

Privacy Policy

CLEAR NETWORKS PTY LTD

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I. Introduction

A. We understand that the privacy of your personal details, and the security of your transactions with us, is of paramount importance to you. Clear Networks has therefore adopted data protection policies with respect to your privacy and security. Clear Networks' Privacy Policy sets out the rules we will abide by when dealing with personal information we collect from individuals in the course of our business. We have based our policy upon the Internet Industry of Australia's (IIA) draft Privacy Code of Practice, which adopts internationally recognised Privacy protection standards (such as the 'Safe Harbour' principles required by most European countries). The IIA Code also covers the requirements of the new Australian Privacy legislation.

B. In order to ensure that we meet and maintain our Privacy standards, we have appointed a privacy officer. Should you wish to contact us in relation to Privacy, please email us at privacy@clearnetworks.com.au

C. We may make alterations or additions to this policy from time to time. Should we do so, we will update the policy on our web site. We require that all our customers agree to abide by our Privacy Policy as part of our terms of trade. This policy also applies to users of our web site who are not customers of Clear Networks.

D. Please note that we cannot and do not assume any responsibility for the privacy or security practices of any other web sites which you may be able to access through our site, or for our customers' level of compliance with our code.

II. What Information Do We Collect?

Clear Networks collects different information about you at different times. There are four broad categories of information that we collect from you:

A. Information we require to supply our services.

1. When you first sign up or contract with Clear Networks for our services, or when you make an inquiry about our services, we request information such as your name, address, telephone number, domain name, email details of your primary and secondary contacts, credit card details (if you are paying online). We may also ask for your age and gender.

2. We may also monitor and/or record telephone conversations with you from time to time in order to train staff and to improve our service to you.

B. Non-personally identifying information.

1. In addition to the information you specifically provide above, Clear Networks operates statistics gathering software on its web site to collect information about the number of visitors coming to the site. No identifying information is collected by this software. The software records the IP address of the visitor only. We use this information to improve our own technical structure and performance, and to determine which areas of our web site are most popular.

2. We also use 'cookies'. Cookies are pieces of information that a web site can transfer to an individual's computer in order to allow that web site to store information about user preferences. We use cookies which expire once the visitor leaves our web site. Cookies are used to collect session ID's. It is possible to adjust your internet browser to refuse cookies, but you may find that this reduces the functionality of this site.

C. Other demographic information.

If you respond voluntarily to our surveys or other interactive communications, we collect the responses and use the information to improve the quality and range of Clear Networks' products and services.

D. Personal information stored on a web site hosted by Clear Networks.

Clear Networks will have personal information stored on our servers due to the fact that we host web sites of other organisations. Any information that is submitted to or collected by these organisations will be physically located on a Clear Networks server. This information, whether voluntarily provided or not, will not be used or released by Clear Networks in any manner, and it will be kept strictly confidential, unless we are required to release the information by law.

III. How Do We Use Personal Information We Have Collected?

A. We collect and use your personal information to operate our web site and deliver our services to you. We will use your personal information to provide you with:

- technical support;
- billing and credit control;
- sales support;
- product upgrades; and
- information.

B. You may stop the delivery of future promotional email from Clear Networks by following the specific instructions in the email you receive. These instructions will tell you how to remove your name from our promotional email list.

C. We may use your personal information to:

1. verify your identity;
2. Contact you in relation to upgrading your use of our services, special offers (from us, or on behalf of third parties), with newsletters, surveys, and individual service audits. We may give extracts of our customer lists containing personal information to third party contractors to do this on our behalf. We will ensure that those contractors are bound to protect your personal information to the same standard that we are;
3. Identify the source of new customers to Clear Networks;
4. Monitor and address complaints, other feedback, and to resolve disputes;
5. Administering and managing those services, including billing, invoicing, account management, debt collection and credit card processing;
6. In the case of ABNs, to verify your identity;
7. In the case of our partners who are IT professionals, to ascertain your areas of specialty and to refer prospective customers to you; if you attend our presentations, we may have a record of your attendance and areas of special interest;
8. Maintain a technical and account history of your dealings with us, and to re-establish your account with us where you rejoin as a customer within six months after having terminated your account;
9. Monitor your compliance with our Acceptable Use Policy and other terms and conditions of supply;
10. Comply with our reporting and other obligations to third party licensors (such as reporting to software suppliers the number and identity of software licenses we have issued as part of our products);
11. Conducting checks for credit worthiness and for fraud;
12. Providing your Personal Information to the to the manager of the Integrated Public Number Database (IPND) for the Approved Purposes;
13. Researching and developing our services;
14. Business planning;

