

Privacy policy

1. General

- (a) The Today Business Pty Ltd ACN 627 299 889 (**we, us or our**) operates the www.thetodaybusiness.com.au website and provides products and services, including software as a service, the Vendor Engagement System, today.app and Acquire (together, **Platforms**).
- (b) We are bound by the Australian Privacy Principles set out in the Privacy Act 1988 (Cth) (**Privacy Act**) and the General Data Protection Regulation (EU 2016/679) (**GDPR**), which applies across the European Union (collectively, **Privacy Laws**).
- (c) Your privacy is very important to us and we will always act to protect your personal information. We take this responsibility seriously and are very careful about how and when your personal information is collected, processed, stored, altered, used, shared or destroyed.
- (d) By using, browsing or accessing the Platforms, you indicate that you have read, understood and accept this Privacy Policy and you agree to abide by it. Access to our Platforms is conditional on your approval of this Privacy Policy and you agree that your use of our Platforms implies your consent to the terms of this Privacy Policy.
- (e) We do not wish to collect information about visitors which is sensitive information as defined under the relevant Privacy Laws. We are committed to the protection, privacy and security of your personal information and we have developed this Privacy Policy in line with the relevant Privacy Laws. If you have accidentally sent us sensitive information, please contact us using the details below.
- (f) This Privacy Policy applies in general terms to the collection, processing, storage, use and disclosure by us of your personal information, how you may access personal information that we keep or complain about a suspected privacy breach.

2. What personal information do we collect?

We collect and use personal information from customers, users, authorised contacts, account holders or visitors of our Platforms, including information or opinions about an identified individual or an individual who is reasonably identifiable (**Personal Information**). The type of Personal Information that we collect and use depends on the type of dealings that you have with us and includes:

- (a) full name;
- (b) date of birth;
- (c) gender;
- (d) contact details, such as address, phone number and email address;
- (e) information about the products or services you have ordered or enquired about;
- (f) information from enquiries or communications you have made with us (which may include occupation and salary details);
- (g) the content of your enquiries or any communications between us;
- (h) billing information (such as credit card and bank account details);
- (i) method of payment;

- (j) information or data which we automatically collect from you through the use of cookies or similar technologies, such as location data and online identifiers;
- (k) information about your interest in property, the property market, property values, property investment and the First Home Owner grant, including your intention to purchase, finance details and property requirements, such as the location, size and configuration, and price range; and
- (l) any other Personal Information provided to us, including when making an enquiry or subscribing to our Platforms.

3. Collecting your personal information

3.1 Collection from you

- (a) We will collect Personal Information about you in a variety of ways, including:
 - (i) through your use, or orders of, of our products and services (and our records thereof);
 - (ii) when you visit our Platforms or submit information through our Platforms, contact us with a query or request information about products and services, complete any forms or agreements for our products or services, participate in surveys, competitions or promotional events;
 - (iii) from third parties (including our related bodies corporate, business partners and service providers, credit reporting bodies and government agencies); and
 - (iv) from publicly available sources of information, such as if you use our social media websites or applications, pages or plugins.
- (b) We do not use or share Personal Information for any purpose other than for the purpose for which it was disclosed. We will only collect Personal Information that is necessary for one or more of our functions or for the purpose disclosed to you. The Personal Information collected by us will track your use, or enhance your use, of the foregoing and assist us in providing a better service.

3.2 Information about someone else

- (a) If you provide to us Personal Information about someone else (as their authorised representative), we rely on you to inform them that you are providing their Personal Information to us and to advise them that we can be contacted for further information.
- (b) You must take reasonable steps to ensure the individual concerned is aware of and consents to the various matters detailed in this Privacy Policy, including the fact that their Personal Information is being collected, the purposes for which that information is being collected, the intended recipients of that information, the individual's right to obtain access to that information, our identity, and how to contact us.
- (c) Where requested to do so by us, you must also assist us with any requests by the individual to access or update the Personal Information you have collected from them and provided to us.

