

# **Privacy Policy**

## **Introduction**

Capitalis International Pty Ltd (ACN 103 831 214) is a company incorporated in Australia. In this Privacy Policy we will refer to Capitalis International Pty Ltd as “Capitalis”, “we”, “us” and “our”.

This website [www.capitalis.com.au](http://www.capitalis.com.au) (“the Site”) is owned and operated by Capitalis.

This is Capitalis’ Australian Privacy Principles privacy policy. It explains how Capitalis approaches the important issue of privacy and the management of your Personal Information.

Please contact Capitalis’ Privacy Officer (details are at the end of this Privacy Policy) if you require any further information regarding our Privacy Policy.

Established in 2003, Capitalis is a results-driven, strategic marketing research consultancy experienced in collecting, analysing and interpreting commercial data to provide evidence-based, strategic marketing advice and direction to our clients across Asia Pacific, North America and Europe.

We offer a blend of services combining the rigour of 360 degree quantitative and qualitative market research, with the strategic insight and know-how of experienced business consultants that delivers clarity with purpose for our clients to help them to successfully compete and grow (collectively “Services”).

By choosing to participate in the Services and or by using the Site, you consent and agree to the Privacy Policy of Capitalis as follows:

## **The Australian Privacy Principles**

The Australian Government introduced updated legislation in 2014 its *Privacy Act (1988)*, to further enhance the protection and handling of an individual’s privacy and personal information. These principles replace the previous National Privacy Principles that operated from 2001. You can find out more about the Australian Privacy Principles by calling the Office of the Australian Information Commissioner on 1300 36 39 92 or through their website at [www.oaic.gov.au](http://www.oaic.gov.au).

“Personal Information means information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- a) whether the information or opinion is true or not; and
- b) whether the information or opinion is recorded in a material form or not.

Capitalis respects and upholds your right to privacy protection under the Australian Privacy Principles in regulating how we collect, use, disclose and hold your Personal Information. We have a detailed policy and set of procedures to ensure that only authorised staff have access to your personal information, that it remains confidential and is only used for appropriate purposes and in accordance with this notice.

In addition to the Australian Privacy Principles, individuals located in the European Union (EU) may also have rights under EU based rules known as the *General Data Protection Regulation* (GDPR). The GDPR has harmonised the data privacy laws of each individual EU country, giving more rights to individuals located in the EU and more obligations to organisations holding their personal information.

Details of additional rights of individuals located in the EU and how we meet them are outlined in the relevant section below.

## **The Personal Information We Collect, and Why We Collect It**

Your personal and sensitive information is only collected as is necessary for a function or activity, or to enable us to carry out our work and deliver our Services.

We may use your personal information to send you information about our work or to let you know about our Services. Each time we send you a direct marketing communication we will provide you with a simple way to “opt out” of receiving similar communications in the future.

You can also let us know that you do not wish to receive any further communications by contacting Capitalis’ Privacy Officer.

Capitalis will not collect sensitive information about health, racial or ethnic origin, political opinions or membership, religious or philosophical beliefs, trade association or union membership, sexual preferences or criminal record unless you have consented to give this information and it is relevant to our work and Services. We will always collect such information in a non-intrusive, lawful and fair manner.

We will offer you the option of not identifying yourself or of using a pseudonym where it is practical to do so.

## **Opting-Out or Modifying Your Information**

If you want to change any information that you have previously given us, or if you want to opt out of future communications please contact Capitalis’ Privacy Officer as detailed below.

## **How We Collect Your Personal Information**

We collect your personal information when you provide it to Capitalis in a number of ways including but not limited to:

- directly from you e.g. through the Site, membership or application forms;
- by voluntary completion of surveys or forms;
- from public domain e.g. your business website;
- from authorised third party data sources and data lists for the purposes of conducting our Services;
- from your business partners/associates and employers; and
- by your usage of the Site e.g. the pages that you visit, what links you click by contacting us by post, telephone, email, or other electronic methods.

In some cases, you might provide personal information to us by entering it into our cloud-based solutions because you want us to host that information for you. Alternatively, your information may be disclosed to us by an organisation with whom you interact and to which we provide a cloud-based service.

When we collect or hold Personal Information in this way, it is only used or disclosed for the purpose contemplated by you or the organisation that has disclosed that information to enable us to provide the work or Service sought.

Personal information may be stored on our web servers but will only be accessed by us to provide technical support, or to carry out other functions reasonably necessary to provide the work or Service. This Personal Information will not be disclosed in any other way without the individual's written consent.

