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Privacy Policy

Esri Australia Pty Ltd
MapData Services Pty Ltd

December 2017

1 Privacy Policy

Esri Australia Pty Ltd ABN 16 008 852 775 and each of its related entities (including MapData Services Pty Ltd ABN 45 053 437 282), understands the importance of privacy issues.

This Privacy Policy identifies how Esri Australia Pty Ltd and MapData Services Pty Ltd manages the personal information we collect, use, hold and disclose and how to contact us if you have any queries.

In handling your personal information, we are regulated by and are committed to complying with the *Privacy Act 1988* (Cth), including the Australian Privacy Principles (**Privacy Law**).

In this Privacy Policy, the expressions “we”, “us” and “our” are a reference to Esri Australia Pty Ltd, MapData Services Pty Ltd and any related entities.

1.1 Background

Personal information is information or an opinion, in any form whether true or not, about an individual whose identity is apparent or can reasonably be identified from the information provided. For example, this may include your name, age, gender, postcode and contact details. It may also include financial information, including your credit card information.

Occasionally, we may ask you for personal information about other people – for example, your customers or other authorised representatives, in order to provide our services. If you choose to disclose this information to us, you confirm that you have informed these parties that you are providing their personal information to us for the purposes of providing our products and services either directly or by providing such disclosure in your own privacy policy.

Where lawful and practical, you have the right to remain anonymous or to make use of a pseudonym, however if you choose to remain anonymous or to use a pseudonym, we may not be able to provide you with access to some or all of our products or services.

1.2 Data collection

What personal information we collect

We may collect the following types of personal information:

- » name;
- » mailing or street address;
- » billing address;
- » email address;
- » telephone number and other contact details;
- » age or date of birth;
- » position or role title details;
- » credit card information;
- » time zone information;

- » details of the products and services we have provided to you or that you have enquired about, including any additional information necessary to deliver those products and services and respond to your enquiries;
- » information you provide to us through customer surveys; or
- » any other personal information that may be required in order to facilitate your dealings with us.

Consent to collection of personal information

We will only collect personal information where that information is necessary for us to perform one or more of our functions or activities, where we are required to by law or you have consented to our collection of your personal information from third parties – for example, our related entities or your own representatives. If you choose to provide us with personal information, you consent to the transfer and storage of such personal information on our servers for as long as we consider necessary to fulfil the purpose for which such personal information was collected, or as required by relevant laws, in accordance with this Privacy Policy and any other arrangements that apply between us. In this context, “collect” means gather, acquire or obtain by any means, information in circumstances where the individual is identifiable or identified.

How we collect personal information

We may collect personal information from you:

- » via one of our websites;
- » via social media;
- » via telephone;
- » via email;
- » via fax;
- » via your participation in any marketing initiative or promotional activities or events;
- » via your access to and use of our products, services and website;
- » in person; and/or
- » in writing.

We will generally collect personal information directly from you. We may also collect personal information from third parties (including third party data analytic service providers) and publicly available sources of information. We may use personal information supplied by you or a third party to source additional personal information from publicly available sources of information.

Sensitive information

Some personal information (e.g. race, ethnicity, health information etc.) is sensitive and requires a higher level of protection under the Privacy Law. We will only collect such sensitive information when we have your express consent for us to do so and the collection is reasonably necessary for us to pursue one or more of our functions or activities, or where the information is required or authorised by law or necessary for the establishment, exercise or defence of a legal claim.

Employment application

In addition, when you apply for a job or position with us we may collect certain information from you (including your name, contact details, working history and relevant records checks) from any recruitment consultant, your previous employers and others who may be able to provide information to us to assist in our decision on whether or not to make you an offer of employment or engage you under a contract. This Privacy Policy does not apply to acts and practices in relation to employee records of our current and former employees, which are exempt from the Privacy Laws. For further information on personal information collected in connection with employment, please see the [Personnel Privacy Policy](#) available on our website.