4. Legal basis for processing personal information (EU only)

We rely on several legal bases under the GDPR to collect, process, store, use and disclose the Personal Information of individuals residing in the European Union (EU), including:

- (a) where you have freely and expressly consented to the collection, use, processing and disclosure of your Personal Information for a specific purpose. The provision of Personal Information to us is voluntary. However, if you do not provide your Personal Information to us, we may not be able to provide you with access to, and use of, our Platforms. You may withdraw your consent at any time by contacting us using the details below;
- (b) where the collection, use, processing and disclosure of your Personal Information is necessary for the performance of a contract to which you are a party. For example, when collection and use is necessary to fulfil our obligations to provide you with access to, and use of, our Platforms;
- (c) for our legitimate business interests, including, but not limited to:
 - (i) providing, operating and improving our Platforms;
 - (ii) marketing new promotions, deals, offers, competitions, products, services provided by us or our Authorised Affiliates that we consider may interest or benefit you;
 - (iii) managing, analysing, understanding and developing our relationship with you; and
 - (iv) responding to your queries or complaints; and
- (d) where there is a legal obligation to collect, use, process or disclose your Personal Information. For example, we may be obliged to disclose your Personal Information by reason of any law, regulation or court order and/or to protect our interests and legal rights.

5. Use of your personal information

- (a) We use, process and disclose your Personal Information for the purposes for which the information is collected.
- (b) We may also use your Personal Information to:
 - (i) provide or deliver our Platforms to you (or those of our related bodies corporate or related entities (as defined in the Corporations Act 2001 (Cth)));
 - (ii) administer, improve, develop and manage our Platforms (including maintaining, testing and upgrading our Platforms and systems);
 - (iii) inform you about our Platforms, offers, competitions, promotions, questionnaires or surveys or other matters which we believe are of interest to you;
 - (iv) charge and bill you for the use of our products and services;
 - (v) customise the advertising and content on our Platforms and to contact you about specials deals;
 - (vi) provide offers that are of interest or benefit to you;
 - (vii) share with Third Parties;

- (viii) verify your identity;
- (ix) conduct creditworthiness and fraud checks; and
- (x) perform research and analysis.

6. Use by Third Parties

6.1 Disclosure to Third Parties

We may disclose your Personal Information to the following recipients:

- (a) our employees, related bodies corporate and related entities (as defined in the Corporations Act 2001 (Cth)), business partners, third party contractors, suppliers, real estate and other agents (**Authorised Affiliates**) from time to time for the purpose of delivering, providing and administering products, services or websites;
- (b) third-party service providers who process or use your Personal Information for the purpose of performing functions on our behalf, but may not process or use such information for any other purpose. Examples of these third-party service providers include, but are not limited to, marketing and analysis organisations, financial and credit card institutions in order to process any payments, hosting companies, web or technology developers, internet service providers, telecommunication providers, customer service providers, customer support specialists, fulfilment companies, external business advisors (such as auditors and lawyers), research and data analysis firms, debt collectors and insurers (**Third Party Data Processers**); and
- (c) third-party advertising and commercial partners specified in section 9 below (**Partners**) for direct marketing purposes (see section 10 below),

(collectively, **Third Parties**).

6.2 Third Party disclosure to us

- (a) Third Parties may provide us with Personal Information collected from you.
- (b) If you disclose Personal Information to a Third Party, we rely on you to provide the Third Party with consent for us to collect, store, use, process or disclose your Personal Information.

7. today.app

- (a) This section provides additional information about our information handling practices on the today.app.
- (b) Once you have given us credentials to integrate your analytics data from Google, Affiliate, social media and other marketing platforms and data sources with the today.app platform, we will do so for the purposes of allowing us to manage your media investments and allowing you to review the performance of those investments.
- (c) During onboarding, we will integrate analytics of leads and conversions based on media investments and sales from your CRM into the today.app via API and other web services. We will not integrate any Personal Information from your CRM.
- (d) We may directly integrate with your platforms and use various other services to integrate and warehouse the data within the today.app, including Funnel, Datorama, BigQuery, Google Cloud and AWS.
- (e) The integrated information will not be shared with any of our Authorised Affiliates despite anything to the contrary in this Privacy Policy.

- (f) We will also not share any of your information with your direct competitors.
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8. Storage and security of your personal information

8.1 Protecting your Personal Information

- (a) Your Personal Information may be stored in storage facilities (owned and operated either by ourselves or our services providers) in hard copy or electronic format. We will use our reasonable endeavours to store your Personal Information securely and to make our Platforms and storage facilities as secure as possible against unauthorised access.
- (b) We will use our reasonable endeavours to protect and maintain the security of your Personal Information. Our officers, employees, agents and third party contractors are expected to observe the confidentiality of your Personal Information.

