

## Privacy Policy

Presto Services Pty Ltd ACN 659 354 480 (Presto) takes your privacy seriously and is committed to responsible privacy practices.

Presto seeks to comply with relevant laws, including the Privacy Act 1988 (Cth) (Privacy Act) and the EU General Data Protection Regulation (GDPR), where applicable.

This policy describes how Presto manages your personal information including details of what types of personal information Presto collects, how Presto collects your personal information, the purposes for which Presto uses your personal information and to whom your personal information is disclosed.

### What is personal information?

In this policy “personal information” has the meaning set out in the Privacy Act. Essentially, personal information is information or an opinion about an individual who is reasonably identifiable.

### What types of personal information do we collect?

The types of personal information Presto collects about you will depend on the purpose for which the information is collected. Presto may collect the following types of personal information:

- personal information, so that we can identify who you are (e.g. your name and your date and place of birth);
- personal information so that we can contact you (e.g. your home address, your email address, and your contact telephone number)
- behavioural and/or technical personal information (e.g. details about how you browse our website, and the devices and technology you use to browse our website).

In addition to the types of personal information identified above, Presto may collect personal information as otherwise permitted or required by law.

### How do we collect personal information?

Often Presto will collect your personal information directly from you, including when you:

- use Presto’s website, products or services;
- apply to work with Presto or are engaged by Presto as a contractor;
- communicate with Presto by email, by telephone, in person, via a website or otherwise.

In some cases Presto may also collect personal information from:

- publicly available sources;
- entities with which Presto conducts business; and
- other third parties (for example, from referees if you apply for a position as an employee or contractor with us).

## Cookies

Presto uses cookies and similar technologies to recognise you and/or your devices across our website, products or services. You can control your cookie preferences using the consent box when you first visit our website or at any time.

Please see our cookie policy for more information.

## **Why do we collect, use and disclose personal information?**

In general Presto collects, uses and discloses your personal information for purposes connected with its business operations.

Presto will only collect, use, and disclose personal information about you if it has lawful basis to do so, for example:

- where you have given Presto your consent;
- where processing of your personal information is necessary for the performance of a contract with you;
- to meet Prestos' legal obligations; and
- to pursue Prestos' legitimate business interests.

Presto may use or disclose your personal information:

- for the purposes for which Presto collected it (and related purposes which would be reasonably expected by you);
- for other purposes to which you have consented; and
- as otherwise authorised or required by law.

Some of the specific purposes for which Presto collects, uses and discloses personal information are as follows:

- to provide products and services to its users;
- to enable the proper operation and functionality of its products and services;
- to improve its products and services;
- to verify your identity (for example, if you request access to the personal information Presto holds about you);
- to consider you for a job at Presto (whether as an employee or contractor) or other relationships with Presto;
- to provide goods or services to you or to receive goods or services from you;
- to address any issues or complaints that Presto has or you have regarding our relationship;
- to comply with its legal obligations;
- to develop and improve the quality of its websites and products and customise its websites and products according to your preferences, tailor search results, and show relevant advertising;
- for direct marketing purposes (see the "Direct marketing" section below); and
- to contact you regarding the above, including via electronic messaging such as SMS and email, by mail, by phone or in any other lawful manner.

If Presto is unable to collect your personal information then Presto may not be able to provide you with the products, services and opportunities that depend on the collection of that information.

## **To whom do we disclose personal information?**

Presto may disclose your personal information to third parties in connection with the purposes described above.

This may include disclosing your personal information to the following types of third parties:

- authorised finance, insurer and any other service providers seeking to vend their respective products to you across the platform;
- its related companies;
- any potential third party acquirer of Presto or its business or assets, and advisors to that third party;
- its professional advisers (such as lawyers, accountants or auditors) and insurers;
- its employees, contractors and third party service providers who assist Presto in performing its functions and activities e.g. payment systems operators and financial institutions, cloud service providers, data storage providers, telecommunications providers and IT support services providers;
- organisations authorised by Presto to conduct promotional, research or marketing activities;
- third parties to whom you have authorised Presto to disclose your information (e.g. referees);
- authorised finance, insurer and any other service providers in order to verify that a financing, insurance and/or servicing arrangement between you and one of our approved finance, insurer and or service providers has taken place; and
- any other person as required or permitted by law.

If Presto discloses your personal information to third parties it will use reasonable commercial efforts to ensure that such third parties only use your personal information as reasonably required for the purpose of disclosure and in a manner consistent with applicable laws, for example by (where commercially practical) including suitable privacy and confidentiality clauses in Presto' agreement with a third party service provider to which Presto discloses your personal information.

## **Does personal information leave Australia?**

Presto stores personal information in servers located in Australia. However, Presto may disclose your personal information to overseas recipients for the sole purpose of billing and our internal customer relationship management (CRM) systems and processes.

Except where an exception applies under the Privacy Act or other relevant legislation, Presto will take reasonable steps to ensure that overseas recipients to whom Presto discloses personal information do not breach the Australian Privacy Principles stated in the Privacy Act, and any other relevant legislation relating to privacy and data security, in relation to such information.

## **How do we protect your personal information?**

Presto engages service providers to store your personal information, including Microsoft Azure and Azure Storage. Presto recommends that you review these companies' privacy policies to understand how they use and store your personal information.

Presto will take reasonable steps to keep any personal information it holds about you secure.

