

PRIVACY POLICY

Access to and use of our Website, the materials on our Website, the ClockOn Application and its modules, and ClockOn GO (the “mobile application”) by you and each person who uses our software and services is subject to the terms of this Privacy Policy issued by ClockOn Pty Ltd ACN 095 696 049 (“ClockOn”).

Some of the information you provide us as part of your dealings with us is “Personal Information” under the Privacy Act. This Privacy Policy sets out how we collect, handle, use, transmit and disclose Personal Information and applies to you unless you give us explicit consent to act otherwise. By signing a Customer Order Form, providing us with Personal Information, obtaining products or services from us or otherwise using the Website, you acknowledge that you have read, understood and agree to be bound by this Privacy Policy and consent to us collecting, handling, using, transmitting and disclosing Personal Information as set out in this Privacy Policy.

As we are an Australian company, the individuals in respect of which you disclose Personal Information are protected by Australian privacy laws. If you'd like to know more about data protection generally, there is information available from the Australian Information Commissioner at the following website www.oaic.gov.au.

What types of Personal Information do we collect?

Personal Information we collect from you may depend on what type of product or service you obtain from us and how you use the Website. Personal Information we collect from you may include the following information about you and in respect of your Employees: names; postal addresses; email addresses; telephone numbers; dates of birth; Website log-in-details; billing information; names, addresses, telephone numbers and contact details of next of kin; identification numbers used by your organisation to identify Employees; credit card numbers and expiry dates; financial information and bank account details; super fund details (including member numbers); tax file numbers; finger prints (128 bit encrypted numeric representations of finger prints for use with ClockOn systems and products and mobile telephones); identification numbers or details embedded on magnetic cards or keys for use with ClockOn systems and products; PINs (personal identification numbers) for use with ClockOn systems and products; user names and passwords (including Microsoft Windows Server usernames and passwords); information required for payment for products and services provided by us to you; and information necessary for us to provide ClockOn products and services to you.

Employee Consent

The Personal Information you provide to us will usually relate to your Employees given the nature of the products and services we provide. By supplying us with Personal Information or obtaining products or services from us, you confirm that you have obtained from all Employees in respect of which you disclose Personal Information all necessary consents, approvals and permissions to disclose such Personal Information to us before disclosing the information.

How do we use Personal Information?

We will use Personal Information for the purpose disclosed at the time of collection, or otherwise as set out in this Privacy Policy or the applicable ClockOn User Agreement. Except as specifically set out in this Privacy Policy and the applicable ClockOn User Agreement, we will not sell or disclose Personal Information to any person located in Australia or overseas or use Personal Information for any other purpose without your prior consent, unless authorised or required by law.

We will only collect, use and disclose Personal Information for the following primary and secondary purposes:

- to provide you with information you request about us or the products or services we offer;
- to manage the Website;
- to provide products or services you request from time to time, including products or services offered under the applicable ClockOn User Agreement;
- to provide payroll and human resource management and processing software and services to you and your Employees;
- to provide employee onboarding and benefits software and services to you and your Employees and facilitate the provision of those services through third parties;
- to provide data hosting services in relation to software solutions provided by us to you;
- to correct any errors or defaults in any products or services that we provide you;
- to process and obtain payment for any products or services you order from us;
- to fulfill any contractual commitments we may have to you (including use for the purpose of performing any services or supplying any products under a ClockOn User Agreement);
- to understand your needs and to help us improve the Website, our marketing or the way we do business;
- if necessary, to verify identity or age (i.e. over 18); 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 send you electronic messages updating you about products, services and other 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 will identify us.

Disclosure to Industry Bodies

We may also disclose Personal Information (other than Sensitive Information) to industry and regulatory bodies for the purposes evaluating, interpreting and confirming what award wage or other payment, employment or work conditions or entitlements may apply to individual Employees. By signing a Customer Order Form, providing us with Personal Information or obtaining products or services from us, you consent to us disclosing Personal Information to industry and regulatory bodies for that purpose.

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 and does not disclose your identity or the identity of any individual to any person for any purpose at our sole discretion, including to people or companies located outside of Australia. For example, we may sell, disclose or use information you provide us that is not Personal Information to evaluate and prepare promotional materials and activities, determine what advertising, promotional materials, products or services are likely to be of most interest to you or other persons and to assist third parties to monitor general consumer trends in various areas.

How do we collect Personal Information?

We collect Personal Information from documents and information that you provide directly to us in hard copy, electronic or any other form (including by email, by mobile telephone or by use of the customer web portal provided via the Website) and from information you provide directly to us when you use the Website, use any ClockOn product or service, pay for a product or service provided by us, contact us, participate in surveys or questionnaires and from information you upload to the Website from time to time.

We may also collect Personal Information about you or your Employees from third party service providers who offer or supply products or services via the Website or

through the ClockOn software. This may include where you provide information to a third party as a part of an employee onboarding process or when using employee benefits software accessible through the software or services we provide you or your Employees pursuant to a ClockOn User Agreement.

