

## PETBAR PRIVACY POLICY

Updated 25 May 2018

PetBar is social media application (**PetBar App, App, Site, we, us**) and community created to service pet owners, pet lovers and the pet services industry through its website and application (**Services**).

“PetBar” means PetBar Pty Ltd ACN 608 492 400 and On Point Holdings Pty Ltd ACN 618 965 807 its affiliates or related entities.

PetBar cares about our website and App users (**User, you, they, their**) and the concern they may have about the safety and use of the personal information they provide to PetBar.

The following information sets out our Privacy Policy.

### PRIVACY POLICY

Access to the App is conditional on Users accepting the terms of this Privacy Policy. The Privacy Policy applies to the collection, storage, use and disclosure by PetBar of the personal information of the individuals using the App. This Privacy Policy should be read together with our Terms and Conditions or Business Terms.

This Privacy Policy sets out what personal information we collect, how we hold it, use it, and who we might share it with in accordance with the *Privacy Act 1988* (Cth) (**Privacy Act**), the Australian Privacy Principles.

In addition to the *Privacy Act*, our Privacy Policy has been amended in compliance with the European Union’s (EU) General Data Protection Regulations (**GDPR**), as revised from time to time, which has been designed to harmonise data privacy law across EU member states. As the personal information you provide to PetBar may be transferred into and/or out of the EU and to protect the rights of Users who may be located within the EU, PetBar has amended its Privacy Policy and revised its internal processes to enhance its User’s data privacy and internal data security systems.

More information regarding the rights of EU residents is provide below at **Section 16**.

Please read this Privacy Policy carefully to understand how any personal information collected by PetBar is used.

Although we will comply with this Privacy Policy in respect of information provided to us by persons under the age of 18 years, those persons aged 15-17 years must obtain the consent of a parent or guardian prior to using the App and the parent or guardian will be responsible for appropriately supervising the person's use of the Site.

#### 1. UPDATES TO OUR PRIVACY POLICY

From time to time we will need to make amendments to our Services Privacy Policy, Terms and Conditions, or other policies in order to comply with any applicable laws or for any other reason at any time.

We will notify you of any updates or amendments. You will have the opportunity to read these and accept them in order to continue using our Services.

## 2. PERSONAL INFORMATION WE COLLECT FROM YOU

2.1 We request the following information from Users prior to registering to use the App:

- a) Full name;
- b) Mobile telephone number;
- c) Email address;
- d) Date of birth;
- e) your username and password;
- f) Postal/ZIP code;
- g) Gender (or “other”);
- h) Referrer details (optional); and
- i) Pet's Microchip details (optional).

2.2. PetBar does not collect any sensitive information from you which reveals your: race, ethnic origin, political opinions, religious or philosophical beliefs, trade union memberships or details of health or disability which we consider are unnecessary to our function.

2.3. The User will also be given the option to sign up to receive information from PetBar, merchants or its partner suppliers, and for other purposes for which you would reasonably expect us to use that information. This includes sending the User information about new features, products, Services via notifications or by post, telephone or any form of electronic communication.

2.4. By registering with PetBar, the User authorises PetBar to use any email address or other contact information he/she has provided at any time for the purposes described in Section 2.2. The User will also be given the opportunity to 'opt-out' of receiving any emailed information or other correspondence, by simply clicking the unsubscribe link at the bottom of any email they receive from us. The User agrees and acknowledges that even if he/she opts out of receiving marketing material, PetBar may still send the User's essential information that it is legally required to send the User relating to the Services provided through the App.

2.5 Other information we may collect is set out as follows:

<b>Comments</b>	<ul style="list-style-type: none"><li>• When you submit a comment against a post, we store the text of that comment</li><li>• This is used to show comments against posts</li></ul>
<b>Chat messages</b>	<ul style="list-style-type: none"><li>• When you send a chat message to another User, we store the text of that message</li><li>• This is used to show you a history of messages you sent in a chat</li><li>• May be used in the future for targeting ads based on keywords used in messages</li></ul>

