



PRIVACY POLICY

This Privacy Policy explains what information Peakform Tech PTY LTD (ACN 672824476) trading as PeakForm Tech and its related entities (together referred to as PeakForm Tech) collect and how we use, disclose and store your personal information, as well as how you can contact us and get access to your information. Our privacy policy applies to all your dealings with us whether the dealing is through in person contact, by telephone, mail, our internet web-site, or social media.

At PeakForm Tech, we recognise the importance of protecting the privacy of the personal information we collect from our customers and prospective customers. We are committed to and bound by the Australian Privacy Principles (APPs) under the Privacy Act 1988 Cth (as amended).

By using PeakForm Tech Services you consent to the collection, transfer, processing, storage, disclosure and other uses described in this Privacy Policy.

Last updated: 9 November 2023

1 Definitions

- 1.1 "Personal Information" refers to information or an opinion about an individual whose identity is apparent or can be reasonably ascertained from the information.
- 1.2 "APPs" refer to the Australian Privacy Principles outlined in the Privacy Act 1988 (Cth).

2 What personal information do we collect, and how do we get it?

- 2.1 We collect your personal information from our hire agreements, affiliate coaching agreements or what you tell us or show us when you telephone us, meet any member of our team physically in person, browse on our website, or browse our social media profiles and channels. When you are making enquiries about our products and services, we will usually ask you for your name, your contact details including your phone number, address, and email address. This helps us to contact you to answer your enquiries.

When you hire any equipment from us or use our services, we will request that you supply us with some or all of the following:

- a) Your name, street address, email address, telephone, mobile and facsimile numbers, your company or business name to identify you, and for us to contact you.
- b) Details of your Drivers Licence, or a photocopy or digital image of it, gender, date of birth, previous and current addresses so that we can confirm your identity and your residence.
- c) Your credit card details for the purpose of paying for your hires and purchases from us may be tokenised, and if so, the token will vest in and remain the property of PeakForm Tech at all times.

- d) If you apply for a credit account with us, we may ask for the above information, as well as your bank account details.
- e) If you are a company, name and address details of all directors of the company.
- f) We do not seek to collect any sensitive information background, political beliefs etc.

3 What do we use this personal information for?

- 3.1 All information sought is required for our business purposes, which includes:
 - a) responding to your enquiries or requests to provide you with the equipment you wish to hire, and other products and services;
 - b) identify other products and services that might be beneficial to you, and to inform you about them and items of interest;
 - c) to evaluate the needs of our customers and to develop new products and services;
 - d) internal accounting and administration;
 - e) to protect you and us from fraud;
 - f) Direct Marketing;
 - g) Setting up an account;
 - h) If you are a coach, inform athletes of your contact details, qualifications and biography;
 - i) If you are an athlete, inform the coaches that you select of your contact details.
- 3.2 When you visit our website, we may collect the above information from you if you provide it to us.
- 3.3 We may also collect logging information about web site activities (e.g. date and time of visits, the number of pages viewed, your operating system etc.) using "cookies", as commonly used by most other web sites. A cookie is a packet of information that allows the hosting computer to identify and interact with you. The cookies do not identify any personal information but may provide us with statistical information that we can use to analyse our services. If your computer does not allow the placement of cookies, your navigation on our website may be restricted.
- 3.4 Your personal information may be shared with any members of the PeakForm Tech Group of Companies.
- 3.5 We assume we have your consent to use your personal information for the above purposes, in particular, for the purposes of sending information to you about our products and services, unless you advise us not to.
- 3.6 If you do not want us to contact you or send you information, please let us know. If you choose not to supply certain personal information, we may not be able to provide you with the level of service or the services you require.



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4 What equipment data do we collect, how do we get it and what do we use it for?

- 4.1 PeakForm Tech' equipment and tools (Equipment) may contain on-board devices (each a GPS Device) which enable the Equipment to be connected to the internet and to send commands to and receive certain information from the Equipment, including geolocation data from a global positioning system and other data including but not limited to battery voltage and status of such Equipment.
- 4.2 By hiring any Equipment from us you expressly agree to PeakForm Tech using a GPS Device on such Equipment during the rental period, and to us collecting, using and retaining information from the GPS Device, and that PeakForm Tech is the owner of that data.
- 4.3 Information from the GPS Device may be used:
- a) to notify us that the Equipment requires maintenance or servicing;
 - b) to provide information to the police or other authorities in the event that the Equipment is stolen, is not returned at the end of the hire period or is being used unlawfully;
 - c) in the event of an accident or incident relating to the Equipment during the hire period, e.g. to verify the location of the Equipment at the time of the alleged accident or incident;
 - d) to identify the exact location of the Equipment in the event of a reported breakdown and to provide that location to breakdown responders;
 - e) to identify whether the Equipment is being used in an area prohibited under the hire contract conditions or in a manner that does not comply with manufacturer's specifications or the terms of hire;
 - f) for any other purpose permitted under the Privacy Act or any other law.