1.3 Notification of collection

Where we have collected personal information about you either directly or by other means as set out above, we will notify you of the following at the time, or as soon as practicable, to ensure that you are aware of such collection and its purpose:

- » The main reason that we are collecting personal information (this reason will be the Primary Purpose as set out in paragraph 1.6 below);
- » Other related uses or disclosures that we may make of the personal information (Secondary Purposes);
- » Our identity and how you can contact us, if this is not obvious;
- » That you can access the personal information that we hold about you;
- » That you should contact us should you need to access or correct personal information collected by us or have any concerns in relation to personal information;
- » The organisations to whom we usually Disclose the personal information;
- » Where applicable, any law that requires the personal information to be collected.

If we receive unsolicited personal information about or relating to you and we determine that such information could have been collected in the same manner if we had solicited the information, then we will treat it in the same way as solicited personal information and in accordance with the Privacy Law. Otherwise if we determine that such information could not have been collected in the same manner as solicited personal information, and that information is not contained in a Commonwealth record, we will, if it is lawful and reasonable to do so, destroy the information or de-identify the information.

1.4 Where your personal information is stored

Where we store your personal information depends largely on the purpose for which it was collected but may include but not be limited to:

- » internal customer relationship management system which is hosted offshore in Japan and the United States of America;
- » email database within our marketing campaign system;
- » internal contacts database; and
- » hard copy records in our offices.

The data servers are password protected and login secured. However, by providing personal information to us you consent to your information being stored and processed on a data server or data servers (such as cloud services) owned by a third party or third parties that may be located outside of Australia and which may not be subject to the Australian Privacy Principles.

1.5 How your personal information is stored

We take reasonable steps to protect your personal information from unauthorised access, loss, disclosure or modification in accordance with this Privacy Policy.

We regularly monitor all our systems holding personal information, however, no data transmission over the internet can be guaranteed as one hundred per cent secure. We will take reasonable steps to maintain the security of and to prevent unauthorised access to or disclosure of your personal information. However, we do not guarantee that unauthorised access to your personal information will not occur, either during transmission of that information to us or after we receive that information.

We only retain your personal information for as long as is necessary for the purposes for which it was collected and we are required to keep it to comply with any laws. We will take such steps as are reasonable in the circumstances to destroy or de-identify personal information which we no longer need. These measures may vary depending on the personal information held.

1.6 How your personal information will be used

We collect personal information primarily for the following purposes (the "Primary Purpose" of personal information collection):

- » Providing our products and services to you;
- » Validating and completing purchase requests;
- » Providing notifications of new product releases or functionality updates;
- » Improving and developing the design of our range of products and services for your use, including by the use of data analytics (for example, Google Analytics, Hotjar and Act-On, or other products with similar functionality);
- » Providing notification of upcoming events or visiting Esri and industry specialists;
- » Providing industry and GIS project related information;
- » Conducting surveys and research;
- » Complying with licensing, legislative and regulatory requirements;
- » Improving our service delivery (including in order to resolve a complaint);
- » Managing our relationship with you;
- » Employment related purposes (including assessing an applicant's suitability for a job); and
- » To subscribe you to our e-communications.

If you subscribe to our e-communications (e.g. newsletters, event updates etc.), we may send you direct updates about our products and services, event invitations and for marketing purposes (including advising you of other products, services, promotional events, programs and special offers which may be of interest to you). This may take the form of emails, SMS, mail or other forms of communication, in accordance with the *Spam Act 2003* (Cth) and the Privacy Laws. If you do not wish to remain a subscriber to our mailing list, you can unsubscribe from any

electronic communications by clicking the 'unsubscribe' button or by contacting our [marketing department](#).

1.7 Disclosure of personal information

We do not generally share our customer lists on a commercial basis with third parties but if we did, we would only do so if we had the appropriate consent of the individual involved.

We may disclose personal information we collect from you:

- » To our subsidiaries and other related entities (other than for sensitive information), employees, contractors or agents for the purposes set out in the section 1.6 above, or for other purposes directly related to the purpose for which the personal information is collected;
- » To others that you have been informed of at the time any personal information is collected from you;
- » To our business associates, third party suppliers, service providers and others for purposes directly related to the purpose for which the personal information is collected;
- » To our payment systems operators (for example, merchants receiving card payments);
- » To our professional advisors;
- » To organisations that acquire all or part of our assets or business;
- » To organisations to whom we outsource functions (including information technology providers, print service providers and mail houses);
- » With your consent (express or implied), to specific third parties to receive information held by us; or
- » other persons, including government agencies, regulatory bodies and law enforcement agencies, or as required, authorised or permitted by law.