<b>Pet insurance</b>	<ul style="list-style-type: none"> <li>• When you add Pet Insurance information to your account, we store the Pet Insurance details</li> <li>• This is used to display the pet insurance details back to you, and to send a push notification reminder when your pet insurance expires</li> </ul>
<b>Reminders</b>	<ul style="list-style-type: none"> <li>• When you create a Reminder, we store the Reminder details</li> <li>• This is used to display the reminder information back to you, and to send a push notification when the reminder date elapses</li> </ul>
<b>Your State/Region/County</b>	<ul style="list-style-type: none"> <li>• We infer the state you live in from the postcode or ZIP code you have provided</li> <li>• May be used in the future for targeting ads for businesses that are local to you</li> </ul>
<b>Your location</b>	<ul style="list-style-type: none"> <li>• Only accessed when visiting the Places and Merchants screen in the app</li> <li>• We require your consent before this is collected</li> <li>• Used to determine which businesses are nearby to you</li> <li>• Location history is stored and may be used in the future for targeting ads</li> </ul>
<b>Use ‘Like’ history</b>	<ul style="list-style-type: none"> <li>• Each time you Like a post, this is stored with a timestamp.</li> <li>• Used to generate the 'Like' count against each post</li> <li>• Used to generate your Like History</li> </ul>
<b>Post ‘Seen’ history</b>	<ul style="list-style-type: none"> <li>• We store a history of when you have seen each post in your Feed, PetBar TV and other user's profiles. Each time you look at a post for a period of time, it is count as 'seen'.</li> <li>• Used for displaying the 'Seen' count next to posts</li> </ul>
<b>Your IP Address</b>	<ul style="list-style-type: none"> <li>• Collected each time you login to a new device</li> <li>• Used for rate limiting and detection of cyber attacks</li> <li>• To cooperate with law enforcement and regulatory authorities</li> </ul>
<b>Anonymous Device Identifier</b>	<ul style="list-style-type: none"> <li>• Collected each time you login to a new device</li> <li>• Used to keep track of which devices you have logged into</li> <li>• May be used in the future to provide a list of devices that you have logged into, and the ability to 'log out' each of those device</li> </ul>

### 3. WHAT WE WILL DO WITH A USER’S PERSONAL INFORMATION

3.1 All personal information that PetBar, its affiliates or related bodies corporate collect is reasonably necessary for the purposes of providing our Services to Users. The purposes include:

- (a) registering the User to the App and allowing them to open an account with PetBar;
- (b) enable PetBar to communicate effectively, e.g. respond to any questions, concerns, or problems raised by the User;

(c) enhance functionality of the App and Services when a User is logged in including but not limited to personalised recommendations and submission of customer feedback.

3.2 We collect the information to improve your PetBar experience. Some of the ways we do this is by:

- a) To research, develop, improve the Services and use within PetBar's App, the Services we offer.
- b) To send you communication either by email, SMS, notifications, phone or whatever method we see fit.
- c) Monitor and analyse trends and usage.
- d) Improve security.
- e) Personalise content and the service we provide to each User including but not limited to suggesting friends, advertisements or useful information based on your search or usage history.
- f) Providing you with a history tagged with location data and content which you have allowed us to obtain.
- g) Maintaining appropriate business records.
- h) Collecting information from Cookies, Metadata, Web Beacons and other forms of information collection available, so we provide a targeted useful User experience to you the User.
- i) We also use this information collected to enforce all of our Terms and Conditions and other policies.
- j) To target location services we provide through our location services and marketing.
- k) We also store information on your device(s) so that you can access your app without having to sign in at each use and to view your content from Our server at the fastest available rate of our Services.
- l) Assist your friends, family, contacts and other PetBar Users to help find you on PetBar.

#### **4. HOW WE SHARE INFORMATION:**

1. We may share information about you in the following ways:

4.1.1 We may share the following information with other PetBar Users:

- a) Information about you, such as your username, and profile picture.
- b) Information about how you have interacted with the Services, the names of PetBar Users you are friends with, and other information that will help PetBar Users understand your connections with others using the Services.
- c) Any additional information you have consented us to share.
- d) Content you post or send will be shared with other PetBar Users (how widely your content is shared depends on your personal settings and the type of service you are using).

