

# PRIVACY POLICY

My Life Capsule is designed to be a safe and secure place for you and your loved ones to record and share your stories and your critical information; and to provide a lasting tribute and legacy for your life. It is our intention that this platform is for you and we are explicitly intent on providing you with a private and secure place for you to share your information and data, on your terms.

## 1. General

- (a) This [www.mylifecapsule.com.au](http://www.mylifecapsule.com.au) and [www.mylifecapsule.com](http://www.mylifecapsule.com) and [app.mylifecapsule.com.au](http://app.mylifecapsule.com.au) sites and app (**Site**) is operated by My Life Capsule Pty Ltd (ACN 618 704 037) trading as My Life Capsule (**us, we or our**).
- (b) We respect your right to privacy and are committed to safeguarding the privacy of our customers and Site visitors.
- (c) This policy outlines how and when we collect, use, share and store your personal information and applies to all personal information we collect through:
  - (i) the Site; and
  - (ii) our services.
- (d) By accessing or using the Site or any of our services, you indicate that:
  - (i) you have read and understood this policy; and
  - (ii) you agree that your access to, or use of, the Site or any of our services indicated your consent to this policy.
- (e) If you have any questions about this policy, you can contact us at [info@mylifecapsule.com.au](mailto:info@mylifecapsule.com.au).

## 2. Collection of personal information

- (a) **Personal information** is information or an opinion about an identified individual or an individual who is reasonably identifiable, whether or not the information is true or recorded in a material form.
- (b) We will, from time to time, receive and store personal information you enter onto our Site, provided to us directly or given to us in other forms, for your own purposes.
- (c) You may provide basic information such as your name, phone number, address and email address to enable us to send information, provide updates and process and facilitate your subscription to, and use of, our service.
- (d) As a main purpose of our service includes the collation and retention of information related to a person's private matters (with the intent of disclosing the information to selected loved ones), you may also choose to upload or share with us information such as:
  - (i) names and contact information of people related to you;
  - (ii) photos of you or your family members; and
  - (iii) any other information or documentation which you choose to provide in relation to our services.

- (e) We may also collect (for the purpose of your private capsule) additional information at other times, including but not limited to when you:
  - (i) provide feedback;
  - (ii) provide information about your personal affairs;
  - (iii) change your content or email preference;
  - (iv) respond to surveys and/or promotions, provide credit card information for payment of your subscription; or
  - (v) communicate with our customer support.
- (f) Additionally, we may also collect any other information you provide while interacting with us, that is outside your personal private capsule.

### **3. How we collect your personal information**

- (a) We collect personal information from you in a variety of ways, including when you interact with us electronically or in person, when you access our Site and when we provide our services to you, including through:
  - (i) registering, subscribing and paying for our service;
  - (ii) uploading information to us in the continued use of our service, including voice recordings, videos and photographs;
  - (iii) the continued use of our Site; and
  - (iv) your voluntary provision of personal information in the use of our service.
- (b) We may receive personal information about you from third parties, including where a third party who uses our services provides your personal information as part of their Notification List. This information will be used for the purposes for which it was provided or any other purpose consented to by the third party. We will protect the information as set out in this Privacy Policy.

### **4. Use of your personal information**

- (a) We will use and disclose your personal information for the purposes for which it is collected or a purpose disclosed to you.
- (b) In particular, we may use the personal information provided by you to:
  - (i) provide you with a digital platform to store photos and information relating to you or your loved ones;
  - (ii) facilitate the provision of the information you have provided to your nominated person; and
  - (iii) operate, maintain, test and upgrade our ability to provide our service.
- (c) We may also use your personal information (provided to us outside your personal capsule):
  - (i) to improve our services and better understand your needs;
  - (ii) to provide information that we think may interest or benefit you, including information about the Site, offers, competitions, promotions, events and surveys;
  - (iii) to charge and bill you for our services;

- (iv) to verify your identity;
  - (v) to conduct fraud, risk reduction and creditworthiness checks;
  - (vi) to perform research and analysis about our services and the Site;
  - (vii) to comply with regulatory or other legal requirements,
  - (viii) for any purpose to which you have consented; and
  - (ix) for any purpose notified to you at the time of collection.
- (d) We may contact you by a variety of measures including, but not limited to telephone, email, sms or mail. You may opt out of receiving communications from us by using the unsubscribe facility in the communications or via email to [info@mylifecapsule.com.au](mailto:info@mylifecapsule.com.au).