### **How do we use your Personal Information?**

We may use your Personal Information to the extent that is reasonably necessary to carry out the Services including for the following purposes:

- to gather insight to inform strategy and marketing plans;
- to compile analytics in sizing or quantifying market opportunity;
- to predict market opportunity forecasting and resource allocation;
- to disclose to other businesses who assist us in providing services or who perform functions on our behalf;
- to conduct credit checks (if and where necessary); and
- to improve our Services and the Site.

### **How We Keep Your Personal Information Secure**

Our premises are in secure buildings with access restricted to passcard holders. Our IT systems are password protected and we conduct regular audit and data integrity checks.

We frequently update our anti-virus software in order to protect our systems (and the data contained in those systems) from computer viruses. In addition, all our employees are required, as a condition of employment, to treat personal information held by Capitalis as confidential.

Whilst we store your Personal Information in our onsite servers, there may be some circumstances where your Personal Information is stored on a remote, "Cloud" or offsite server.

If we store your Personal Information on a remote, "Cloud" or offsite server we will endeavour to protect your Personal Information through security measures such as password protection and encryption.

We retain and store your Personal Information (whether onsite, offsite or on the Cloud) for a maximum of 12 months.

### **Destroying Personal information**

We will destroy or de-identify the Personal Information provided by research participants as soon as practicable, once it is no longer needed for the research purpose for which it was collected. However, we may in certain circumstances be required by law to retain Personal Information after our research has been completed.

In this case, the Personal Information will continue to be protected in accordance with this Privacy Policy. If we destroy Personal Information we will do so by taking reasonable steps and using up-to-date techniques and processes.

### **Disclosing your Personal Information**

We may disclose your Personal Information to third parties but only for the purposes of providing the Services and for the purposes contemplated by your use of the Site.

These third parties may include:

- our clients, agents or contractors (worldwide);
- email marketing providers (worldwide);
- data collection and marketing providers (worldwide);
- our related entities; and
- our professional advisers.

When we disclose your Personal Information with a third party, we will require the third party to handle your Personal Information in accordance this Privacy Policy and the Australian Privacy Principles.

Capitalis will sometimes use third party service providers to conduct surveys and facilitate information collection. Some of these service providers conduct all or part of their business overseas and so your personal information may be transferred overseas as a result. Capitalis conducts a due diligence process before entering into an agreement with these service providers and will take all reasonable steps to ensure that your information is not used in a manner inconsistent with the Australian Privacy Principles.

Web traffic information is disclosed to Google Analytics when you visit our Site. Google stores information across multiple countries. When you communicate with us through a social network service such as Facebook or Twitter, the social network provider and its partners may collect and hold your personal information overseas.

### **Visiting our Site**

Our Site may use 'cookies' to improve your experience on our sites, to display content more relevant to you within the Site, and to display items added while using online facilities. If you are concerned about the use of these cookies, your browser can be configured to notify you when you receive a cookie, and provide you with the opportunity to accept or reject it. You may refuse all cookies from Capitalis' Site, however some functions may be unavailable.

Our Site may use statistical information collection tools (such as Google Analytics) to track site visits, navigation and performance within our Site for the purpose of monitoring and improving the site. If you are concerned about the use of these tools, you can configure your browser to send a "Do Not Track" request with your browsing traffic.

Our Site may also use third party cookies and Google Analytics Advertising Features including: Remarketing with Google Analytics, and Google Analytics Demographics and Interest Reporting.

Visitors can opt-out of Google Analytics for Display Advertising and customize Google Display Network ads using the Ads Settings. Further information regarding behavioural advertising, including ways to manage your online privacy, is available at [www.youronlinechoices.com.au](http://www.youronlinechoices.com.au).

Where you provide your email address to Capitalis we will only use it for the purpose provided unless you have consented to us using it for additional purposes, and we will not pass it on to any other person or organisation unless we have disclosed this to you. We may also disclose your information where required by law to do so.

Our Site may contain links to other sites of interest. We do not control, and are not responsible for, the content or privacy practices of those websites. Please check the Privacy Policies on other websites before you provide your personal information to them.

## **Our Site Security**

By using our Site you acknowledge and agree that the internet is inherently insecure and that you use the internet at your own risk. You acknowledge that you do not hold Capitalis liable for any security breaches, viruses or other malicious software that may infect your computer or other internet browsing device, or any loss of data, revenue or otherwise that may occur as a result of using our Site.