2. With our affiliates and other entities within the PetBar family of companies;
3. With third parties such as businesses who promote or advertise their Services on the PetBar App (**Merchants**) service providers, sellers and partners. We may also share with third parties, such as advertisers, with aggregated, non-personally identifiable, or de-identified information;
4. To a data centre or a data service provider contracted for the operation of the PetBar App and website;
5. To provide information to any division, associate entity of PetBar so that this information helps PetBar to improve our Services and improve your User experience provide relevant information to you that you may have searched or are searching for.

4.2 We may also disclose your personal information to comply with our legal obligations, including to various law enforcement agencies, regulatory authorities and governments around the world and their service providers for security, customs and immigration purposes.

## **5. SECURITY OF YOUR PERSONAL INFORMATION**

- 5.1 PetBar will keep a User's personal information confidential and not sell or knowingly divulge user information to advertisers or any other third parties other than our partner, suppliers or Merchants without your consent.
- 5.2 PetBar will take reasonable steps to ensure that these organisations are bound by privacy obligations in relation to the protection of User's personal information. We will not share a User's personal information, unless:
  - (a) we are required to share your information with a third party in order to comply with the law or to comply with a court order or subpoena;
  - (b) to enforce our own Terms and Conditions;
  - (c) if it is necessary to provide it to our third party service providers, if any, such as data storage providers, who will be subject to strict contractual privacy obligations; or
  - (d) to protect the safety and security of our Users and our Site.

## **6. USER'S CONSENT TO OUR USE OF PERSONAL INFORMATION**

- 6.1 We ask for Users' consent to the use of any personal information we collect from them in accordance with this Privacy Policy at the time of that User providing that information. If a User does not wish to provide us with their consent, they cannot agree to the Site Terms and Conditions and must not use the Site.
- 6.2 Our use of the User's personal information is necessary in order for us to maintain the App and facilitate a User's use of the App. We do not collect any unnecessary personal information from Users (for instance, their race or religious beliefs).

## **7. HOW LONG WE HOLD A USER'S PERSONAL INFORMATION**

- 7.1 We will retain your information for as long as a PetBar account is active or as necessary to comply with our legal obligations, resolve issues, address queries and enforce our agreements.

- 7.2 If you no longer wish to use the App, simply deactivate your account and delete the App. If you have any further questions on how to do this, please contact us via the methods below.

## **8. KEEPING A USER'S PERSONAL INFORMATION ACCURATE**

- 8.1 The personal information we hold about a User (such as name, date of birth and email address) is kept so that we may correctly identify that User.
- 8.2 Users can update their personal information anytime from within their profile in Settings and update that information. You can also send us correspondence to THE REQUESTS MANAGER at [info@PetBar.tv](mailto:info@PetBar.tv) or write to us at PO BOX 644 Carlton South VIC 3053 (Australia). We follow the process for access and correction under the *Freedom of Information Act* 1982.
- 8.3 We take all reasonable steps to ensure that personal information held by us is accurate, up-to-date, complete, relevant and not misleading. If you believe that any of your personal information is not accurate, up-to-date, complete, relevant and not misleading, please contact us (see below) and we will take all reasonable steps to correct it within a reasonable time.

## **9. KEEPING A USER'S PERSONAL INFORMATION SECURE**

- 9.1 PetBar is committed to information security. We will use all reasonable endeavours to keep Users' personal information in a secure environment. For instance, each Users' personal information is encrypted whilst being sent to our server at the time of setting up an account.
- 9.2 PetBar security measures are designed to assist in ensuring that Users' personal information is not accessed by unauthorised personnel, lost or misused. If you reasonably believe that there has been an unauthorised use or disclosure of your personal information please let us know by contacting our Privacy and Data Protection Officer (contact details below).

## **10. ANONYMOUS INFORMATION**

- 10.1 PetBar collects anonymous information about Users and the activities of Users on the App. Anonymous information is information that is not linked to the name of a User. This information is used to assist us in enhancing the functionality of the Site and the information remains anonymous at all times.

