

# Privacy Statement

**DB Gurus Pty, Ltd. Australia, ACN 134 593 712** is a company registered in Australia shall be referred to as “**we**” “**us**” or “**our**” for the purposes herein, is committed to protecting and respecting your privacy.

This privacy policy (together with our terms of use <https://ontaskapp.com.au/wp-content/uploads/2021/03/terms-of-service.pdf> and any other documents referred to in it) helps the user to understand for what purposes and why we collect information, and how the user (hereinafter referred to as “**you**” or “**your**” as appropriate) can update, delete and manage such information.

Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it. By visiting one of our websites or any of our platforms (the “**Service**”) you are accepting and consenting to the practices described in this policy.

If you are a citizen or resident of the European Union, the General Data Protection Regulation (EU) 2016/679 (“**GDPR**”) will apply to your personal data.

For the purposes of the GDPR, the data controller is in the instance where your personal data is provided to us, or collected by us, in accordance with the Terms of Service (including any support services) to you, or the organisation that you are part of.

If you are a citizen or resident of Australia, New Zealand or any other country, the Australian Privacy Act 1988 (hereinafter referred to as “**Australian Privacy Laws**”) will apply to your personal data.

“**Personal data**” is, unless otherwise indicated, the collective term used in this privacy policy shall refer to ‘personal information’ as it is defined under Australian Privacy Laws, and ‘personal data’ as it is defined under the GDPR.

## 1. **Information we may collect from you**

We may collect and process the following data about you to provide better services to our users:

1. **Information you may provide to us.** The types of information you may provide to us depends on the nature of your dealings with us as follows:
  - a. If you are the representative of a licensed user (“**Licensee**”) of our Service, you may give us information about individuals within your organisation at or before the time that you register with us. This includes information you provide when you take out a trial of the Service, accept a licence agreement, make an enquiry with us online, or subsequently in other ways, including if necessary, to provide you with ongoing services. The information you give us may include names, position titles, addresses, telephone numbers, email addresses and other contact details.

- b. Our Service is a Software-as-a-Service (SaaS) product. As such, information and data you provide by inputting into our software as a Licensee is held on servers owned by third party hosting providers and leased by us. Such data may include personal data relating to your clients and individuals within your organisations.
  - c. If you are providing us with personal data about a third party, you warrant to us that you have that person's consent to disclose their personal data to us and that your use and disclosure of the information to us is in accordance with the GDPR or the Australian privacy laws. This paragraph is without prejudice to any obligations you may have to us as a Licensee under any licence agreement for use of our software or services.
  - d. Please note that we use a third party payment gateway provider to process payments, however we do not have access to credit card information, nor do we collect or store such information.
2. **Information we collect about you.** With regard to each of your visits to our website we may automatically collect the following information:
- a. Technical information, including the Internet protocol (IP) address used to connect your computer, tablet, mobile or other device (each being a “**Device**”) to the Internet, your login information, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform, information you post online either on our website or on a third-party social media site to which we have access.
3. **Information we receive from other sources.** We may receive information about you if you use any other websites that we operate or may operate from time to time or other services we provide.
2. **Disclaimer : where we are carrying out the role of data processor / programmer (for the purposes of the GDPR wherever applicable)**

To the extent that we are carrying out the function as data processor for a third party controller in connection with any of your personal data, then we will comply with this privacy policy and the GDPR to the extent that it applies to us as a data controller, however to the fullest extent permissible by law, we disclaim all liability whatsoever for all duties, obligations or other legal requirements which are proper to such third party data controller, which for the avoidance of doubt may be the Licensee to whom access to our Service may have been provided.

### 3. **Cookies and Remarketing**

1. Our website and Service uses cookies to distinguish you from other users of our website or Service and monitor website and Service user activities and behaviours. This helps us to provide you with a good experience when you browse our website or Service and also allows us to improve them. By continuing to browse the website or Service, you are agreeing to our use of cookies.
  2. A cookie is a small file of letters and numbers that we store on your browser or the hard drive of your Device. Cookies contain information that is transferred to your device's hard drive or device. Except for essential cookies, all cookies will expire after 30 days.
  3. We may remarket our services to you in a targeted way, by using third party remarketing services (such as Google Ads or similar providers). Our third party remarketing vendors may advertise our services to you at multiple online locations. You agree to our use of these third party vendor remarketing services for the purpose of advertising to you in this way. You can withdraw your consent to this advertising at any time.
4. **Uses made of your information**

We use information held about you in the following ways:

