## **Modelve Privacy Policy**

## 1 Purpose and nature

At Modelve Pty Ltd / Modelve Canada Limited ("Modelve", "we" "or" "us") we are committed to protecting your Personal Information, as defined below. This privacy policy ("Privacy Policy") describes our practices regarding how we intend to collect, store, use, disclose, protect and otherwise handle your Personal Information in accordance with applicable privacy laws including, Australian Privacy Principles (APPs) contained in the Australian Privacy Act 1988, the Personal Information Protection and Electronic Documents Act (Canada) (PIPEDA), and applicable provincial laws including the Act respecting the protection of Personal Information in the private sector (Quebec), as applicable.

This Privacy Policy does not constitute a contractual representation, promise, guarantee or warranty by Modelve to you as to the manner in which Modelve will or may collect, store, use, disclose, protect or otherwise handle your Personal Information.

This Privacy Policy applies to Modelve and its related entities, such as its subsidiaries, and their employees. These related entities comply with the same obligations that Modelve has to protect your Personal Information under this Privacy Policy.

Modelve has appointed a person responsible for the protection of Personal Information and for ensuring Modelve's compliance with applicable privacy laws (the "**Privacy Officer**"). For the contact information of such Privacy Officer, please see Section 14 below.

#### 2 What is Personal Information?

Personal Information is information about an identified or reasonably identifiable individual, whether recorded in a material form or not identifiable individual, whether recorded in material form or not. This includes information that, alone or in combination with other information, can be used to identify an individual ("**Personal Information**").

## 3 Why does Modelve collect Personal Information?

Modelve collects Personal Information to provide, administer, improve, personalise and market the products and services we offer to you. We also collect Personal Information to support our business functions.

If we do not collect your Personal Information, we may not be able to provide you with our products and services. We only use your Personal Information as necessary to provide our services, or as required by law.

#### 4 What Personal Information does Modelve collect?

The types of Personal Information collected by Modelve through our website and software include:

- (a) first and last names:
- (b) contact details (including address, email address, telephone number(s) and other contact details);
- (c) usernames and passwords; and
- (d) other information you provide to us.

## 5 How does Modelve collect your Personal Information?

Modelve will collect Personal Information directly from you, only by lawful and fair means and not in an unreasonably intrusive manner. When you provide us with Personal Information, you consent to its collection, use, disclosure and handling in accordance with this Privacy Policy (and any subsequent amendments, see Section 15) and in compliance with applicable privacy laws. Where applicable and required by law, we will obtain your explicit consent regarding the use of your Personal Information; however, where permitted by law, we may rely on legitimate

interests, implied consent, or specific statutory exceptions. In addition to the purposes listed in the Privacy Policy, we may also use your Personal Information for security purposes, including to detect, prevent, and investigate potential fraud.

#### 5.1 <u>Collecting information from you</u>

If it is reasonable and practical to do so, Modelve will collect Personal Information directly from you.

Depending on how you choose to interact with Modelve, Modelve may collect your Personal Information when you contact, or are contacted by, Modelve or one of our service providers. We will collect your Personal Information when you apply for products or services we offer, subscribe to our newsletter, complete forms, including order forms, social media platforms or have telephone conversations with us or otherwise transact with us.

#### 5.2 <u>Collecting information from third parties</u>

Modelve may also collect information about you from third parties (e.g. a third-party administrator) or independent sources. However, we will only do so where it is not reasonable and practicable to collect the information from you directly. Where we have collected your information from a third party, such Personal Information will be held, used and disclosed by us in accordance with this Privacy Policy.

### 5.3 <u>Collecting information from visits to our website</u>

Modelve may collect information about how you use and visit our website and our software. For example, we record your server address, the date and time of your visit, the pages you visited, any documents you downloaded, and the type of device, browser and operating system you used.

We use and disclose this information in anonymous, aggregated form only for purposes including statistical analysis and to assist us to improve the functionality and usability of our website. You are not individually identified, however we reserve the right to use or disclose this information to try to locate an individual where we reasonably believe that the individual may have engaged in any unlawful or inappropriate activity in connection with our website, or where we are otherwise required or authorised by law to do so.

#### 5.4 Cookies, web beacons and other similar technologies

We may also collect information based on how you use our website, including through 'cookies', web beacons and other similar technologies.

Cookies are essentially small text files that are transferred to your computer's hard drive through your web browser to enable Modelve's systems to recognise your browser and record non-personal information such as the date, time or duration of your visit and the pages accessed, for website administration, statistical and maintenance purposes ("Cookie Information").