5 Opting Out

- 5.1 You may opt out of receiving promotional materials from us, by emailing info@PeakFormTech.com or by using the opt-out facilities provided (eg an unsubscribe link).

6 Disclosure of your personal information to parties outside the PeakForm Tech Group

- 6.1 As a general principle, PeakForm Tech will not provide any unrelated party (including any overseas recipients) with any personal information it has collected about you.

Exceptions may occur where:

- a) PeakForm Tech believes in good faith that you have consented;
- b) We use external service providers e.g. WIX as our website host and Stripe our payment gateway. The information will be provided to our external service

providers on a confidential basis for the purposes of our business only, and we will take reasonable steps to ensure that it is dealt with according to the same high standards as we use;

- c) a law enforcement agency, or other government agency, is exercising its legal authority and has asked PeakForm Tech to provide access to that information;
- d) you are in default of a hire contract or other contractual commitment to us, in which case we may need to release your details and the relevant history of your transactions with us to our legal advisers, debt collection agencies, credit reference bodies, or industry associations.
- e) we are asked to share that information with a credit bureau or reporting agency.
- f) PeakForm Tech also uses Google Analytics to collect and process information. For further details please view "How Google uses data when you use our partners' sites or apps" (located at [here](#)).

- 6.2 Other than the purposes above, we will not disclose your information unless with your consent, or as required or authorised by law.

7 Protecting your personal information

- 7.1 We store information in different ways, including hard copies and electronic form.
- 7.2 We take all reasonable care to ensure that the personal information about you is protected from loss, misuse, alteration, or unauthorised access and disclosure.
- 7.3 Although we seek to engage external service providers who also comply with these requirements, no security system is impenetrable and we cannot guarantee that information, during transmission through the Internet or while stored on our systems or otherwise in our care, will be absolutely safe from intrusion by others.
- 7.4 Messages transmitted via the Communications Services may be collected, stored, reviewed and monitored by PeakForm Tech for the purpose of ensuring that Users comply with the Terms of use and to provide, operate, maintain, improve, and promote the PeakForm Tech Services and/or Platform.
- 7.5 PeakForm Tech does not endorse, approve of or assume responsibility for the content or manner of any communications between Users using the private messaging Communications Services.
- 7.6 Accordingly, and to the extent permitted by law, we do not accept responsibility for the misuse of personal information while stored on our systems or otherwise in our care or in the care of our external service providers.



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8 COVID-19 Equipment Sign-In

- 8.1 The information collected on the sign-in form may be used for contact tracing purposes and if requested will be provided to public health officers.
- 8.2 When no longer required for the purposes of contact tracing all information provided in connection with the submission of the form will be destroyed.

9 Age of Consent

- 9.1 By using PeakForm Tech Services and Platform, you represent that you are at least the age of majority in your state or province of residence, or that you are the age of majority in your state or province of residence and you have given us your consent to allow any of your minor dependents to use the equivalent Services and Platform.

10 Gaining access to your personal information

- 10.1 You have a right to access the personal information we store about you. If you wish to access your information, please write to us (our contact details are at the end of this statement). Subject to verification of your identity, we will provide you with access to any information we are holding about you as soon as practicable.
- 10.2 We may charge you the reasonable costs of processing your request.
- 10.3 We reserve the right to refuse access to your personal information, if providing access would be unlawful or would have an unreasonable impact upon the privacy of other individuals.

11 Keeping your personal information accurate and up to date

- 11.1 If you find that the information we hold about you is inaccurate, incomplete, or out of date, please let us know, and we will take reasonable steps to correct it.

12 Disposal of information

- 12.1 We will take reasonable steps to destroy or de-identify personal information if it is no longer needed for any purpose for which it may be used or disclosed or if we are no longer required to retain the information at law.

13 Changes to our Privacy Policy

- 13.1 We may change this Privacy Policy from time to time. If we make any changes, we will notify you by revising the 'Last Updated' date at the top of this Privacy Policy and, in some cases, where appropriate we may provide you with additional notice (such as adding a statement to our website or sending you an email notification).
- 13.2 We encourage you to review our Privacy Policy whenever you access our website to stay informed about our information practices and the ways you can help protect your privacy.
- 13.3 If you disagree with any changes to this Privacy Policy, you must stop using PeakForm Tech Services.

14 Dealing with us

- 14.1 You can refuse to provide us with your personal information if you are making general inquiries about our products and services. However, we may not be able to answer your requests in some cases, or conduct business with you, if you refuse to disclose the personal information that we require.

15 Contacting us

- 15.1 To obtain more information about our privacy policy and how we manage your personal information, please email info@PeakFormTech.com.
- 15.2 If you have any complaint about the effect of our Privacy Policy on you, you may write directly for the personal attention of our Managing Director, at the same address. Your complaint will then be considered and a reply will be made to you with an appropriate response confirming any further action to be taken.
- 15.3 If you are still not satisfied with the outcome of your complaint, you may refer your complaint to our external dispute resolution scheme, or to the Office of the Australian Information Commissioner.