## **11. COLLECTION OF WEBSITE ACTIVITY INFORMATION (COOKIES)**

- 11.1 From time to time PetBar may collect information about individual Users and the activities of Users on the App. This information is used to assist us in enhancing the functionality of the App and the Services we provide.
- 11.2 Collection of App activity information is conducted via the use of 'cookies'. In simple terms a cookie is a little piece of information handed to a web browser from a web server that contains information that can be retrieved from the server later. When a User visits the Site the server may attach a cookie to their computer's memory. PetBar uses cookies to the extent of recognising the User when they visit the Site and pairing that User with an account profile. Personal information can only be used to identify a User's website activity when that User is logged in to their PetBar customer account. Where a User is not logged in, website activity cannot be used to identify Users.

- 11.3 Unless you are a User of PetBar who is logged in to a PetBar account at the time, this information is not linked to any personal information that the User may provide and cannot be used to identify Users. A User may configure their computer so that it disables cookies or does not accept them.
- 11.4 We may also store your website activity in cookies which may be used by third party vendors to serve ads based on your behaviour on our website. You may opt out of a third party vendor's opt-out page.

## **12. TRANSFER OF YOUR DATA OUTSIDE OF AUSTRALIA**

- 12.1 Users' personal information is uploaded to and kept on servers that we maintain or that are maintained by third parties that comply with strict contractual based privacy obligations. Unless you are located outside Australia, a User's personal information is not otherwise transferred internationally except where a copy is sent to the User at their request. By agreeing to our Terms and Conditions and Privacy Policy, Users consent for their personal information to be transferred and stored in this manner is obtained at the time of registration.

## **13. THIRD PARTY AND LINKED SITES**

- 13.1 When using the App, you may select a link to a third party site. Please be aware that PetBar is not responsible for the privacy practices of such other sites. We encourage our Users to be aware that when they leave our site to read the privacy statements of each and every web site that collects personally identifiable information. This privacy statement applies solely to information collected by this App.

## **14. HOW CAN USERS ACCESS, AMEND OR DELETE THEIR PERSONALLY IDENTIFIABLE INFORMATION?**

- 14.1 A User have a right to receive a copy of the personal information we hold about them. If you wish to receive a copy of this information please address your request to the Privacy and Data Protection Officer (contact details below). We will deal with your request promptly and in any case at least within 30 days of the date of receiving the request. We will give access to the information in the manner you request, where reasonable and practicable. This will be subject to any exemptions allowed under the Privacy Act. We will correct or delete inaccurate or incomplete personal information we hold about you at your request.

## **15. PRIVACY RIGHTS FOR INDIVIDUALS LOCATED IN EUROPEAN UNION**

- 15.1 This section applies to individual Users of the PetBar App and website who are located in the European Union ('EU'). The EU General Data Protection Regulation ('GDPR') harmonises the data privacy laws of individuals located in each EU country, by expanding the privacy rights of those individuals and setting out further obligations for organisations which hold or process their personal information. In this section personal information means any information relating to an identified or identifiable natural person (in accordance with the definition of 'personal data' in the GDPR).
- 15.2 The GDPR requires use of personal information in a lawful, fair and transparent manner. The GDPR requires us to provide you with information regarding how we collect, use, share and store your personal information and to advise you of your rights as a 'subject data.'

15.3 If you are located in the EU and would like more information relating to your rights under the GDPR and the use of your personal information by PetBar, please contact [taylor@onpoint-holdings.com](mailto:taylor@onpoint-holdings.com).



## **16. WHAT PERSONAL INFORMATION DO WE COLLECT?**

16.1 Please refer to Section 2 of this privacy policy for details of the personal information we collect.

## **17. CONSENT**

17.1 We require your consent to handle and process your personal information. By ticking the 'I agree' box during the registration up process, or by agreeing to and amended terms and Conditions or Privacy Policy, you have consented to the processing of your personal information for one or more specific purpose and you agree that your consent was freely given and you have been informed of the purpose of processing your personal information as set out below at Section 23.

## **18. MANDATORY DATA BREACH NOTIFICATION**

18.1 PetBar will notify the relevant supervisory authority of any data breach within 72 hours of becoming aware of the breach, unless the breach is unlikely to result in a high risk to the rights and freedoms of the individual User.