8.2 No guarantee

Despite our reasonable endeavours, we are unable to ensure or warrant the security of any Personal Information transmitted to us via the internet. Accordingly, all Personal Information disclosed by you to us is at your own risk and we are not liable for any unauthorised access to and disclosures of the Personal Information.

8.3 Destruction of Personal Information

We will take reasonable steps to destroy or de-identify Personal Information where it is no longer required for any purpose, unless we are required or authorised by a relevant Privacy Law or a court or tribunal to retain the information.

8.4 Suspected data security breach

- (a) We have procedures in place to deal with any suspected data security breach.
- (b) We will notify you and any applicable supervisory authority of a suspected data security breach where we are legally required to do so.
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9. Disclosure of personal information

9.1 Disclosure to Partners

We may disclose any information, including Personal Information, to any of our Partners, who may include third party providers of goods or services to the real estate or property industry with whom we have commercial relationships, such as:

- (a) for the purpose of providing you with details of offers, goods or services that may be of interest to you;
- (b) media publishers, agencies and partners, for the purpose of providing you with any agreed media related products or services;
- (c) a credit provider or financial institution, for the purpose of providing financial products or services that may be of interest to you; and
- (d) utilities providers, for the purpose of providing gas, electricity, telecommunications and internet products and services that may be of interest to you.
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9.2 Disclosure to law enforcement

We may also disclose your Personal Information to law enforcement bodies or regulatory authorities to assist with their functions, courts of law or as otherwise required or authorised by relevant Privacy Laws.

9.3 Merger and acquisition

In the event of a merger, acquisition or sale of the whole or part of our business or assets, we reserve the right to transfer your Personal Information as part of any such transaction. However, your Personal Information would remain subject to this Privacy Policy.

10. Direct marketing

10.1 Your consent

- (a) At the time of accessing, or using, our Platforms or otherwise from time to time, we may seek your express consent for us or our Partners to send you marketing or promotional materials and other information.
- (b) Where we have obtained your prior consent or are otherwise permitted under the GDPR, we may, from time to time:
 - (i) use your Personal Information to send you information about the promotions, deals, competitions, products or services we offer, and any other information that we consider may be relevant to you; and
 - (ii) disclose your Personal Information to a specified Partner for the purpose of that Partner contacting you for promotional or marketing purposes. For example, a specified Partner may send you information about special deals, products or services they offer and other information that may interest you.

10.2 Communication channels

- (a) We or our Partners may send this information to you via the communication channels specified at the time you provide your consent.
- (b) These communication channels may include mail, email, SMS telephone, social media or by customising online content and displaying advertising on our Platforms.

10.3 Opting-out

- (a) You can unsubscribe or opt-out from receiving marketing or promotional materials at any time by:
 - (i) emailing us at info@thetodaybusiness.com.au; or
 - (ii) using the unsubscribe facility included in our commercial electronic messages (ie email or SMS).
- (b) You may re-subscribe at any time by re-registering.

11. Links to other sites from our Platforms

- (a) Although our Platforms may contain hyperlinks or banner advertising to or from external websites, those websites are not subject to our privacy standards, policies and procedures. We recommend that you make your own enquiries as to the Privacy Policies of these third parties.

- (b) We are in no way responsible for the privacy practices of these third parties.
 - (c) This Privacy Policy only addresses the use and disclosure of information we collect from you via our Platforms, via our account establishment process or as otherwise permitted in this Privacy Policy. The use of your Personal Information by the aforementioned third parties is governed by the privacy policies of such parties and is not subject to our control.
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12. Cookies and IP addresses

- (a) A cookie is a piece of data that enables us to track and target your preferences.
 - (b) The type of information we collect through cookies may include statistical information, your location, IP address, the date and time of your last visit, the pages you have accessed and the links you have clicked.
 - (c) We may use cookies to:
 - (i) enable us to identify you as a return user; and
 - (ii) personalise and enhance your experience and your use of our Platforms. Most browsers are initially set up to accept cookies.
 - (d) Most browsers are initially set up to accept cookies.
 - (e) You can reset your browser to refuse all cookies or to warn you before accepting cookies. If you have set your browser to warn you before accepting cookies, you will receive the warning message with each cookie. If you reject our cookies, you may still use our Platforms, but you may be limited in the use of some of the features and this may affect the functionality of our Platforms.
 - (f) We use cookies to help us improve our service to you when you access our Platforms and to ensure that our Platforms remain easy to use and navigate. We may also use IP addresses to analyse trends, administer our Platforms, track traffic patterns, and gather demographic information for aggregated use.
 - (g) Your IP address and other personal information may be used for credit fraud protection and risk reduction.
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13. Your rights in relation to privacy

