

# Privacy Policy

## 1. Introduction

- a. This Privacy Policy applies to the collection, use, disclosure, storage and handling of personal information by Atomos Limited (ACN 139 730 500) with registered office at 700 Swanston Street, Carlton, Victoria, 3053 Australia ("Atomos", "we", "us").
- b. Your privacy is important to us. We are committed to protecting your privacy when managing your personal information.
- c. The purpose of this Privacy Policy is to tell you:
  - i. the kinds of personal information we collect about you;
  - ii. how we use and disclose your personal information;
  - iii. how you can enquire, access and seek correction of your personal information; and
  - iv. how you can make a complaint about our handling of your personal information and our complaint handling procedure.
- d. Our website, products and services are not directed to, or intended for use by, individuals under the age of 18.

## 2. Collection

### 2.1 Kinds of personal information collected

- a. We will only collect personal information that is reasonably necessary for our functions or activities. The kinds of personal information that we collect and hold about you depends on the circumstances. We will endeavour to provide you with further details at or before the time of collection, including the purposes of collection and whether the personal information will be disclosed to third parties.
- b. We may collect and hold the following personal information:
  - i. **Identifiers:** your name, address, email address and phone number;
  - ii. **Commercial information:** information about the products and services you order or purchase from us or enquire about, your payment details, and your responses to our surveys, competitions and promotions;
  - iii. **Internet or other electronic network activity:** your browsing history, search history and interaction with our website and social media pages;
  - iv. **Professional or employment-related information:** information provided in connection with your potential or actual employment with us, or potential or actual provision of services to us; or
  - v. **Other information:** any other information you provide to us.
- c. We may link together different kinds of information. If linked information identifies an individual, then we will treat it as personal information.
- d. We generally do not collect your sensitive information. If you apply for employment with us, we may collect your sensitive information for the purpose of considering your application or arranging your employment, subject to your consent.
- e. If you provide unsolicited personal information to us (such as through our social media platforms), we will determine, within a reasonable period of time, whether or not we would have been permitted by law to collect the information if we had solicited the information. If we determine we would not have been permitted by law to collect the information, we will destroy or de-identify it as soon as practicable.

## 2.2 Cookies and similar technologies

- a. We may also collect information about visitors to our website through cookies and similar technologies to personalise your experience with our website, including:
  - i. statistical information about the number of visitors to the website and the date, time and duration of visits;
  - ii. the name of the domain/URL from which you access our websites; and
  - iii. the IP address.
- b. Cookies are small data files that are sent from a website and stored in your web browser. It enables the website to recognise your browser and remember certain information, which allows us to personalise content and advertisements and analyse traffic to our website.
- c. We use cookies to make our website function properly, improve our website, make login to our website easier and track your interaction with our website. Some cookies are from third party websites that we do not control.
- d. You can manage cookies through your web browser settings.
- e. Further information can be found in our [Cookie Policy](#).

## 2.3 Method of collection

- a. We collect your personal information when:
  - i. you order or purchase our products or services;
  - ii. you create and use an account on our website;
  - iii. you opt in to receive our marketing communications;
  - iv. you make an enquiry, request or complaint or provide feedback;
  - v. you apply for employment with us or are employed by us;
  - vi. you seek to provide services to us or are engaged to provide services to us; or
  - vii. you interact with us, including via our website or social media pages, mail, email, the phone, or in person.
- b. We may also collect your personal information through our related bodies corporate, service providers that we have engaged to assist with our business functions, or your authorised representatives.
- c. If you provide us with another person's personal information, you acknowledge that you are authorised to provide their personal information to us and that you have notified them of the matters in this Privacy Policy.

## 3. Purposes of collection and use

### 3.1 General purposes

- a. We will only collect your personal information for purposes permitted under applicable laws.
- b. We will generally collect and use your personal information for the following purposes:
  - i. providing our products and services to you, including processing your order and arranging for delivery;
  - ii. providing customer support to you;
  - iii. managing your warranty claims and arranging product recalls;
  - iv. responding to your enquiries, requests, feedback and complaints;
  - v. improving our products and services and making them more relevant to you;
  - vi. improving our website and social media pages;

- vii. processing and assessing employment applications;
- viii. managing our internal business operations and for our internal training, research, analytics and product development purposes; and
- ix. investigating any suspected fraud.

### 3.2 **Direct marketing purpose**

- a. We will only use your personal information for the purpose of direct marketing where you have opted in to receive marketing communications from us or where we are otherwise legally permitted to do so.
- b. You can opt out of receiving marketing communications from us at any time. Our marketing emails and text messages will contain a functional unsubscribe facility.

## 4. **Disclosure**

- a. We may disclose your personal information to third parties for the purposes above from time to time, including:
  - i. related bodies corporate;
  - ii. service providers who assist us with our business functions, such as providers of fulfillment and delivery services;
  - iii. our insurer;
  - iv. government authorities or regulatory bodies, as required or permitted by law; or
  - v. any other third party that you consent to at the time of collection or to whom we are legally permitted to disclose your personal information.
- b. We will disclose your personal information to recipients overseas from time to time, including providers of fulfillment and delivery services in your country if we need to deliver a product you purchase to you.

## 5. **Security**

- a. The security of your information is important to us.
- b. We operate secure data networks that are designed to protect your privacy and security. We have implemented generally acceptable standards of technology and operational security to ensure personal information (in both physical and electronic form) is protected against loss, misuse, interference and unauthorised access, modification, disclosure and destruction.
- c. Only authorised personnel and service providers will have access to your personal information and will generally have contractual obligations to keep it confidential.
- d. While we take precautions to protect your personal information, we cannot guarantee the security of the internet or any system.