1. **Information you give to us.** We will use this information:
  - a. to carry out our obligations arising from any contracts entered into between you and us including the provision to you with information, products and services that you request from us, online content and dealing with your requests and enquiries;
  - b. to provide you with information about other products and services we offer that are similar to those that you have already purchased or enquired about;
  - c. to notify you about changes to our service or products;
  - d. to contact you in relation to service updates that affect you, regulatory updates that affect our services and any additional information in relation to our service that we think you may find interesting;
  - e. to analyse and improve the services offered on our website/Service; and
  - f. to ensure that content from our website/Service is presented in the most effective manner for you and on your Device.
2. **Information we collect about you.** We will use this information:

- a. to administer our website/Service and for internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes;
- b. to improve our website/Service to ensure that content is presented in the most effective manner for you and for your Device;
- c. as part of our efforts to keep our website/Service safe and secure;
- d. to use IP addresses to identify the location of users, to block disruptive use, to establish the number of visits from different countries and to determine whether you are accessing the services from a particular country; and

#### 5. **Security of information we store and transfer**

1. All information you provide to us is stored on secured servers. Any payment transactions will be encrypted using Secure Sockets Layer (SSL) technology. Where we have given you (or where you have chosen) a password which enables you to access certain parts of our website or Service, you are responsible for keeping such password confidential.
2. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access. In case we detect a potential threat against you we may notify you and guide you on how to stay protected. We cannot however guarantee the security of such information and, to the fullest extent permitted by law, we disclaim all liability and responsibility for any damages you may suffer due to any loss, unauthorised access, misuse or alterations of any information you submit to the website or our Service.
3. We will share any information collected or being provided with as a data processor or controller, outside of DB Gurus, if we reasonably believe in good faith that access, use, preservation, or disclosure of the information is necessary to comply with any applicable laws time being in force, or enforce the Terms of service, or prevent any harm, fraud or security issues incidental, or protect the rights of DB Gurus and its users as permitted by the law, or to safeguard the best interest of public.

#### 6. **How long do we keep your personal data secure and private**

We will keep your personal data only for as long as is reasonably necessary for the purpose that it has been processed and taking into account any legal requirements under the GDPR, or any other applicable laws of England and Wales (if you are located in the UK), and under Australian Privacy Laws (if you are located in a country other than the UK or EU). The user is free to warrant erasure of any personal data at any point of time, provided the user forfeits the obligations under the Terms of service. We will no longer be responsible for protection of such information. We reserve right to retain any such information for legal necessity or for the best interest of the public.

## 7. **How we manage sensitive personal data**

The GDPR defines certain information as 'sensitive' (racial or ethnic origin, political opinions, religious beliefs, trade union membership, physical or mental health, sexual life, criminal proceedings and offences). If we ever deal with sensitive personal data we will only use this information to provide the service you require and we will ask for your explicit consent.

## 8. **Your rights**

1. The GDPR and Australian Privacy Laws give you the right to access information held about you and to request that it is corrected if any of your details held are incorrect. Your right of access can be exercised in accordance with the GDPR. Any access request may be subject to a fee to meet our costs in providing you with details of the information we hold about you.

## 9. **Marketing**

1. We may from time to time provide you with an "opt in" or "opt-out" mechanism, subject to the requirements of applicable Australian privacy laws or the GDPR. An "opt-in" mechanism will provide you the opportunity to positively indicate that you would like or do not object to our sending you such further communications and we will not send you any unless you have "opted-in". An "opt-out" mechanism will provide you the opportunity to indicate that you do not want us to send you such further communications, and if you "opt-out" we will not send you any.

## 10. **Jurisdiction and governing law**

If you are a citizen or resident of the UK or EU, all matters relating to your data protection and privacy are governed by the laws of England and Wales, without reference to any conflict of laws. You agree that the jurisdiction and venue for any legal proceeding relating to your data protection and privacy shall be in appropriate courts located in England and Wales. If you are located in a country other than the UK or EU, matters relating to your data protection and privacy are governed by the laws of Australia, without reference to any conflict of laws. You agree that the jurisdiction and venue for any legal proceedings relating to data protection and privacy shall be in appropriate courts located in New South Wales, Australia.

## 11. **Changes to our privacy policy**

Any changes we may make to our privacy policy pursuant to legal necessities or others in the future will be posted on this page and, where appropriate, notified to you by e-mail or by a notice displayed on the homepage of our website/Service. It is the duty of the user, from time to time, to check the privacy policy. The user will be deemed to accept the updated privacy policy unless revoke such consent by express communication to us.

If DB Gurus is involved in a merger, acquisition, liquidation or sale of assets, we'll continue to ensure the confidentiality of your personal information subject to outcome of such change over and give affected users notice before personal information is transferred or becomes subject to a different privacy policy.