

Website Privacy Policy

www.benchmarklms.com.au

1. About this Document

- 1.1. This document is Our Website Privacy Policy. It sets out Our policy on the collection, use and disclosure of Personal Information that We obtain via Our Website.
- 1.2. This Website Privacy Policy is to be read in conjunction with Our Terms of Use. A copy of Our Terms of Use is available at [www.benchmarklms.com.au/TandC and Policies](http://www.benchmarklms.com.au/TandC_and_Policies).
- 1.3. Terms used in this Privacy Policy that are defined in Our Terms of Use have the meanings given to them in the Terms of Use.
- 1.4. Each time You use, browse and/or access the Website or the Member Services You hereby consent unconditionally to Us using Your Personal Information as described in this Privacy Policy.
- 1.5. We may update this Privacy Policy from time to time. We will post the latest version of the Privacy Policy on this webpage. It is Your responsibility to ensure You are familiar with the most recent version of this Privacy Policy.

2. Collection of Personal Information

- 2.1. We may collect Your Personal Information through Your interaction with Our Website.
- 2.2. The Personal Information that We collect includes statistical information which We gather including Your IP address and the computer, web browser and Your geographic location as well as the web pages on this Website that You visit and how long You spend on each webpage. We may use cookies to collection this information.
- 2.3. If You register on Our Website We also collect:
 - (a) Your name;
 - (b) Your email address;
 - (c) Your postal address;
 - (d) any other details You provide during registration or during the purchase, order or application to use any goods and or services You make through Our Website; and
 - (e) details of the goods or services that You order, purchase, apply to use, or agree to use or sign up to use on Our Website.

3. How We use Your Personal Information

- 3.1. The primary purposes of collecting Your Personal Information are to administer and optimise the Website and gain an understanding about how You, together with the other users of Our Website, use and interact with Our Website, and to respond to enquiries, orders and/or applications that You make via the Website.
- 3.2. We may use and/or disclose information captured via the Website where we have your consent, to our trusted service providers who work on our behalf, in order to provide or procure the provision of customer support related to the Website, and for other reasons set out in this Privacy Policy.
- 3.3. If You opt in at the time of registration to receive newsletters from Us, We will also use Your Personal Information to send to You news, information and general promotional material about Our Website which We believe may be useful and/or of interest to You.
- 3.4. We may also collect, use and/or disclose Personal Information collected in the following circumstances where We consider such collection, use and/or disclosure is reasonably necessary (at Our discretion):
 - (a) where You accept a "cookie" from Our Website. We utilise "cookies" which enable Us to monitor traffic patterns and to serve You more efficiently if You revisit Our website;
 - (b) where You consent to the specific collection, use and/or disclosure;
 - (c) if We consider it reasonably necessary to provide the Personal Information to Our subsidiaries and/or related bodies corporate and/or associated entities;

- (d) if We consider it reasonably necessary to provide the Personal Information to Our employees and/or service providers who We engage or employ to provide Us with services in connection with the Website;
- (e) so that We can carry out analysis of the Website for the purposes of improving the Website;
- (f) as required by law; and/or
- (g) if We sell Our Website business to a third party.

4. Customer lists

- 4.1.** We will disclose Our customer lists to the purchaser of Our Website business should We decide to sell Our Website business.

5. Your Opt Out Rights

- 5.1.** If You do not wish to have Your Personal Information used in the manner described in this Privacy Policy, please notify Us, however if that occurs You may not use our Website and We will not be able to supply any Member Services to You.

6. Email and Website Communications

- 6.1.** We reserve the right to preserve the content of any personal information You provide to Us including any e-mail You send Us whether the email is sent through Your email client or through a “contact form” on Our Website, for as long as We consider necessary.

7. Children

- 7.1.** We do not use the Website to knowingly solicit information from or market to children under the age of 18. If a parent or guardian becomes aware that his or her child has provided Us with information without their consent, he or she should contact Us. Following such notification we will delete such information from Our databases within a reasonable time.

8. Security

- 8.1.** We provide and/or use physical, electronic and procedural safeguards and use Our reasonable endeavours to protect Your personal information We process and maintain from misuse, interference, loss, and from unauthorised access, modification or disclosure.
- 8.2.** However, except in respect of any Non-Excludable Guarantees, We cannot and do not guarantee the security of transmission or the security of Our electronic and/or physical storage facilities.

9. Access

- 9.1.** We take reasonable steps to ensure the Personal Information We collect from You is up to date and accurate. However, You are entitled to have access to any Personal Information relating to You which You have previously supplied to Us. You are entitled to access, edit or delete such information unless:
- (a) Your request access, edit or delete the information is frivolous or vexatious; or
 - (b) We are required by law to retain it.
- Please contact us if you require such access.

10. Hosting of Personal Information

- 10.1.** The data centres that house and/or host Our computer servers and/or Website and/or Member Services and/or the Personal Information We collect are located both in Australia and in foreign jurisdictions.
- 10.2.** You consent to Us:
- (a) transferring and/or disclosing Your Personal Information to Our suppliers, including Our suppliers which host the Website and/or Member Services and/or Your Personal Information in Australia and/or overseas; and
 - (b) those suppliers collecting, storing, processing and disclosing Your Personal Information for the purposes of providing goods or services to Us that We require in connection

with the performance of Our Website or the provision by Us of goods and/or services to You.

11. Your consent

11.1. By using the Website, You are consenting to Our collection, use and disclosure of Your information captured by the Website as set forth in this Privacy Policy.

12. Enquiries about this Privacy Policy

12.1. If You have any questions regarding privacy while using the Website or have questions about Our privacy practices, please contact Us. Our contact details are as follows:

Post: Level 36, Gateway, 1 Macquarie Place, Sydney, NSW 2000, Australia
Telephone: +61 2 8214 8586
Email: info@benchmarklms.com.au

12.2. We will also, on request, provide You with access to the personal information which we hold about You except where the request for access is frivolous or vexatious. We take reasonable steps to ensure the information We collect via the Website is up to date, accurate and complete. However, if, at any time, You discover that such information is incorrect, You may contact Us by any of the above methods to have the information updated so that it is correctly recorded by Us.