We strive to ensure the security of your Personal Information and we take reasonable steps to protect your Personal Information from:

- a) misuse, interference and loss; and
- b) unauthorised access, modification or disclosure.

We will review and update our physical and data security measures in light of current technologies. Unfortunately, no data transmission over mobile data and communication services can be guaranteed to be totally secure.

For security purposes, any Personal Information that we receive and/or provide to third parties will be password protected.

In addition, our employees and contractors who provide services related to our information systems are obliged to respect the confidentiality of any Personal Information held by us.

We will do everything reasonably within our power and control to prevent unauthorised use or disclosure of your Personal Information. However, we will not be held responsible for events arising from any unauthorised use or access to your Personal Information.

Certain sections of our Site are secured using industry-standard SSL/TLS technology to encrypt data between your browser and the Site.

## **Social Networking Services**

We may use social networking services such as LinkedIn, Facebook and YouTube to communicate with the public about our Services. When you communicate with us using these social networking and digital media services we may collect your personal information, but we only use it to help us to communicate with you and the public.

The social networking and digital media services will also handle your personal information for its own purposes. These services have their own privacy policies. You can access the privacy policies for [LinkedIn](#), [Facebook](#) and [YouTube](#) (a Google company) on their websites.

## **Spam Act**

We adhere to the *Spam Act 2003*. The Spam Act prohibits the sending of unsolicited emails, SMS and MMS messages for commercial purposes from or within Australia or to people in Australia. The Spam Act also bans the supply and use of software designed to harvest email addresses.

## **ADDITIONAL RIGHTS FOR INDIVIDUALS LOCATED IN THE EUROPEAN UNION (EU)**

The EU General Data Protection Regulation (GDPR) has harmonised the data privacy laws of each individual EU country, giving more rights to individuals located in the EU and more obligations to

organisations holding their personal information. In this section, “personal information” means any information relating to an identified or identifiable natural person (the meaning given to the term “personal data” in the GDPR).

Personal information must be processed in a lawful, fair and transparent manner. As such, if you are located in the EU, the GDPR requires us to provide you with more information about how we collect, use, share and store your personal information as well as advising you of your rights as a “data subject”.

If you are located in the EU and have an enquiry relating to your rights under the GDPR, please contact our Privacy Officer at [enquiries@capitalis.com.au](mailto:enquiries@capitalis.com.au).

#### *What personal information do we collect?*

Please refer to the above section headed “The personal information we collect, and why we collect it” for details of the personal information we collect.

#### *Special categories of personal information*

The GDPR provides additional protection for personal information about your racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, biometric data (for example your fingerprints), or data concerning your health, sex life or sexual orientation. We will only process this type of personal information with your consent or where otherwise lawfully permitted.

#### *How long we keep your personal information*

We will keep your personal information while you are a client of Capitalis. We aim to keep your personal information for only as long as we need it.

We generally keep your personal information for up to 7 years after you stop being a client but we may keep your personal information for longer to fulfil legal or regulatory obligations, for internal research and analytics, or to respond to a question or complaint.

#### *How we use your personal information*

We can only collect and use your personal information if we have a valid lawful reason to do so. For Capitalis, these reasons are:

- if we need to process your personal information in order to fulfil a contract you have with us, or because you have asked us to take specific steps before entering into a contract (*contract performance*);
- if we need to process your personal information for us to comply with the law (*legal obligation*);
- if you have given clear consent for us to process your personal information for a specific purpose (*consent*); and
- if we need to process your personal information for our legitimate interests or the legitimate interests of a third party unless there is a good reason to protect your personal information which overrides these legitimate interests (*legitimate interests*).

In the table below, we have set out the relevant grounds that apply to each purpose of data processing that is mentioned in this Privacy Policy:

Purposes of the data processing	Reasons/ uses
To provide and administer our Services	<ul style="list-style-type: none"> <li>• contract performance</li> <li>• legitimate interests (to allow us to perform our obligations and provide services to you)</li> </ul>
For marketing purposes	<ul style="list-style-type: none"> <li>• legitimate interests (in order to market to you) and consent (which can be withdrawn at any time)</li> </ul>
To provide client support	<ul style="list-style-type: none"> <li>• contract performance</li> <li>• legal obligation</li> <li>• legitimate interests (to allow us to correspond with you in connection with our services)</li> </ul>
To comply with our legal obligations	<ul style="list-style-type: none"> <li>• legal obligation</li> <li>• legitimate interests (to cooperate with the law and regulatory authorities)</li> </ul>
To conduct market, consumer and other research	<ul style="list-style-type: none"> <li>• legitimate interests (to ensure that we understand our clients' requirements)</li> </ul>
To ensure website content is relevant	<ul style="list-style-type: none"> <li>• legitimate interests (to allow us to provide you with the content and services on our Site)</li> </ul>

### *Your rights as a data subject*

You have the following rights with respect to the personal information we hold about you.