If we use or disclose your personal information for a Secondary Purpose other than the main reason for which it was originally collected, we will ensure that:

- » The Secondary Purpose is related to the primary purpose of collection, and you would reasonably expect that we would use or disclose your information in that way;
- » You have consented to the use or disclosure of your personal information for the Secondary Purpose; or,
- » The use or disclosure is required or authorised by or under law.

We will take reasonable steps to ensure that any contracts with third parties include requirements for those third parties to comply with the use and disclosure requirements of the Privacy Law.

In the unlikely event that we are required to disclose personal information to law enforcement agencies, government agencies or external advisors we will only do so in accordance with the Privacy Law or any other relevant Australian legislation.

We take reasonable steps to ensure that each organisation that we disclose your personal information to is committed to protecting your privacy and complies with the Privacy Law, or is

subject to a law or scheme that is at least substantially similar to the way in which the Privacy Law protects information.

By providing your personal information to us, you consent to us transferring your personal information to such other organisations.

1.8 Transferring personal information overseas

Some of the service providers, related bodies corporate and other third parties to whom we disclose personal information are located in countries outside of Australia (such as the United States of America, Germany, Japan, New Zealand and India). Any overseas disclosure does not affect our commitment to protecting your personal information. Where we send your personal information overseas, we make sure that appropriate data handling and security arrangements are in place. You acknowledge that, by consenting to the disclosure of your personal information to these entities outside of Australia we will no longer be required to take reasonable steps to ensure that the overseas recipient does not breach the applicable provisions of the Privacy Laws in relation to your personal information and we will not be liable to you for any breach of the APPs by those overseas recipients. Further, the overseas recipient of personal information may be subject to a foreign law that could compel the disclosure of personal information to a third party, such as an overseas authority. In such case, we will not be responsible for that disclosure. On this basis, you consent to such overseas disclosure by accepting this Privacy Policy.

1.9 Access and correction of personal information

We review, on a regular and ongoing basis, our collection and storage practices to ascertain how improvements to accuracy can be achieved.

You can request access to your personal information held by us. We may ask that you put the request in writing and may also require some proof of identification before releasing or correcting any personal information.

We take the accuracy of your personal information seriously, if you are aware that the information we hold relating to you is inaccurate, incorrect or out-of-date, please contact our [marketing department](#).

1.10 Information security

We require employees to perform their duties in a manner consistent with our legal responsibilities in relation to privacy.

We take all reasonable steps to ensure that paper and electronic records containing personal information are stored in facilities that are only accessible by people who have a genuine need to know.

We review, on a regular and ongoing basis, our information security practices to ascertain how ongoing responsibilities can be achieved and maintained.

1.11 Complaints

If you have a complaint about the way we have dealt with your personal information, or if you think we have breached the Privacy Act, please contact our [Compliance Officer](#).

We will seek to deal with privacy complaints as follows:

- » complaints will be treated seriously;
- » complaints will be dealt with promptly;
- » complaints will be dealt with confidentially;
- » complaints will be investigated by our [Compliance Officer](#); and
- » the outcome of an investigation will be provided to the complainant where the complainant has provided proof of identity. We will seek to respond within a reasonable time after the complaint or request was made.

If you think we have failed to resolve the complaint satisfactorily, we will provide you with information about the further steps you can take.

Under the Privacy Laws you may complain to the Office of the Australian Information Commissioner about the way we handle your personal information. The Commissioner can be contacted at:

GPO Box 5218 Sydney NSW 2001

Phone: 1300 363 992

Email: enquiries@oaic.gov.au www.oaic.gov.au

1.12 Review of Privacy Policy

We reserve the right in our sole discretion to modify, amend, vary or update this Privacy Policy at any time without notice. If this is necessary, we will post the amended Privacy Policy on our website (www.esriaustralia.com.au) to ensure you are kept up-to-date of how we manage your personal information. We recommend you review the Privacy Policy regularly to ensure you are aware of any changes.

