

The Hug App Privacy Policy

The Hug App Pty Limited ACN 606 062 515, Suite 109, Level 1, 2-8 Queen Street, Melbourne Victoria 3000 Australia (**Hug App**), the operator of www.thehugapp.com.au (**Website**), and our related entities recognise the importance of privacy protection.

This Privacy Policy sets out how we collect, use and disclose your personal information and applies to you unless you give us explicit consent to act otherwise.

Australian Privacy Law

As we are an Australian company, we will comply with Australian privacy laws including the Australian Privacy Principles set out in the Privacy Act 1988 (Cth) (**Act**) to the extent they apply to your personal information. Further information is available from the Office of the Australian Information Commissioner through the following website - www.oaic.gov.au.

What types of personal information do we collect?

We will collect certain types of personally identifiable information (“personal information”) about you including your name and email address so that we can register you to use the Website. Other personal information we collect from you will depend on what information you choose to disclose to us and how you use the services provided through the Website. Other personal information we may collect from you includes your postal address; telephone number(s); names; activities, and schools of dependants with which you are associated on the Website; Website account passwords; credit card number and associated expiration date and any necessary verification codes; information required for payment for products and services provided by us through the Website and specific information required for a Third Party Provider to supply you with information, products or services you wish to receive.

How do we use your personal information?

We will use your personal information for the purpose disclosed at the time of collection, in our Website Terms and Conditions or otherwise as set out in this Privacy Policy. Except as set out in this Privacy Policy, we will not sell or disclose your personal information to any person or use your personal information for any other purpose without your prior consent, unless authorised or required by law. Generally, we will only use and disclose your personal information for the following purposes:

- to provide you with information you request about us or the products or services we offer through the Website;
- to provide information to persons expressly authorised by you;
- to manage the Website (including your User Account);
- to provide products or services you request from time to time;
- to access or directly link to Third Party Websites;
- to determine and notify you of what products or services (including third party products and services) we consider are likely to be of most interest to you;
- to process and obtain payment for any products or services you order from us through the Website including Hugs;
- to understand your needs and Website usage in order to help us improve the Website, our marketing or the way we do business;
- if necessary, to verify your identity or age; and
- to contact you for direct marketing and promotional purposes including providing you with information about new products or services, events and special offers, unless you tell us that you do not wish to receive this type of information.

We may also disclose your personal information to Third Party Providers from which you wish to receive information, products or services in order to:

- facilitate communications between you and those Third Party Providers; and
- provide those Third Party Providers with the information necessary for them to supply you with the information, products or services you wish to receive.

We will only disclose your personal information to Third Party Providers you choose to deal with. You acknowledge and agree that Third Party Providers may be unable to provide you with the information, products or services you wish to receive if we do not disclose your personal information to them.

From time to time we may also ask you to participate in surveys or questionnaires. These help us to improve our levels of service and to maximise the opportunities and benefits you can enjoy.

We may also send you other electronic messages updating you about products, services, offers and special offers. We will only send you such electronic messages if you have consented to receive them or it can be inferred from your existing business or other relationship with us, that there is a reasonable expectation of receiving those electronic messages. All electronic messages we send will identify us as the sender.

How do we use information that is not personal information?

From time to time we may sell or disclose information you provide us that is not personal information or does not disclose your identity to any person for any purpose at our sole discretion, including to people or companies located outside your country. For example, we may sell, disclose or use information you provide us that is not personal information to determine what advertising, promotional materials, products or services are likely to be of most interest to you and to assist merchants and other third parties to monitor general consumer trends in various areas. We may also provide aggregated and or anonymised user data to third parties or service providers.

How do we collect your personal information?

We collect your personal information from information you provide directly to us when you set up a User Account and register to use the Website, pay for a service provided by the Website, contact us, participate in surveys or questionnaires and from information you upload to the Website from time to time.

What happens if you don't provide us with the information we require?

If you don't provide us with certain information, we may be unable to provide you the information, products or services you wish to buy or receive.

