities, government bodies, and law enforcement agencies or as otherwise required or authorised by law, and
- others where an individual has expressly provided his or her consent for us to do so.

Whilst we are an Australian-owned and operated business, we may occasionally be required to disclose your Personal Information overseas, including to third-party service providers. For example, we may disclose Personal Information to our overseas service providers who help us operate our website and the Service. However, our customers (including Users and Admins) may be located anywhere in the world and subject to other privacy and data protection laws such as the GDPR (see below).

If you are located in Australia and we disclose your Personal Information outside Australia, we will take reasonable steps to ensure that the overseas recipient will deal with the Personal Information for the purpose intended and in a way that is consistent with the Privacy Act. When we share such Personal Information, we take reasonable steps to ensure that third-party recipients have policies and controls in place that are at least as stringent as our own.

In certain circumstances, the General Data Protection Regulation (“**GDPR**”) provides additional protection to individuals located in the European Union (EU) or European Economic Area (EEA). If you are located in the EU or EEA and we process Personal Information in connection with your use of the Service or our website, we do so in the capacity of processor, and our customer is the controller. If you have additional rights and remedies available to you under the GDPR such as the right to object to certain processing and the right to be forgotten, we will assist the controller to enable you to exercise your rights.

STORAGE AND SECURITY

We store most Personal Information in computer systems and databases physically located in Australia and operated by us or our external service providers. We employ appropriate technical and organisational measures consistent with good industry practice to protect your Personal Information by using security standards and procedures appropriate to the risk.

We will store your Personal Information for as long as needed to continue to provide the Service to you as a customer or for as long as you are subscribed to our mailing list. We take reasonable steps to securely destroy or de-identify all Personal Information where it is no longer necessary to retain the information, or as required by law. For example, where your account has been dormant or inactive for over one (1) year, we may delete your account, including all personal data of your customers, volunteers and third parties, and after six (6) months for Sensitive Information such as first aid reports. We reserve the right to retain any Personal Information that we are legally required to retain or where necessary for financial, accounting, tax, audit or legal reasons.

ACCESS AND CORRECTION

You may access Personal Information we hold about you in certain circumstances and correct inaccurate Personal Information. If you would like to obtain such access, please contact us by email. For certain requests, we must first verify your identity before processing your request. We may request information about you to confirm your identity and we may require additional information to process the request. Such

information, including copies of any identification documents you provide will be handled in accordance with this policy. Once we receive the required information, we will review and determine whether we are able to carry out your access request.

MARKETING

By accessing and using the Service and our website, you consent to receiving direct marketing material from us from time to time in relation to the Service and our other offerings, including those of our partners and affiliates. We will only use your Personal Information (your email address) for this purpose if we have collected such information directly from you, and where we believe the marketing material is what you would reasonably expect to receive from us.

If you do not wish to receive promotional or marketing communications from us, you can opt-out by clicking the “unsubscribe” button at the bottom of the messages we send you, or by contacting us.

COMPLAINTS

If you have any questions about this policy, wish to access or correct your Personal Information, make an enquiry, or would like to lodge a complaint in relation to our handling of your Personal Information, you can email as us admin@opdox.com.au .

Any complaint should be made first in writing to us. We will then respond to your complaint in writing and in accordance with any timeframes required by law. We may require you to provide further information about your complaint to duly assess your complaint.

If, for any reason, you do not wish to complain to us initially or if you are unhappy with how we propose to resolve your complaint, you can make a complaint to the Office of the Australian Information Commissioner (**OAIC**) via their website. If the GDPR applies to you, you may also lodge a complaint with the relevant supervisory authority in the EU or EEA state where you work, normally live or where any alleged infringement of data protection laws occurred.

CHANGES TO POLICY

We may modify or amend this Privacy Policy from time to time and will notify our customers by email and also reflect any such changes by updating our website. The amended Privacy Policy will apply from the date of publication on our website. If you are not our customer, we encourage you to periodically visit our website to review the latest version of this policy.

CONTACT US

If you have any questions or comments about our Privacy Policy, or if you wish to opt-out of any marketing that we direct to you, please contact us: admin@opdox.com.au