The right to be informed how personal information is processed: You have the right to be informed how your personal information is being collected and used. If we require your consent to process your personal information you can withdraw consent at any time. If you withdraw consent, we may not be able to provide certain services to you. The right to withdraw only applies when the lawful basis of processing is consent.

The right of access to personal information: You can access your personal information that we hold by emailing our Privacy Officer at [enquiries@capitalis.com.au](mailto:enquiries@capitalis.com.au).

The right to rectification: You have the right to question any personal information we have about you that is inaccurate or incomplete. If you do, we will take reasonable steps to check the accuracy and correct it.

The right to erasure: You have the right to ask us to delete your personal information if there is no need for us to keep it. You can make the request verbally or in writing. There may be legal or other reasons why we need to keep your personal information and if so we will tell you what these are.

The right to restrict processing: You have the right to ask us to restrict our use of your personal information in some circumstances. In this situation we would not use or share your personal information while it is restricted. This is not an absolute right and only applies in certain circumstances.

The right to data portability: In some circumstances you have the right to request we provide you with a copy of the personal information you have provided to us in a format that can be easily reused.

The right to object: In some circumstances you have the right to object to us processing your personal information.

Rights in relation to automated decision making and profiling: We sometimes use systems to make automated decisions (including profiling) based on personal information we have collected from you or obtained from other sources such as credit reporting bodies. These automated decisions can affect the services we offer you. You can ask that we not make decisions based on automated score alone or object to an automated decision and ask that a person review.

The right to lodge a complaint with a supervisory authority: You have the right to complain to the regulator if you are not happy with the outcome of a complaint. Please refer to the [European Commission Website](#) for details of the relevant data protection authorities. The individual regulator's websites will tell you how to report a concern.

Please note that while any changes you make to your personal information will be reflected in active user databases instantly or within a reasonable period of time, we may retain all information you submit for backups, archiving, prevention of fraud and abuse, analytics, satisfaction of legal obligations, or where we otherwise reasonably believe that we have a legitimate reason to do so.

You may decline to share certain personal information with us, in which case we may not be able to provide to you some of the features and functionality of our services.

### **Changes to our Privacy Policy**

Capitalis may, without notice, amend or modify this Privacy Policy by posting the amended Privacy Notice to our Site.

### **How to Access, Correct or Update Your Personal Information**

If you have any complaints, questions or concerns about what information Capitalis holds or about the accuracy of that information, please contact Capitalis' Privacy Officer.

If you would like to access the information that we hold about you, or to complain about a possible breach of the Australian Privacy Principles, you can write to Capitalis' Privacy Officer at the address provided below.

We will respond to your complaint or endeavour to give you access to the information requested within two weeks. In order to maintain the confidentiality of your personal information, we will ask you to meet with you so we can review your specific identification documents before we give you access. If it is not practical for you to meet us in person, we will arrange to check your identification before we mail the information out to you.

If the information that we hold about you is incorrect or not up-to-date, we will update it as soon as possible after you have shown us how and why it is incorrect.

In the unlikely event that we are unable to provide you with access to your personal information for legal reasons as specified in the Privacy Act, we will provide you with reasons for denying access.

If you are not satisfied with Capitalis' response to your complaint, question or concern, you may wish to lodge a complaint with the Office of the Australian Information Commissioner. Further information can be found on the Commissioner's website or by calling 1300 363 992.

### **Site accessibility**

We are committed to providing an accessible experience for users of our Site. If you encounter any difficulties with our Site, please direct your enquiry to [enquiries@capitalis.com.au](mailto:enquiries@capitalis.com.au).

### **Privacy Officer's contact details**

Capitalis' Privacy Officer can be contacted by:

Telephoning: +618 6444 6550

Writing to: The Privacy Officer  
Capitalis  
Level 2, 102 James Street  
Northbridge WA 6003

Emailing: [enquiries@capitalis.com.au](mailto:enquiries@capitalis.com.au)