Personal information security

We will take reasonable steps to ensure your personal information is protected from risks such as loss, unauthorised access or use, destruction, modification or disclosure. Aside from the disclosure or transfer of your personal information as specified in the "Where your information is stored" section below, we will only permit our authorised personnel and other personnel authorised by you to access your personal information. The Internet is not a secure method of transmitting information. Accordingly, we cannot accept responsibility for the security of information you send to or receive from us over the Internet or for any unauthorised access, use or modification of that information. The Website may provide links or references to other 3rd party websites and resources. These websites and resources are not subject to this Privacy Policy. You should review the privacy policy of each 3rd party website and resource accessed via links from our Website, and assess whether the policy of each website and resource is satisfactory to you before you use the website or resource. You acknowledge and agree that we are not responsible for any personal information you choose to disclose, or permit us to disclose, to a Third Party Provider or to a 3rd party through a 3rd party website referred to by or linked to our Website and that such Third Party Providers and 3rd parties may store your personal information in any location in accordance with their own security standards.

Using 3rd parties to process your information

We may occasionally use third party companies (third party service providers) to manage information that you provide or a secure third party service to process payments. When we use third party service providers, to the extent practicable, we seek to keep the amount of personal information they hold to a minimum.

Where your information is stored

Subject to the below, personal information we collect from you is stored securely on servers in Australia.

For us to provide you with the App and the services offered through the Website or for you to access Third Party Websites and Third Party Accounts via the Website, we may be required from time to time to:

- (a) use your Materials to access or directly link to Third Party Websites and your Third Party Accounts;
- (b) disclose your Materials to Third Party Providers;
- (c) retrieve information from Third Party Providers and Third Party Websites about you or about your Third Party Accounts; and
- (d) view details of your Third Party Accounts.

We currently engage Buzinga Pty Limited (**Buzinga**) and Amazon Web Services

Australia Pty Limited (**AWS**) to provide us with the resources necessary for us to perform the above actions and to host the Website including the App. We will disclose your personal information to AWS and Buzinga to the extent necessary for them to provide the resources and assistance we need to perform the above actions and that you need to use the Website and the products and services offered via the Website. Servers in which your information (including personal information) is stored by AWS and Buzinga are currently located in Australia, although additional or other locations inside or outside of Australia may be used by AWS or Buzinga in the future.

If AWS, Buzinga or any other third party we may engage from time to time to provide similar or equivalent services to AWS or Buzinga (**Similar Provider**), stores your personal information outside Australia, the Act requires us to ensure that they comply with the Act in dealing with that personal information unless you agree otherwise. By providing us with information (including personal information), registering to use the Website, using the Website, uploading any Materials or information to the Website or obtaining any products or services provided via the Website, you: (i) consent to us disclosing and transferring your information (including personal information) to Buzinga and any Similar Provider; (ii) consent to AWS, Buzinga and any Similar Provider storing your information (including personal information) on servers located outside of Australia; and (iii) agree that the requirement under the Act for us to ensure that AWS, Buzinga and our Similar Providers comply with applicable Australian privacy laws in respect of your information (including personal information) does not apply if AWS, Buzinga or our Similar Provider stores personal information outside of Australia. The parts of this paragraph referring to the Act apply only if the relevant personal information is covered by the requirements of the Act, subject to the next sentence. If the privacy laws of another country apply and those laws contain equivalent requirements to the Act, references to the Act in this paragraph refer to those other privacy laws.

In addition to the above, some of our other third party service providers may in the future use servers located outside your country. To ensure there is sufficient capacity to store your User Materials, we may also in the future store your information on servers located outside your country or engage other data storage providers to store your information on servers located in or outside your country. We will update this Privacy Policy if either is the case. We suggest that you visit our Website regularly to keep up to date with any changes.

Data Retention and Account Deletion

Except as described below, we will retain personal information and other information we receive for as long as your account is active or as needed to provide services through the Website. Notwithstanding anything to the contrary herein, we will retain and use the information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

If you ever decide to delete your User Account, you may do so by taking the steps set out on the Website. If you terminate your account, your profile, including any personal information, offers, purchases, or other information associated with your User Account will be removed from the Website and eventually deleted from our servers. Because of the way we maintain the Website, such deletion may not be immediate, and residual copies of your profile information or posts may remain on backup media for up to 90 days. Despite the preceding, we will retain information as required by applicable law and we will not delete any information that has already been aggregated or anonymised.