2 Website Policy (Privacy Statement):

We understand and appreciate that you, as an Esri Australia or MapData Services website (**website**) visitor, consider the confidentiality and security of information we may collect about you to be paramount. We are committed to providing you with high quality information and services within a secure and confidential online environment. For your information, this Privacy Statement sets out:

- » What information we may collect from you;
- » What a cookie is and how it is used;
- » How your information may be used;
- » The security of any information you provide;
- » How you may access and correct your information; and
- » How you can contact us.

In this Privacy Statement, the expressions "we", "us" and "our" are a reference to Esri Australia Pty Ltd, MapData Services Pty Ltd and any related entities. This Privacy Statement must be read and considered with our Privacy Policy. Both this Privacy Statement and our Privacy Policy apply to your use of our website.

Access to our website is conditional upon your acceptance of the terms of this Privacy Statement and our Privacy Policy. By your use of this website you consent to the collection, storage, use and disclosure of your personal information in accordance with this Privacy Statement and as otherwise permitted under the Privacy Law.

2.1 What Information we collect from you

The information that we collect about you will depend on the functions that you use within the website. We will not collect any information that identifies you as an individual unless you knowingly provide it to us. Any personal information you supply will be used only in accordance with this Privacy Statement. If you browse on the site, read or download information, our system will record the date and time of your visit and the pages viewed and information downloaded.

2.2 Website analytics

We use a range of analytics tools to track how you use this website, including Google Analytics™, Hotjar, Campaign Monitor and Act-On (each an **Analytics Provider** and collectively the **Analytics Providers**). This helps us understand your needs so that we can offer a better experience.

In respect of data collection by our Analytics Providers:

- » **(Google)** Google Analytics™ uses cookies to collect information about which pages you visit, how long you are on the website, how you arrived at the site and what you might select. Information collected by the cookies (including your IP address) is transmitted to and stored by Google™ on servers in the United States.

- » **(Hotjar)** Website visitors are assigned a unique user identifier (UUID) so that Hotjar can keep track of returning visitors without relying on any personal information, such as the IP address. All data Hotjar collects is stored electronically in Ireland and Europe on the Amazon Web Services infrastructure (eu-west-1 datacentre). The database containing visitor and usage data is only accessible from the application servers and no outside sources are allowed to connect to the database.
- » **(Act-On)** Act-On collects and analyses data from visitors on behalf of Esri Australia. Information collected may include but is not limited to web site traffic volume, frequency of visits, type and time of transactions, type of browser and operating system. Such information is transmitted to the United States. While Act-On owns the data storage, Esri Australia retains ownership of all data. Act-On does not sell or rent the data collected on behalf of Esri Australia, and only specific Esri Australia employees have access to this data.
- » **(Campaign Monitor)** Campaign Monitor collects and analyses certain information regarding the use of Campaign Monitor services. Information collected may include but is not limited to identification details, information about interactions with Campaign Monitor, and information about MapData Services email/newsletter subscribers such as email addresses, emails received, links accessed. Such information is stored in a US-based data centre. In addition, multiple data processing locations including USA, Australia and Germany are used.

By using the website, you consent to the processing of data about you by our Analytics Providers in the manner described in their respective Privacy Policies and for the purposes set out above.

You can opt-out of analytics if you disable or refuse cookies, or disable JavaScript™ via your browser settings.

2.3 Cookies

A cookie is a small data file placed on your computer by the website server. A cookie contains information about your visit to the site. When you visit the site again, our server will look for the cookie and structure itself based on the information provided. A cookie identifies your computer to our web server when you visit the site. We use browser cookies to improve the speed and reliability of our security system. We do not use the cookie to collect or store personal information about you. It is recommended that you turn off any cookie warnings in your browser before using this site to allow you to make full use of all website functions, including, for example, our online training register.

2.4 Third-party sites

Our website may contain links to other third-party websites and social media pages including Facebook™, Twitter™, LinkedIn™, YouTube™ and WordPress™. These links are provided solely for your convenience.

