

# Privacy Policy

POTTERING AROUND is committed to protecting the privacy of its clients and Website Users.

## 1. Interpretation

- a) “**Affiliate**” means a person or entity who is controlling, controlled by or under common control by another person or entity. A person is an Affiliate of another person if the person acts, or could reasonably be expected to act, in accordance with the other person’s directions or wishes, or in contract with the other person, in relation to the affairs of the person’s business and includes any spouse, or relative by blood or adoption of that person or any relative’s spouse and their respective heirs, executors, administrators and assigns;
  - b) “**Australian Privacy Principles**” means the privacy principles set out in the *Privacy Act 1988 (Cth)* as amended from time to time;
  - c) “**Personal Information**” has the meaning given by section 6 of the *Privacy Act 1988 (Cth)* as amended from time to time and includes Sensitive Information except where expressly excluded;
  - d) “**Sensitive Information**” has the meaning given by section 6 of the *Privacy Act 1988 (Cth)* as amended from time to time;
  - e) “**POTTERING AROUND**” means Pottering Around Pty Ltd (ACN 620 812 795);
  - f) “**Third Party Application**” means any application that is not controlled by POTTERING AROUND or its Affiliates;
  - g) “**Third Party Link**” means any link or gateway that is not controlled by POTTERING AROUND or its Affiliates;
  - h) “**Third Party Website**” means any website that is not controlled by POTTERING AROUND or its Affiliates;
  - i) “**Website**” means the website of POTTERING AROUND being [www.potteringaround.com.au](http://www.potteringaround.com.au) and/or any online platform used or operated by POTTERING AROUND to provide products and/or services;
  - j) “**Website Users**” means any person who accesses the Website and/or any Third Party Website through Third Party Links;
  - k) “**You**” and “**Your**” mean any natural person, entity and/or organisation that you represent or have an interest in, or any third party whose details are collected by POTTERING AROUND through the normal course of business; and
  - l) References to any legislation or to any provisions of any legislation shall include any modifications or re-enactment of any legislation or provision.
2. POTTERING AROUND will act in accordance with the *Privacy Act 1988 (Cth)* and the *Spam Act 2003 (Cth)* and other applicable State and Federal legislation in relation to Personal Information.

3. POTTERING AROUND may collect, hold and/or use Your Personal Information for the following purposes:
  - a) to affect any obligation contained in any agreement entered into by You on the Website or in relation to the Website or any products and/or services provided by POTTERING AROUND;
  - b) to verify Your identity or the identity of any entity that You represent and/or control;
  - c) to contact You in relation to affecting any obligation contained in any agreement entered into by You on the Website or in relation to the Website or any products and/or services provided by POTTERING AROUND;
  - d) to perform direct marketing to You:
    - (i) if You would reasonably expect POTTERING AROUND to use Your Personal Information other than Sensitive Information for this function;  
or
    - (ii) even if You would not reasonably expect POTTERING AROUND to use Your Personal Information other than Sensitive Information for this function and You have provided consent to POTTERING AROUND or it is not practical for POTTERING AROUND to obtain Your consent. In such case, POTTERING AROUND will provide to You a simple means for You to request to cease receiving direct marketing communications;  
and You have not requested that POTTERING AROUND cease providing direct marketing communications to You; and/or
  - e) if necessary for or directly related to one of the functions or activities of POTTERING AROUND.
4. POTTERING AROUND may collect, hold and/or use Your Personal Information including Sensitive Information for direct marketing purposes if You have consented to the use and disclosure of the information for this purpose and have not requested POTTERING AROUND to cease providing direct marketing communications to You.
5. You may request at any time that POTTERING AROUND cease the communication of direct marketing materials to You by providing written notice to POTTERING AROUND by email to [Happy@potteringaround.com.au](mailto:Happy@potteringaround.com.au).
6. POTTERING AROUND may collect Your Personal Information when:
  - a) You enquire about POTTERING AROUND providing products and/or services whether through the Website or any other method of communication;
  - b) when You fill out any forms and/or documents whether in digital format or hard copy format provided by POTTERING AROUND;
  - c) when You engage POTTERING AROUND to provide products and/or services or otherwise use a product and/or service provided by POTTERING AROUND;
  - d) when You access the Website or any other online platform in which POTTERING AROUND has a presence including but not limited to social media platforms;