However, you acknowledge that the security of personal information transmitted over the internet cannot be guaranteed. Presto cannot guarantee that any personal information you disclose to Presto will not become publicly available. Except to the extent liability cannot be excluded due to the operation of statute, Presto excludes all liability (including in negligence) for the consequences of any unauthorised access to, disclosure of, misuse of or loss or corruption of your personal information.

Nothing in this policy restricts, excludes or modifies or purports to restrict, exclude or modify Presto' obligations under the Privacy Act and any other applicable legislation or any statutory consumer rights you may have under any applicable law including the Competition and Consumer Act 2010 (Cth).

Please notify Presto immediately if you become aware of any breach of security.

## **Direct marketing**

Presto may use and disclose your personal information for the purpose of direct marketing to you if:

- you have consented to Presto doing so; or
- it is otherwise permitted by law.

Direct marketing involves communicating directly with you for the purpose of promoting goods or services to you. Direct marketing can be delivered by a range of methods including mail, telephone, email or SMS. You can unsubscribe from Presto' direct marketing, or change your contact preferences, by contacting Presto (see the "How to contact us" section below).

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

Generally, Presto will retain your personal information for the period necessary for the purposes for which your personal information was collected (as outlined in this policy) unless a longer retention period is required by law.

This means that Presto will store your personal information for the following periods:

- if your personal information is provided to Presto by a subscriber or re-seller: only for so long as Presto requires it for the purpose of its agreement with the subscriber or re-seller;
- if you unsuccessfully apply for a job at Presto (whether as an employee or contractor): up to 6 months;
- if you work at Presto (whether as an employee or contractor): up to 6 years after you cease working with Presto;
- if Presto processes your personal information in connection with you being a supplier to Presto (or an employee or contractor of a supplier) or in connection with you being a subscriber or re-seller (or an employee or contractor of a subscriber or re-seller): up to 6 years from your last interaction with Presto; and
- if Presto processes your personal information for direct marketing purposes or processes your personal information based on your consent, Presto may process the information until you ask Presto to stop and for a short period after that (to

allow Presto to implement your request). Presto will indefinitely keep a record of the fact that you have asked Presto not to send you direct marketing or to process your information so that Presto can respect your request in future.

Presto may retain your personal information for a longer period of time if it is reasonably necessary to comply with Presto's legal obligations, resolve a dispute or maintain security.

When personal information is no longer required, Presto will take reasonable steps to delete the personal information from Presto's systems or de-identify the personal information.

## **Your rights**

### **How you can seek to access and correct personal information we hold about you**

You may seek access to personal information Presto holds about you by contacting Presto as described in the "How to contact us" section below.

Presto will provide access to that information in accordance with applicable legal requirements, subject to certain exemptions which may apply. Presto may require that the person requesting access provide suitable identification and where permitted by law Presto may charge a fee for giving access to your personal information.

If the personal information was provided to Presto by any of Presto's subscribers or re-sellers, Presto may advise the relevant subscribers or re-sellers of your request and liaise with them about it.

If you become aware that any personal information Presto holds about you is incorrect or if you wish to update your information, please contact Presto as described in the "How to contact us" section below.

### **How you can complain about a privacy issue**

You may make a privacy complaint in relation to personal information Presto holds about you by contacting Presto as described in the "How to contact us" section below.

If you make a privacy complaint, Presto's Data Protection Officer or another suitable staff member of Presto will investigate the matter and attempt to resolve it as soon as reasonably possible.

If you consider your privacy concerns have not been resolved satisfactorily by Presto, or you wish to obtain more information on privacy requirements:

- you can contact the Office of the Australian Information Commissioner on 1300 363 992 or visit their website at [oaic.gov.au](http://oaic.gov.au); and
- if you are located in the European Union you can contact your local data protection authority: [https://edpb.europa.eu/about-edpb/board/members\\_en](https://edpb.europa.eu/about-edpb/board/members_en).

### **Individuals located in the EU**

If you are located in the European Union, you may have the following rights:

- The right to access, rectify or update the personal information Presto holds about you.

- The right to request erasure of personal information Presto holds about you, for example if the personal information is no longer necessary to provide services to you.
- The right to require Presto to stop using all or some of your personal information (for example, if Presto no longer has a legal right to keep using it) or to restrict its use of your personal information (for example, if you consider that the personal information Presto holds about you is inaccurate or if it is unlawfully held).
- The right to data portability. In some circumstances you have the right to be provided with a copy of the personal information Presto has about you in a structured, machine-readable and commonly used format.
- The right to withdraw consent. You may withdraw your consent at any time where Presto relied on your consent to process your personal information.

Presto may ask you to provide suitable identification when you seek to exercise any of these rights.

### **Local exemptions and inconsistency with law**

Where local laws allow for an exemption to compliance with certain legal obligations (for example, the employee records exemption in Australia), Presto may rely on such an exemption.

This policy will not apply to the extent that it is inconsistent with any applicable law.

### **Changes to this policy**

Presto may change this policy from time to time at its discretion. This policy was last updated in January 2022. If Presto makes further updates to this policy, Presto will post the amended policy on its websites. Your continued dealings with Presto, for example use of its websites, products or services, will signify your agreement to this policy as amended.

### **How to contact us**

If you have a query, concern or complaint about the manner in which your personal information has been collected or handled by Presto or would like to request access to or correction of the personal information Presto holds about you please contact us via email at [support@presto.capital](mailto:support@presto.capital).