To the extent we have already disclosed information about you to third parties before you delete your User Account, we cannot require such third parties to delete that information.

Your rights of access and correction

You have the right to access personal information which we have collected from you in accordance with applicable law.

If you wish to access your personal information, or believe that any of the personal information we hold about you is inaccurate, incomplete or out-of-date, please contact us at the email address shown at the bottom of this Privacy Policy. We will take reasonable steps to correct any inaccurate, incomplete or out-of-date personal information if you request us to do so, where required by law.

We may withhold or refuse you access to your personal information if we are legally authorised to do so or where its disclosure to you is restricted by law, is the subject of legal action, or may compromise the privacy of another person.

We may charge you a reasonable fee to access your information as permitted by applicable law.

Email Communications

By providing your email address to us, you expressly consent to receive emails from us or our Third Party Providers, where permitted by law. We may use email to communicate with you, to send information that you have requested, or to send information about other products or services developed or provided by us or our partners. If you have a Website or App account and do not want to receive commercial email or other mail from us, please indicate your preference by making a modification on your account settings page or through the 'settings' tab on our website once you're logged in to the Website. Please note that if you do not want to receive legal notices from us, such as notices regarding this Privacy Policy, those legal notices will still govern your use of the Website and the App, and you are responsible for reviewing such legal notices for changes. We may receive a confirmation when you open an email from us if your computer supports this type of program. We use this confirmation to help us make emails more interesting and helpful and improve our service.

Text Messages

If you provide your phone number to us and opt in, we or our Third Party Providers may send you periodic text messages through an automatic telephone dialing system. These may include marketing text messages, as well as operational messages about features and updates to our Website or the App. Standard text message and data rates will apply. You are not required to agree to receive text messages in order to use any of our apps or other services.

How can you stop receiving marketing information?

Where marketing information is forwarded to you via electronic messages, there will be a functional 'unsubscribe' mechanism contained in the message.

If you no longer wish to be contacted by us or receive such marketing information, you can advise us:

- by emailing us at support@thehugapp.com.au; or
- by clicking the 'unsubscribe function' (where marketing information is sent electronically).

We will keep a record of your request to ensure you do not receive that information in the future. Because of the way we maintain and distribute marketing information, such request may not take effect immediately, and you may continue to receive marketing information from us for up to 4-6 weeks.

Advertisements and promotional offers may be provided to you via the Website as part of your User Account. You may seek to reduce or remove advertisements or promotional offers (as applicable) from the Website pursuant to the processes set out in the Hug App Website Terms.

You cannot refuse to receive information which we are required to provide you by law.

Cookies

"Cookies" are small data files sent by a website and stored on your computer's hard drive when you visit the website. A cookie can contain certain information that the website uses to track the pages you have visited. The only personal information a cookie can contain is information you personally supply. A cookie cannot read data off your hard disk or read cookie files created by other websites. Our Website uses cookies to assist with managing your User Account and to identify you on return visits. Most Internet browsers automatically accept cookies, but you can usually change your browser to notify you when you receive a cookie or to reject cookies. However, while most of the content of our Website can be viewed without accepting cookies, full functionality for the Website requires the use of cookies.

Information collected from Children

We do not knowingly collect personal information from children without parental or guardian consent. If we learn that we have inadvertently obtained such information, we will promptly delete the information.

Changes to this Privacy Policy

We may amend this Privacy Policy from time to time by posting the amended version on our Website. We suggest that you visit our Website regularly to keep up to date with any changes.

Contacting us

If you would like more information about this Privacy Policy or if you have any queries or complaints, please contact us by email at support@thehugapp.com.au. We will take reasonable steps try to resolve any complaints with you as quickly as practicable.

If the Act applies to your personal information, complaints may also be made directly to the Office of the Australian Information Commissioner though its website located at www.oaic.gov.au/privacy/privacy-complaints.

Definitions

Unless otherwise defined in this Privacy Policy, words beginning with capital letters are defined in the Hug App Website Terms and Conditions published on the Website as updated from time to time.

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