## **19. INDIVIDUALS EXPANDED RIGHTS**

19.1 The GDPR provides individuals located in the EU with additional rights as follows:

- (a) The right to erasure, which provides you with the right to require us to delete your data (the right to be forgotten), including but not limited to where the information collected is no longer necessary for the original purpose, or where you withdraw your consent to us holding that personal information.
- (b) If we are required to erase your personal information, we must take reasonable steps to inform controllers which are processing the same personal information, of any links to, copies of or replication of that personal information.
- (c) You may also object at any time to the processing of your personal information (including for profiling) and we will then stop processing said information, for example: for direct marketing purposes.
- (d) You have a right to 'data portability' where if requested by you, we will provide you with details of the personal information we hold regarding your account and we will provide you with that information in a structured, commonly used, machine readable format.
- (e) In certain circumstances you may have a right to obtain restriction on the processing of your personal information by us in circumstances where you believe that the accuracy of your personal information may not be correct.

## **20. OVERSEAS TRANSFER OF YOUR PERSONAL INFORMATION**

20.1 If you are located within the EU then your personal information may be transferred outside the EU to our partners located in other countries or within Australia. Under the GDPR we are required to ensure the adequacy of a third party or a country's level of data protection. PetBar is bound to ensure that

any agreements with third parties in other countries contains standard data protection clauses adopted by the EU Commission or a relevant data protection authority.

- 20.2 PetBar will take reasonable steps to ensure that we or any data processor used by us, will be bound by enforceable commitments to apply appropriate privacy safeguards.

## 21. SPECIAL CATEGORIES OF PERSONAL INFORMATION

- 21.2 In addition to the rights set out above in Section 19, the GDPR provides protection of personal information regarding 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, life or sexual orientation. PetBar will not process this type of personal information without your prior and specific consent or where otherwise lawfully permitted.

## 22. GROUNDS FOR USE OF PERSONAL INFORMATION

The principle legal grounds for our use of your personal information are as follows:

- 22.1 Consent – where you have consented to our use of your information (your consent is sought when you agree to our terms and conditions and privacy policy).
- 22.2 Providing a service – we are required to collect your personal information in order to provide you with the Services available on the PetBar App.
- 22.3 Legal obligation – where we need to use your personal information to comply with our legal obligations.
- 22.4 Legitimate public interest – where we need to process your personal information in order to carry out a task that is in the public interest and our reasons for using it outweigh any prejudice to your data protection rights.

## 23. THE PURPOSE OF PROCESSING YOUR PERSONAL INFORMATION AND HOW IT IS USED

How we use your personal information	Purpose of processing your data	Basis of use
To confirm your identity	- To identify PetBar Users - to meet our legal duty	- Preventing fraud - Complying with guidance of regulators and managing risk
To provide you with the PetBar App Services	Confirm your consent	To allow us to provide Services to you and perform our obligations
To manage our relationship with you	- To keep you informed of new features and any promotions or changes to the PetBar App - To meet our legal duty	Complying with guidance of regulators and managing risk

To contact you (for example, provide you with important information)	<ul style="list-style-type: none"> <li>- We have your consent to fulfil the Services of the PetBar App and to meet our legal duty</li> <li>- To conduct market, consumer and other research</li> </ul>	<ul style="list-style-type: none"> <li>- Advising you of any issues with your account, responses to questions or complaints</li> <li>- Complying with guidance of regulators and managing risk</li> <li>- To ensure that we understand our PetBar User requirements and ensure the website and App content is relevant</li> <li>- Identify any activities of other Users which has a detrimental effect on your experience using the PetBar App or website</li> </ul>
To improve our service to you and your experience with the PetBar App	We have your consent to meet our legal duty to advise you of changes and improvements	<ul style="list-style-type: none"> <li>- Seeking feedback, preventing fraud or potential criminal activity</li> <li>- Complying with guidance of regulators and managing risk</li> <li>-</li> </ul>
To comply with laws and assist government or law enforcement agencies	<ul style="list-style-type: none"> <li>- To fulfil our contractual obligations</li> <li>- to comply with our legal obligations for safety and security purposes</li> </ul>	<ul style="list-style-type: none"> <li>- Prevent fraud</li> <li>- ensure network and information processing security</li> <li>- reporting bullying or trolling activity</li> <li>- complying with guidance of regulators and managing risk</li> </ul>
To manage our business	<p>To fulfil our contracts and identify new service providers that will deliver more efficient Services</p> <p>To meet our legal duties and improve our product offering to PetBar App and website Users</p>	Preventing and investigating potential criminal activity and managing risk
To contact you	For marketing purposes	In order to make you aware of products and Services which may be relevant to you and be located in your area. You can withdraw your consent to receiving marketing notifications at any time.