## **5. Disclosure of your general personal information (excluding the content of your private capsule)**

- (a) We may disclose your personal information to any of our employees, officers, insurers, professional advisers, agents, suppliers or subcontractors as reasonably necessary for the purposes of providing our services as well as any other reasonable requirements set out in this Policy.
- (b) Personal information is only supplied to a third party when it is required for the delivery of our services.
- (c) We may from time to time need to disclose personal information to comply with a legal requirement, such as a law, regulation, court order, subpoena, warrant, in the course of a legal proceeding or in response to a law enforcement agency request.
- (d) We may also use your general personal information to protect the copyright, trade marks, legal rights, property or safety of My Life Capsule Pty Ltd, [www.mylifecapsule.com.au](http://www.mylifecapsule.com.au), [www.mylifecapsule.com](http://www.mylifecapsule.com), [app.mylifecapsule.com.au](http://app.mylifecapsule.com.au), its customers or third parties.
- (e) Information that we collect may from time to time be stored, processed in or transferred between parties located in countries outside of Australia.
- (f) If there is a change of control in our business or a sale or transfer of business assets, we reserve the right to transfer to the extent permissible at law our user databases, together with any personal information and non-personal information contained in those databases. This information may be disclosed to a potential purchaser under an agreement to maintain confidentiality.
- (g) We would seek to only disclose information in good faith and where required by any of the above circumstances.
- (h) By providing us with personal information, you consent to the terms of this Privacy Policy and the types of disclosure covered by this Policy. Where we disclose your personal information to third parties, we will request that the third party follow this Policy regarding handling your personal information.

## **6. Disclaimer**

- (a) We will not disclose your personal information to a third party without your written consent, unless:
  - (i) we are otherwise required by law;

- (ii) we are permitted to do so under this policy; or
  - (iii) such disclosure is, in our opinion, reasonably necessary to protect our rights or property, avoid injury or harm to any person or ensure the proper functioning of the Site.
- (b) This policy only covers the use and disclosure of information we collect from you. The use of your personal information by any third party is governed by their privacy policies and is not within our control.

## **7. Security of your personal information**

- (a) We are committed to ensuring that the information you provide to us is secure.
- (b) In order to prevent unauthorised access or disclosure, we have put in place suitable physical, electronic and managerial procedures to safeguard and secure information and protect it from misuse, interference, loss and unauthorised access, modification and disclosure.
- (c) Financial information (such as payment information) is also encrypted using SSL (Secure Socket Layer) encryption.
- (d) Although we take measures to safeguard against unauthorised disclosures of information, we cannot assure you that general personal information that we collect will not be disclosed in a manner that is inconsistent with this Privacy Policy.
- (e) The transmission and exchange of information is carried out at your own risk. We cannot guarantee the security of any information that you transmit to us, or receive from us.

## **8. Data breach notification plan**

We will notify you as soon as practicable if we:

- (a) discover or suspect that your personal information has been lost, accessed by, or disclosed to, any unauthorised person or in any unauthorised manner;
- (b) believe that you are likely to suffer serious harm as a result; and
- (c) are unable to prevent the likely risk of harm.

## **9. Access to your personal information**

- (a) You may request details of personal information that we hold about you.
- (b) If you would like a copy of the information which we hold about you or believe that any information we hold about you is inaccurate, out of date, incomplete, irrelevant or misleading, please email us at [info@mylifecapsule.com.au](mailto:info@mylifecapsule.com.au).
- (c) We reserve the right to refuse to provide you with information that we hold about you in certain circumstances, as set out in the Privacy Act.
- (d) If for any reason, we must refuse you access in any part to your personal information, we will tell you why in writing.

## **10. Complaints about privacy**

- (a) If you have any complaints about our privacy practices, please feel free to send in details of your complaints to [info@mylifecapsule.com.au](mailto:info@mylifecapsule.com.au).

- (b) At all times, privacy complaints:
  - (i) will be treated seriously and dealt with promptly;
  - (ii) will be dealt with in a confidential manner; and
  - (iii) will not affect your existing obligations or your commercial arrangements with us.
- (c) Our Privacy Officer will endeavour to:
  - (i) respond to you within 10 business days; and
  - (ii) investigate and attempt to resolve your concerns within 30 business days or any longer period necessary and notified to you by our Privacy Officer.

## **11. Changes to Privacy Policy**

- (a) Please be aware that we may change this Privacy Policy in the future at our sole discretion.
- (b) All modifications will be effective immediately upon our posting of the modifications on our Site or notice board.
- (c) Please check back regularly to review our Privacy Policy.

## **12. Site**

### **12.1 When you visit our Site**

When you come to our Site we may collect certain information such as browser type, operating system, website visited immediately before coming to our Site, etc. This information is used in an aggregated manner to analyse how people use our Site, such that we can improve our service.

### **12.2 Cookies**

- (a) We may from time to time use cookies on our Site. Cookies are very small files which a Site uses to identify you when you come back to the Site and to store details about your use of the Site. Cookies are not malicious programs that access or damage your computer.
- (b) Most web browsers automatically accept cookies but you can choose to reject cookies by changing your browser settings. However, this may prevent you from taking full advantage of our Site.
- (c) We may use cookies and similar technologies to:
  - (i) enable us to identify you as a return user and personalise and enhance your experience and use of our Site; and
  - (ii) help us improve our service to you when you access our Site and to ensure that our Site remains easy to use and navigate.
- (d) We may also use your IP address to analyse trends, administer the Site and other websites we operate, track traffic patterns and gather demographic information.
- (e) Your IP address and other personal information may be used for credit fraud protection and risk reduction.

### **12.3 Third party sites**

- (a) Our Site may from time to time have links to other websites not owned or controlled by us.
- (b) Links to third party websites do not constitute sponsorship or endorsement or approval of these websites.
- (c) Please be aware that we are not responsible for the privacy practises of other such websites.
- (d) We encourage our users to be aware, when they leave our Site, to read the privacy statements of each and every website that collects personal identifiable information.