- e) when You correspond and/or communicate with POTTERING AROUND;
  - f) when available through public sources; and/or
  - g) when required by law.
7. POTTERING AROUND may collect from You, hold and/or use the following kinds of Personal Information:
- a) Your name;
  - b) Your address;
  - c) Your contact details including but not limited to telephone number and email address;
  - d) Your credit card and/or other payment details;
  - e) details as to Your employment or engagement as a contractor or subcontractor;
  - f) the name of any entity and/or organisation that You represent or have an interest in;
  - g) the address of any entity and/or organisation that You represent or have an interest in;
  - h) the contact details including but not limited to telephone number and email address of any entity and/or organisation that You represent or have an interest in; and/or
  - i) the credit card and/or other payment details of any entity and/or organisation that You represent or have an interest in.
8. POTTERING AROUND may disclose Personal Information to third parties who may be located overseas to affect any obligation contained in any agreement entered into by You on or in relation to the Website or any products and/or services provided by POTTERING AROUND. Examples of such third parties include but are not limited to:
- a) marketing, advertising, search engine optimisation, search engine marketing and/or like professionals engaged by POTTERING AROUND;
  - b) information technology and/or cybersecurity professionals engaged by POTTERING AROUND;
  - c) Third Party Applications and Third Party Websites;
  - d) Financial institutions and/or payment gateways;
  - e) Your authorised representative(s) when POTTERING AROUND is requested expressly by You in writing;
  - f) POTTERING AROUND'S professional advisors; and/or
  - g) government, regulatory authorities, law enforcement agencies and any other organisation when required by law.
9. If POTTERING AROUND discloses Your Personal Information to third parties located overseas, POTTERING AROUND will take reasonable steps in the circumstances to make sure that the third party located overseas does not breach the Australian Privacy Principles unless:

- (i) the third party located overseas is subject to a law or regulatory instrument that has the effect of protecting the Personal Information in a substantially similar way to which the Australian Privacy Principles protect Personal Information; or
  - (ii) POTTERING AROUND informs You in writing that if You consent to the disclosure of the Personal Information to the third party located overseas, that POTTERING AROUND is not required to take reasonable steps in the circumstances to make sure that the third party located overseas does not breach the Australian Privacy Principles and you provide such consent in writing.
- 10. You acknowledge that POTTERING AROUND may store and/or manage Your Personal Information in servers and/or cloud-based storage systems located and/or hosted overseas.
- 11. POTTERING AROUND will only collect Personal Information using lawful and fair practices.
- 12. POTTERING AROUND will not collect, hold and/or use Your Personal Information for any other purpose than listed above without Your prior consent unless permitted by the Australian Privacy Principles or as required by law.
- 13. In the event that We receive Your unsolicited Personal Information from a third party and We determine that We could not have collected Your Personal Information from You or Your Personal Information is not contained in a Commonwealth record, then We will destroy or de-identify Your Personal Information if lawful and reasonable in the circumstances.
- 14. POTTERING AROUND will take all reasonable steps to ensure that Personal Information collected, held, used or disclosed is accurate, current, complete, relevant and not misleading. POTTERING AROUND may correct Your Personal Information if reasonable taking into account the purpose for which the Personal Information is held.
- 15. POTTERING AROUND accepts no liability for the privacy practices of Third Party Websites and/or external service providers connected with the products and/or services provided by POTTERING AROUND or access to or use of the Website.
- 16. Data files known as 'Cookies' or any equivalent software or code including but not limited to Facebook Pixel and Google Analytics may be used by Your internet browser on Your computer or other electronic device to retain data. Cookies are used to determine how people use the internet for purposes including but not limited to targeted marketing and to improve the user's experience. The following information may be obtained from You by Cookies or equivalent software or codes:
  - a) Your computer or device's operating system;
  - b) Your computer or device's internet browsing software;
  - c) details as to Your use of the internet; and/or
  - d) Your location.
- 17. You may at any time contact POTTERING AROUND by email to [Happy@potteringaround.com.au](mailto:Happy@potteringaround.com.au) to request access to any of Your Personal Information collected, held or used by POTTERING AROUND. POTTERING AROUND will respond to any request in a timely manner taking into consideration the

nature of the request. Personal Information will be provided in the manner requested unless unreasonable and impractical as determined by POTTERING AROUND. If POTTERING AROUND refuses to provide access to any Personal Information in accordance with the Australian Privacy Principles or refuses to provide the Personal Information in the manner requested, POTTERING AROUND will provide written notice of the reasons for refusal unless unreasonable and any method that may be used to complain about the refusal.

18. You may at any time contact POTTERING AROUND by email to Happy@potteringaround.com.au to correct Your Personal Information if reasonable taking into account the purpose for which the Personal Information is held. POTTERING AROUND will respond to any request in a timely manner.
19. You may at any time contact POTTERING AROUND by email to Happy@potteringaround.com.au with any queries and/or complaints in relation to this privacy policy. POTTERING AROUND will respond to any request in writing in a timely manner taking into consideration the nature of the query and/or complaint.
20. POTTERING AROUND reserves the right to amend this policy from time to time to comply with the *Australian Privacy Act 1988* (Cth) and any other applicable State or Federal legislation as amended from time to time.