Sensitive Information is a special category of Personal Information and includes, but is not limited to, information about your health, race or ethnic origin, political or religious beliefs, membership of a trade union or association, or criminal record, and some biometric information. There are greater restrictions that apply to our collection, storage, use and disclosure of Sensitive Information under the Privacy Act. We will only collect, hold, use or disclose any Sensitive Information about you with your consent or if you provide or volunteer such Sensitive Information to us. Where you provide Sensitive Information about your Employees, you warrant and represent that:

- the Employee was notified of the collection of the Sensitive Information;
- the collection of Sensitive Information was required or authorised by law, or in the case of biometric information was legal and reasonably necessary for organisational functions / activities, and
- you have obtained the relevant Employee's fully informed consent to disclose such Sensitive Information to us in accordance with the Privacy Act,

and you indemnify us for any failure by you to obtain Employee consent, comply with applicable laws and/or any breach of this warranty or this Privacy Policy.

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, including products or services supplied under a ClockOn User Agreement.

Personal Information security

We will take commercially reasonable and appropriate steps to ensure 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 to industry and regulatory bodies (see "Disclosure to Industry Bodies" above) and our Hosting Partner (see "Where your information is stored" below), we only permit our authorised personnel to access 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 unauthorized 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 to a 3rd party, including through a 3rd party website referred to by or linked to our Website or a 3rd party known to you as a result of your relationship with us, and that such 3rd parties may store Personal Information in any location in accordance with their own security standards.

Payment card information

We may keep a record of your credit or debit card number if you choose to pay us directly for any products or services offered by us, particularly if you wish to have payments automatically debited from your nominated bank account at fixed intervals. We may keep details of your credit or debit card expiry dates and credit limit in order to provide you with products and services we offer from time to time.

Using 3rd parties to process your information

We may occasionally use third party companies (third party service providers) to manage information that you provide in order for us to provide products and services to you from time to time. Aside from the disclosure or transfer of your Personal Information to our Hosting Partner (see "Where your information is stored" below), when we use third party service providers, we keep the amount of Personal Information they hold to a minimum and use commercially reasonable efforts to make sure they are as careful with your Personal Information as we are.

We may on a needs basis capture how you use and interact with our website through behavioural metrics, heatmaps, and session replay to improve our products/services. Website usage data is captured using first and third-party cookies and other tracking technologies to determine the various aspects of products/services and online activity. We may also use this information for site optimization and fraud/security purposes. We do not capture any personal information as part of this process.

Where your information is stored

Subject to the below, Personal Information we collect from you is stored securely on servers or in physical storage in Australia. For some products and services we also engage our Hosting Partner to store and provide data hosting services in relation to your information. In such cases, we will disclose Personal Information to our Hosting Partner to the extent necessary for them to provide the data hosting services required for you to use the relevant ClockOn product or service. Servers in which your information (including Personal Information) may be stored by our Hosting Partner are likely to be located in Australia, although additional or other locations may be used by our Hosting Partner in the future. If our Hosting Partner stores your Personal Information outside Australia, the Privacy Act requires us to ensure that our Hosting Partner complies with applicable Australian privacy laws unless you agree otherwise. By providing us with information (including Personal Information), signing a Customer Order Form, using the Website or ordering products or services from us, you: (i) consent to us disclosing and transferring your information (including Personal Information) to our Hosting Partner; (ii) consent to our Hosting Partner storing your information (including Personal Information) on servers located outside of Australia; and (iii) agree that the requirement under the Privacy Act for us to ensure that our Hosting Partner complies with applicable Australian privacy laws in respect of your information (including Personal Information) does not apply if our Hosting Partner stores Personal Information outside of Australia. We may in the future store your Personal Information outside of Australia or engage other data hosting or storage providers that may store your Personal Information in or outside of Australia and 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.

Your rights of access and correction

You have the right to access Personal Information which we have collected from you and ensure that it is correct and up to date, within the requirements of the Privacy Act.

If you wish to access Personal Information, or believe that any Personal Information we hold 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 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 if permitted by applicable law.

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 admin@clockon.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.

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 the Website 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.

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 or any of your Employees would like more information about this Privacy Policy or if you have any queries or complaints, please contact us by email at admin@clockon.com.au. We will take reasonable steps try to resolve any complaints with you as quickly as practicable. Complaints may also be made

directly to the Office of the Australian Information Commissioner through its website located at www.oaic.gov.au/privacy/privacy-complaints.

Definitions

For the purposes of this Privacy Policy:

ClockOn User Agreement means any agreement that ClockOn enters into with you from time to time in relation to the provision of products or services to you by ClockOn and may include a ClockOn Subscription Agreement, ClockOn End User Licence and Support Agreement, ClockOn Payroll Services Agreement and ClockOn Payroll Bureau Service Agreement;

Customer Order Form means the form signed by you to indicate your acceptance of any ClockOn product or service (including but not limited to acceptance of the terms of any products and services provided pursuant to a ClockOn User Agreement) offered to you by ClockOn through any sales proposal or other communication between you and ClockOn;

Hosting Partner means Clarenston Pty Ltd ACN 003 414 748 of Suite 2, Level 2, Bldg 2, 20 Bridge Street, Pymble NSW 2073 and any other entity ClockOn may engage from time to time to provide similar or equivalent services;

Personal Information means any information or data that you provide us in any form from time to time which relates to a living individual who can be identified from, or whose identity is apparent or can reasonably be ascertained from, that information or data alone or in conjunction with other information already held by the recipient, controller or processor of such information or data and includes any expression of opinion about the individual and any indication of the intentions of the recipient or any other person in respect of that individual;

Privacy Act means the *Privacy Act 1988* (Cth);

Sensitive Information has the meaning given in the Privacy Act; and

Website means the website located at www.clockon.com.au, any website that replaces that website from time to time, any other website from which you obtain information, products or services from ClockOn and the mobile application.