We use cookies to provide you with a more consistent experience across our services. No attempt is made by Modelve to use Cookie Information to personally identify you. However, if Cookie Information is linked with Personal Information as set out above, this Cookie Information becomes Personal Information and will be treated in the same manner as the Personal Information to which it has been linked.

You can remove or reject cookies by adjusting the settings and preferences on your web browser. Modelve will implement a cookie consent mechanism that allows users to accept or reject non-essential cookies, as required by applicable privacy laws. Please note that some parts of our website may not function fully for users that disable cookies.

#### 5.5 Unsolicited information

If Modelve receives Personal Information that it has not requested and determines that the Personal Information received is not reasonably necessary to provide our services, we will take all lawful and reasonable steps (if any) to de-identify or destroy that Personal Information.

## 6 Anonymity/pseudonymity

Where practicable, you may be able to interact with Modelve anonymously or by using a pseudonym. Circumstances where it is not practicable, however, include where Personal Information is required to complete a payment transaction, contact you about our products and services or otherwise provide any services to you.

## 7 How does Modelve hold and protect your Personal Information?

We are committed to protecting Personal Information in our possession in accordance with industry standards. The security of your Personal Information is important to Modelve. Accordingly, Modelve have implemented physical, electronic and operational security measures which comply with the standard industry practices to protect your Personal Information from misuse, theft, loss and unauthorized access or use, modification or disclosure.

These steps include the implementation of the following safeguards:

- (a) password protected databases;
- (b) encryption of data in transit;
- (c) system firewalls; and
- (d) internal information security policies.

Modelve will take reasonable steps to permanently de-identify or responsibly destroy Personal Information if it is no longer needed for the purpose for which the information was used or disclosed.

Modelve has implemented a privacy incident response plan, including procedures for documenting incidents, notifying regulatory authorities, and informing affected individuals when an incident presents a risk of serious harm, as required by applicable law.

Modelve's data security practices have been adopted with a view to protecting the Personal Information held by Modelve. Notwithstanding this, individuals should be aware that there are inherent risks associated with the transmission of Personal Information over the internet and other mediums. It is never completely secure despite the security measures taken by Modelve. Although we take precautions to protect your Personal Information, Modelve cannot guarantee the security of personal information transmitted over the Internet.

## 8 How does Modelve use your Personal Information?

Modelve may hold, use or disclose your Personal Information so that it can provide any products and services that you request. Modelve may also hold, use or disclose your Personal Information to:

- (a) consider any concern or complaint that you raise against Modelve or to manage any legal action between you and Modelve;
- (b) prevent or investigate any actual or suspected fraud, unlawful activity or misconduct; or
- (c) comply with any relevant laws, regulations, codes of practice and court orders.

#### 8.1 <u>Direct Marketing</u>

Modelve may also use your Personal Information to identify and promote products or services that may be of interest to you.

At any time you may opt out of receiving direct marketing communications from Modelve. You may do, by clicking on the opt out link within an email, or by contacting our Privacy Officer using the contact details set out in Section 14.



#### 9 How is Personal Information disclosed to others?

Access to your personal information by our employees is limited to those of our employees who require access to perform their duties. Our employees are made aware of the need to protect the Personal Information used by us, and we have implemented internal policies to ensure their protection.

Modelve may also, in order to provide our products and services to you, disclose your Personal Information externally to third parties in limited circumstances, including to:

- (a) external providers that perform services on behalf of Modelve;
- (b) legal entities within our group;
- (c) financial institutions for payment processing;
- (d) courts, law enforcement authorities, regulators, governmental officials or prosecutors;
- (e) data storage and archive service providers;
- (f) business advisers (such as accountants, auditors and lawyers) if necessary; and/or
- (g) other third parties in certain specific circumstances, always within the limits permitted by law or after obtaining your consent, for example: (i) as part of a business transaction, such as a capital raising or obtaining a loan or financing; or (ii) in the event of insolvency or bankruptcy.

We require third parties to whom we disclose your personal information to respect the standards set by applicable law and to implement appropriate security measures to protect your personal information. Modelve does not sell, rent or trade Personal Information to, or with third parties.

Modelve software is hosted in Australia, Canada and the United States, and may also be deployed in other regions where our customers are based, in order to ensure local hosting of customer data where possible. We may update our hosting locations from time to time to ensure service quality, resilience and compliance. Our service providers and other third parties to whom we disclose your personal information may operate in different jurisdictions. In all cases, we ensure that your personal information is handled securely, and that a written agreement exists with any such third party ensuring that your personal information is stored in compliance with applicable laws and this Policy. We conduct privacy impact assessments when appropriate and where required by applicable laws. We will not disclose your personal information unless we are satisfied that it will be adequately protected.