## 6. **Retention**

We will only retain your personal information for as long as it is necessary. After that, we will take reasonable steps to destroy or permanently de-identify it.

## 7. **Access and correction**

- a. You can request access to, or correction of, your personal information by contacting us using the details in section 12 below. If you have an account on our website, you can update your personal information through your account.

- b. We will endeavour to provide you with access to your personal information within a reasonable time. If we are unable to provide you with access, we will let you know why and how you can lodge a complaint about this decision. We will only refuse giving you access to your personal information where we are legally permitted or required to do so.
- c. We may charge a reasonable fee for providing access to your personal information that reflects the cost involved in providing you with access.
- d. We will try to ensure that all personal information we collect, use and disclose is accurate, complete and up to date.

## 8. EEA and UK individuals

This section applies to individuals located in the European Economic Area or United Kingdom. References to “personal information” in this section refer to “personal data” as defined in the General Data Protection Regulation.

### 8.1 Data controller

We are the data controller of the personal information we collect about you.

### 8.2 Legal bases for processing personal information

- a. We rely on different legal bases to process your personal information for the purposes specified in section 3, including where:
  - i. you have provided your consent;
  - ii. processing is necessary:
    - (A) for the performance of a contract with you or taking steps at your request before you enter into a contract with us (such as providing a product or service you purchased);
    - (B) for compliance with our legal obligation;
    - (C) to protect your or another person’s vital interests;
    - (D) for the performance of a task carried out in the public interest and in the exercise of official authority; or
    - (E) for our or a third party’s legitimate interests (such as conducting data analytics to improve our products, services or website, or investigating any suspected fraud).
- b. We will notify you of the specific legal basis for processing your personal information at the time of collection.

### 8.3 Your rights

Below is a summary of your rights at law. We may limit your rights where required or authorised by law.

- a. **Right of access:** You have a right to obtain access details about our processing of your personal information.
- b. **Right to rectification:** You have a right to request that we rectify inaccurate personal information about you.
- c. **Right of erasure:** You have a right to request that we erase your personal information.
- d. **Right to restrict processing:** You have the right to restrict processing in certain circumstances.
- e. **Right to data portability:** You have the right to request that we provide the personal information you provided to us in a structured, commonly used and machine-readable format, and to provide that information to a third party.

- f. **Right to object:** You have the right to object to the processing of your personal information, including direct marketing or profiling.
- g. **Right to withdraw consent:** You have the right to withdraw consent that you have previously provided at any time.

#### 8.4 Transfers of personal information outside the EEA and UK

- a. We may transfer your personal information for business purposes to other countries that may have data protection laws that are less onerous than the data protection laws of your country.
- b. We use appropriate safeguards to protect your personal information, as permitted under applicable data protection laws, including:
  - i. transferring your personal information to a country with an adequacy decision; or
  - ii. having appropriate contracts with overseas third parties to ensure they have obligations to protect your personal information.

### 9. Californian individuals

This section applies to Californian residents.

#### 9.1 Your rights

- a. Below is a summary of your rights at law.
  - i. **Right to delete:** You have a right to request deletion of the personal information that we hold about you. We will delete your personal information unless an exception applies, and request that any third party we have shared your personal information with delete the information.
  - ii. **Right to correct:** You have the right to request that we correct inaccurate personal information about you. We will use commercially reasonable efforts to correct it.
  - iii. **Right to know:** You have the right to request that we provide details about the personal information we have collected, used and disclosed about you.
  - iv. **Right to opt out:** You have the right to opt out of the sale or sharing of your personal information. We do not sell your personal information.
  - v. **Right to limit use:** You have the right to limit the use and disclosure of your sensitive information. We do not collect sensitive information from you.
  - vi. **Right to no discrimination:** You have the right not to be discriminated against for exercising the rights described in this section.
- b. You can make a request under this section by using the contact details below and including your full name, email address, a clear description of your request and the specific personal information relating to your request, and all information required to verify your request.
- c. If you authorised agent makes a request on your behalf, we may require them to provide proof of authority or you to directly confirm their authority to us.

#### 9.2 Personal information from Californian residents in the previous 12 months

We have not collected, disclosed, shared or sold any personal information of a Californian resident in the previous 12 months.

### 10. Complaints

- a. If you would like to make a complaint about our handling of your personal information or breach of applicable privacy laws, you can contact us using the details in section 12 below.
- b. Our Privacy Officer will consider your complaint and make a decision within a reasonable time.

- c. If our Privacy Officer decides that there has been a breach of applicable privacy laws, we will endeavour to rectify the breach within 30 days from the date of the decision.
- d. If you are not satisfied with our decision, then we suggest that you contact the applicable privacy regulator in your country:
  - i. Australia – Office of the Australian Information Commissioner at <https://www.oaic.gov.au/privacy/privacy-complaints>
  - ii. UK – Information Commissioner's Office at <https://ico.org.uk/make-a-complaint/data-protection-complaints/data-protection-complaints/>
  - iii. EEA – National Data Protection Authorities at [https://edpb.europa.eu/about-edpb/about-edpb/members\\_en](https://edpb.europa.eu/about-edpb/about-edpb/members_en)

## 11. **Changes to Privacy Policy**

We will review this Privacy Policy at least once every 12 months and may make changes from time to time. The changes will apply from the effective date specified in the revised version of the Privacy Policy.

## 12. **Contact us**

You can contact and submit requests to us using the details below:

[Contact Us form](#)

Effective date: September 2023