D. We will treat all information we collect from you as strictly confidential. Clear Networks does not rent or lease its customer lists to third parties. We will not reveal, disclose, sell, distribute, rent, licence, share or pass onto any third party (other than those who are contracted or supply services to Clear Networks) any personal information that you may have provided to us unless we have your express consent to do so, other than in the following circumstances:

1. to our suppliers necessary in the provision of the Services to you;

2. other service providers or specialist providers that provide us with legal, administrative, accounting or financial services; and
 3. insurers, credit providers, credit reporting or reference agencies or insurance investigators;
- E. We will disclose your personal information, without notice or your consent, only if:
1. we are required to do so by law or in the good faith belief that such action is necessary to conform with the laws, applicable code of conduct or legal process served on us in relation to our business or web site;
 2. to protect and defend the rights or property of Clear Networks;
 3. if we consider it necessary to do so in order to enforce or apply the terms of any of our agreements with you;
 4. if we sell our business or part of it; and
 5. in extreme circumstances, to protect the personal safety of users of Clear Networks' services, its web site, our staff or the public.

IV. Security

A. Clear Networks has implemented security features in our database to protect your personal information from unauthorised access. We maintain our servers in a controlled, secured environment. Only staff that need to have access to your personal information in order to perform their job function are authorised to access the database. Constant changes to the internet and technology mean that we cannot guarantee that data transmission will be 100% secure, or safe from attack by unauthorised intruders.

B. You can elect to provide your details via our secure web browser which encrypts information. In future, in order to access your personal information via our secure website, you will be required to input your username and password. For this reason, it is safe to transmit your credit card number or bank details over the internet, although no data transmission can be absolutely guaranteed as secure. Please note that this encryption is only available if you choose to use the encrypted order form (SSL Security). If you use the normal order form encryption will not take place and we cannot assure the security of your details.

C. If you do not wish to provide your credit card or bank details over the internet when joining Clear Networks you can download and complete the "print and fax order form".

V. Other Disclosure by You

A. You might provide personal information through your participation in chat sessions, message boards, email exchanges or newsgroups accessed via www.clearnetworks.com.au, or another service provided by Clear Networks. This information is public and immediately available to anyone who has access to such a site; it is not private. Clear Networks urges you to enter only

information that you are comfortable to share with the public at large in this public domain. This Privacy Policy does not apply to such information.

B. You should never reveal your password to third parties. If you lose control of your password, you may lose control over your personal information and may be liable for actions taken on your behalf by third parties using your password and/or personal information. Therefore, if your password has been compromised for any reason, you should immediately change it.

C. If you collect personal information which you keep on servers provided by Clear Networks as part of our service to you (including email), you alone are responsible for compliance with the Privacy Act 1988 (Cth) in respect of that information. We take no responsibility for your dealings with personal information you collect.

VI. How to Access & Correct Your Personal Information

A. From time to time you may need to update your personal information. In future, we will be keeping this information in a secure environment which you will be able to access through this website. In order to amend any of your personal information, you will be required to give your username and password.

B. If you contact us via telephone, you will need to answer a few security questions before any personal information is revealed or amended.

VII. Children's Privacy

Clear Networks does not knowingly collect, use or market any information to children without seeking parental or a guardian's consent. We also urge you to familiarise yourself with your legal responsibilities with regard to children and the internet, which can be found in our Acceptable Use Policy.

VIII. Complaints

If you have a complaint about any aspect of our Privacy procedures, please contact our Privacy Officer on privacy@clearnetworks.com.au . We will deal promptly with your complaint. If we cannot resolve the complaint to your satisfaction within a reasonable time, you or we may refer the complaint to the Privacy Commissioner.