13.1 Privacy rights (EU only)

- (a) Under the GDPR, you have a number of important rights.
 - (b) Subject to certain exceptions, you have the right to:
 - (i) fair and transparent processing of your Personal Information and processing in accordance with the GDPR;
 - (ii) require us to rectify or correct any Personal Information we hold about you that is inaccurate or incomplete;
 - (iii) require us to erase your Personal Information in certain situations;
 - (iv) obtain a copy of your Personal Information in a commonly used electronic format so that you can manage and move it, or request we send it to a third party;
 - (v) object or withdraw your consent at any time to the collection, use, processing or disclosure of your Personal Information (including for direct marketing purposes), but this does not:
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- (A) apply where we have other legal justifications to continue to collect, use, process or disclosure your Personal Information; or
 - (B) affect the lawfulness of any collection, use, processing or disclosure that occurred before you withdraw your consent;
 - (vi) object to decisions being made by automated means which produce legal effects concerning you or significantly affecting you; or
 - (vii) otherwise restrict our collection, use, processing or disclosure of your Personal Information in certain circumstances.
- (c) You can exercise any of these rights by contacting us using the details below.

13.2 Access rights

- (a) We will use our reasonable endeavours to keep your Personal Information that we collect accurate, up-to-date and complete.
- (b) Subject to some exceptions provided by law, you have the right to access your Personal Information. If you wish to access or change Personal Information which we have collected about you, we require you to put your request in writing to us. Proof of identity may be required before such information will be provided.
- (c) If we do not allow you access to any part of the Personal Information we hold about you, we will tell you why.
- (d) We will not charge you for lodging a request to access your Personal Information, but we may charge you for our reasonable costs in supplying you with access to this information.
- (e) We will endeavour to respond to your request for access or correction within 1 month of your request.

14. Children's policy

- (a) We do not knowingly seek or collect Personal Information from or about persons under the age of 16 years of age (**Child**) without the consent of a parent or guardian.
- (b) If we become aware that any Personal Information relating to a Child has been provided without the consent of a parent or guardian, we will use reasonable endeavours to:
 - (i) delete the Personal Information from all relevant files as soon as possible; or
 - (ii) ensure, where deletion is not possible, the Information Personal Information is not used further for any purpose or disclosed further to any Third Parties.
- (c) Any parent or guardian with queries regarding our collection, use, processing or disclosure of Personal Information relating to their Child should contact us using the details below.

15. Consent

You acknowledge and agree that we, our Third Parties and each of their officers, employees, agents and contractors are permitted to collect, store, use and disclose your Personal Information in the manner set out in this Privacy Policy and in accordance with the Privacy Act.

16. Changes to the privacy policy

- (a) We may amend this Privacy Policy from time to time. The current version of our Privacy Policy will be posted on our website and a copy may be obtained from our Privacy Officer.
- (b) Your continued use of our Platforms following any such amendment will be confirmation of your acceptance of the amendments. We reserve the right to modify this Privacy Policy at any time, so please review it frequently.

17. How to contact us

If you would like further information about the Personal Information we hold about you, or to opt-out of receiving any promotional communications from us or our Partners, please contact us at info@thetodaybusiness.com.au.

18. Contacting us and resolving your privacy issues

- (a) If you have any issues or complaints you wish to raise with us regarding the way we have handled your Personal Information, or would like to discuss any issues about our Privacy Policy, please contact our Privacy Officer directly in writing to the email specified in section 17.
- (b) When making a privacy complaint please provide our Privacy Officer with full details of your complaint and any supporting documentation.
- (c) Our Privacy Officer will endeavour to:
 - (i) provide an initial response to your query or complaint within 15 business days, and
 - (ii) investigate and attempt to resolve your query or complaint within 30 business days or such longer period as is necessary and notified to you by our Privacy Officer.
- (d) If you are dissatisfied with the outcome of your complaint, you may refer the complaint to:
 - (i) the Australian Information Commissioner who may be contacted at <https://www.oaic.gov.au/individuals/how-do-i-make-a-privacy-complaint>; or
 - (ii) the supervisory authority in the relevant EU member state.

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