If you submit personal information to or via any linked third-party website, the privacy principles applying to the collection, use and disclosure of that information will be outside our control. Once you have left our website via such a link, we advise you to examine the applicable terms and conditions or privacy policy of the third-party website before disclosing any information to them.

- » <https://www.facebook.com/about/privacy/>
- » <https://www.linkedin.com/legal/privacy-policy>
- » <https://twitter.com/en/privacy>
- » https://www.youtube.com/static?template=privacy_guidelines
- » <https://wordpress.org/about/privacy/>

2.5 Use and disclosure of information

Any information we collect from you via the website may be made available to, or used by, our employees or any entity carrying out functions on our behalf for:

- » The purpose of enabling us to provide products, services or information to you in accordance with your request or reasonable expectations;
- » The purpose of enabling us to ascertain whether or not we have other services or products which may foreseeably meet your needs, and to notify you about this;
- » The purpose of complying with licensing, legislative and regulatory requirements;
- » The purpose of managing our relationship with you; and
- » Any other purpose required or authorised by law.

We will only disclose personal information to third-party entities carrying out functions on our behalf on a confidential basis.

You should note that information we collect from you might also be disclosed to third-parties if that disclosure is required or authorised by law. If you do not consent to any of the above please contact us on 1800 447 111 during business hours; write to us at PO Box 15459, Brisbane City East Qld 4002, or email to connect@esriaustralia.com.au.

2.6 Security of your information

We take reasonable steps to protect your personal information collected via our website from unauthorised access, loss, disclosure or modification in accordance with this Privacy Statement.

Accordingly, although we strive to protect such information, we cannot ensure or warrant the security of any information you send to us or we receive via our website or other online products or services; therefore, such transmissions are performed at your own risk. Once we receive your transmission, we endeavour to preserve the security of information on our own system.

In relation to our online store and protected areas of the site, your user name and password are encrypted for privacy during transmission using the Secure Sockets Layer (**SSL**) protocol. To ensure your browser is SSL compliant, check the bottom status bar. You should see either a closed padlock or a non-broken key symbol.

Password and user ID information issued by us is protected and we recommend you do not divulge your password or user ID to anyone.

2.7 Access and updating of information

You acknowledge and accept that your use of the site indicates your acceptance of the site terms and conditions of use and this Privacy Statement. This Privacy Statement may change from time-to-time, so please check back occasionally. Any information collected after an amended Privacy Statement has been posted on this site will be subject to that amended Privacy Statement.

2.8 Terms of use

Access to this website is conditional on your acceptance of and compliance with these terms of use. We may at any time vary these terms of use, with amendments effective on the date of posting to the website of the new terms of use.

This website is for general information purposes only. We, our related entities or other respective agents do not make any warranty as to the accuracy of the information provided on this website. You should obtain professional advice tailored to your specific circumstances before making any decisions.

To the extent permissible under applicable legislation, we, our related entities and their respective agents do not and will not accept any liability for loss or damage (including consequential loss or damage and any economic loss or loss of profits) which may be suffered or incurred or which may arise directly or indirectly from or in connection with any use of this website or of the information on this website, or any transaction entered into through this website, whether or not the loss or damage was as a result of error or misrepresentation, negligent act or omission, or any other cause whatsoever.

These terms of use are governed by the laws in force in Queensland, Australia. You agree to submit to the exclusive jurisdiction of the courts in Queensland, Australia.

2.9 How to contact us

If you require further information regarding our Privacy Policy please contact us:

Phone: +61 (0)7 3218 4100 (Brisbane Head Office)

Free phone: 1800 447 111 (Outside Brisbane)

PO Box 15459

Brisbane City East Qld 4002

Email: connect@esriaustralia.com.au

Esri is a registered trade mark of Environmental Systems Research Institute Inc.
Facebook is a registered trade mark of Facebook Inc.
Google, Google Analytics and YouTube are registered trade marks of Google Inc.
JavaScript is a registered trademark of Oracle America Inc.
LinkedIn is a registered trade mark of LinkedIn Corporation.
Twitter is registered trade mark of Twitter Inc.
WordPress is a registered trade mark of Automattic Inc.