## 24. YOUR RIGHTS AND YOUR PERSONAL INFORMATION

Please take the time to note this summary of your rights in relation to your personal information when using the PetBar App.

<b>Be informed how personal information is processed</b>	You have the right to be informed how your personal information is being collected and used by PetBar. If we require your consent to process your personal information you can withdraw consent at any time. However if you withdraw consent, we may not be able to provide you with all the features and Services on the PetBar App or our website. You can only withdraw consent when the lawful basis of processing your data is with your consent.
<b>Access to personal information</b>	To access your personal information held by PetBar, email us at <a href="mailto:info@PetBar.tv">info@PetBar.tv</a>

<b>Erase personal information</b>	You may ask us to delete your personal information if there is no need for us to keep it. You can make the request by emailing us at <a href="mailto:info@PetBar.tv">info@PetBar.tv</a> . If there are any legal or other reasons why we need to keep your personal information, we will inform you.
<b>Rectify incorrect information</b>	You may request a copy of your personal information and query any information that we hold about you which is inaccurate or incomplete. We will then ensure that we take reasonable steps to check the accuracy of this information and if necessary correct it.
<b>Restrict processing of your data</b>	You may restrict our use of your personal information in certain circumstances (eg: data is inaccurate, processing is unlawful data is no longer require or you have lodged an objection). In this situation we would not use or share your personal information while it use is restricted by you.
<b>Date Portability</b>	You may have the right to request a copy of the personal information you have provided to us in certain circumstances format that can be easily which can be easily reused.
<b>Object to processing your data</b>	You may object to us processing your personal information in certain circumstances.
<b>Automated decision making and profiling</b>	We may make automated decisions using our systems (including profiling) using your personal information we have collected from you to provide you with marketing information.
<b>Lodging a complaint with supervisory authority</b>	If you have make a complaint to us and are unhappy with the outcome, you may make a complaint to the European Data Protection Supervisor or the Privacy Regulator in your jurisdiction. See contact details Section 25 and Section 26 below.

## 25. Contact our Privacy and Data Protection Officer:

25.1 If you have any queries about you date privacy see our contact details at Section 26 below.

### 25.2 EU Privacy Regulator Contact Details

If you are based in the EU, have concerns regarding your privacy while using PetBar or you have made a complaint to us and you are unhappy with the outcome, , you can contact the European Data Protection Supervisor as follows:

**Postal address:** Rue Wiertz 60, B-1047 Brussels

**Office address:** Rue Montoyer 30, B-1000 Brussels

**Telephone:** +32 2 283 19 00

**Email:** [edps@edps.europa.eu](mailto:edps@edps.europa.eu)

**Website:** [www.edps.europa.eu](http://www.edps.europa.eu)

25.3 For contact details of the Date Protection Authority in your country, please click [HERE](#).

## **26. CONTACTING PETBAR ABOUT THIS PRIVACY POLICY**

We are here to help you enjoy your experience using the PetBar App.

Should you have any questions concerning PetBar, this Privacy Policy, our Terms and Conditions or any other policy, please feel free to contact us at:

Privacy and Data Protection Officer  
PetBar Pty Ltd  
C/- PO Box 644  
Carlton South VIC Australia 3053

Email: [info@PetBar.tv](mailto:info@PetBar.tv)

Phone: +61 3 9652 9686

## **27. Australia Privacy Regulator Contact Details:**

PetBar takes any privacy complaint by our Users seriously and will deal with your complaint fairly and promptly.

However if you are not satisfied with our response or how your complaint was handled, you may complain to the Office of the Australian Information Commissioner at:

Office of the Australian Information Commissioner (OAIC)  
GPO Box 5218  
Sydney NSW 2001  
Phone: 1300 363 992  
TTY: 1800 620 241  
email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)