To the extent we can, we will ensure that if we disclose your Personal Information overseas, your information will be collected, stored, used and disclosed in accordance with this Privacy Policy, the Australian Privacy Principles (APPs), the Personal Information Protection and Electronic Documents Act (Canada) (PIPEDA), and applicable provincial laws including the Act respecting the protection of personal information in the private sector (Quebec), as applicable.

## 9.2 <u>Third Party Links</u>

This Policy does not apply to the collection, use, disclosure or retention of your Personal Information by third parties. Modelve's website may contain certain links to other websites. Modelve does not share your Personal Information with those websites and it is not responsible for the privacy practices applying in respect of those websites. We encourage you to read such third parties' privacy notices or policies and to direct any complaints, questions or requests related to your Personal Information collected on such third parties' websites directly to the relevant third party.

## 10 Change of control

If Modelve sells, assigns or otherwise transfers part or the whole of its business, your Personal Information, which was collected by Modelve through your use of its services, may be among the items transferred or sold to the extent that it is relevant to the Modelve business.



## 11 How you may access or correct your Personal Information

Subject to the exceptions provided by law, you may contact Modelve to request a copy of, or access to the Personal Information it holds about you at any time. You may also ask Modelve to correct information about you that you may believe is inaccurate, incomplete or out of date.

You have the right to obtain additional information relating to the processing of your Personal Information. If you cannot find the answer to your questions in the Policy, you can contact our Privacy Officer.

You may exercise your rights of access by contacting our Privacy Officer using the contact details set out in Section 14. Modelve will need to verify your identity before giving you access to, or correcting, your Personal Information. Modelve will respond to the request within a reasonable period after the request is made. There is no charge to make a request, however Modelve may charge a reasonable fee to cover the administrative costs of retrieving, transcribing, reproducing, transmitting or requesting additional copies of your Personal Information if the request is excessive or unfounded. We will inform you of any such charges before processing your request.

In certain circumstances, Modelve may refuse, or be unable, to correct or provide you with access to your Personal Information. In these circumstances, Modelve will write to you to explain the reasons why this is the case.

#### 12 Withdraw Your Consent

When you give your consent for secondary purposes, in other words, purposes that are not essential to offer you our services, you may withdraw it at any time, without any consequence, by contacting our Privacy Officer. You may also exercise your right to be forgotten, by requesting the deletion of your Personal Information when it is no longer necessary for the purposes for which it was collected.

However, if you refuse to provide us with Personal Information that is necessary for us to provide you with our services or that is required by law, we may no longer be able to provide you with our services. In this case, we may have to cancel our commitment to you. You will, however, be informed of the occurrence of such a situation

# 13 How you may complain if you have concerns about how Modelve has managed your Personal Information

If you have a complaint related to how Modelve has managed your Personal Information, please contact our Privacy Officer using the contact details set out in Section 14. Modelve may ask you to place your concerns in writing so that our compliance staff can fully understand and investigate your complaint.

Modelve will provide you with an estimated response timeframe in relation to your complaint. In any event, Modelve will endeavour to respond to your complaint within 30 days.

If a complaint remains unresolved, you may contact the appropriate privacy regulatory authority in your jurisdiction, such as the Office of the Australian Information Commissioner (OAIC) at <a href="https://www.oaic.gov.au">www.oaic.gov.au</a>, or any applicable provincial privacy commissioner, to have the complaint heard and determined.



#### 14 How to Contact Us

If you have any questions about this Privacy Policy or Modelve's management of your Personal Information, please contact our Privacy Officer on:

Attention: Privacy Officer

Email: privacy@modelve.com

Mail: Modelve Pty Ltd Modelve Canada Ltd

3 Albert Coates Lane Suite 1400, 18 King Street East

Melbourne VIC 3000 Toronto ON M5C 1C4

Australia Canada

## 15 Changes to Modelve's privacy policy and information handling practices

This Privacy Policy may be updated at our sole discretion based on changes in our practices and legislation on the protection of Personal Information so we encourage you to review this Privacy Policy at regular intervals. If Modelve changes this Privacy Policy an updated version will be posted on Modelve's website to notify you of this change. By continuing to use our services after that time you will be deemed to have accepted any changes to our Privacy Policy. Where changes materially affect your rights or obligations, Modelve will notify you directly and obtain renewed consent if required by applicable law.

