

## POWERSELLER PRIVACY POLICY

Last Updated: 6 July 2010

Your privacy is very important to us. You must read and agree to the terms of this Privacy Policy before becoming a POWERSELLER member. This Privacy Policy includes information on how POWERSELLER collects, uses, discloses and keeps secure, your Personal Information. It also covers how POWERSELLER makes the Personal Information it holds available for access to and correction by you.

By accepting this Privacy Policy you expressly consent to our use and disclosure of your Personal Information in the manner prescribed in this Privacy Policy.

This Policy outlines our ongoing obligations to you in respect of how we manage your Personal Information. We have adopted the National Privacy Principles (NPPs) contained in the Privacy Act 1988 (Cth). The NPPs govern the way in which we collect, use, disclose, store, secure and dispose of your Personal Information.

### What is Personal Information and why do we collect it?

**Personal Information** is information or an opinion that identifies an individual. Examples of Personal Information we collect include: names, addresses, email addresses, telephone and facsimile numbers, password, User ID. This Personal Information is obtained on our Site at the member registration section.

Any person under the age of 18 years is not eligible to use our services and our Site.

We collect your Personal Information for the primary purpose of providing our services to you as set out in this Privacy Policy. We may also use your Personal Information for secondary purposes closely related to the primary purpose, in circumstances where you would reasonably expect such use or disclosure. You may subscribe to and unsubscribe from our mailing/marketing lists at any time; all you need to make an "opt in" or "opt out" selection at member registration or at "My Account" section at any other time after registration.

**Sensitive Information** is defined in the Privacy Act to include information or opinion about such things as an individual's racial or ethnic origin, political opinions, membership of a political association, religious or philosophical beliefs, membership of a trade union or other professional body, criminal record or health information.

We will not collect Sensitive Information from you except with consent and only where it is necessary for us to collect such information for an activity or function.

Our primary purpose in collecting Personal Information is to register members and facilitate and process online transactions and activity related to such transactions made by registered buyers of registered merchant products listed on the Site and its related companies.

We also collect and use Personal Information for secondary purposes including: (a) business planning and product development; (b) to provide you with information about promotions and the products and services of our affiliated companies and other organizations; and (c) to enhance the online shopping experience by displaying products and/or services that match the personal preferences of members based on their previous website browsing history and/or buying activity.

We will not collect Personal Information secretly or in an underhanded way.

We only collect Personal Information about you that we consider necessary for the purposes as stated in this Privacy Policy.

We automatically track certain information about you based upon your behaviour on our Site. We use this information to do internal research on our users' demographics, interests, and behaviour to better understand and serve you and our community. This information is compiled and analysed on an aggregated basis. This information may include the URL that you just came from (whether this URL is on our Site or not), which URL you next go to (whether this URL is on our Site or not), what browser you are using, and your IP address.

We use data collection devices such as "cookies" on certain pages of our Site which recognise your browser. "Cookies" are a piece of data stored on the member's hard drive not on our Site and contain information about your browser, store user preferences and other information. Usage of a cookie is in no way linked to any personally identifiable information while on our Site. We also offer certain features that are only available through the use of a "cookie". We also use "cookies" to allow you to enter your password less frequently during a session. You can reset your browser to refuse all cookies or to indicate when a cookie is being sent. However, some website features or services may not function properly without cookies.

If you choose to buy or sell on our Site, we collect information about your buying and selling behaviour. We also collect other users' comments in relation to merchant reviews and buyer member feedback.

If you choose to post messages in our forums or other message areas or leave feedback for other users, we will collect and store such information that you disclose to us.

If you send us personal correspondence, such as emails or letters, or if other users or third parties send us correspondence about your activities or postings on the Site, we may collect such information about you.

If you register for POWERSELLER on another web site or use a web site providing a service for POWERSELLER or a web site that helps facilitate your activity on POWERSELLER, that web site may provide personal information about you and your transactions back to POWERSELLER.

### **How we collect Personal Information**

We will collect personal information directly from you when agree to provide to us information requested in an application form to register as a member with POWERSELLER.

### **Using Personal Information**

We use (and may use) Personal Information about you to enable your access to and use of our Site and services, facilitate and process online transactions including shipment and delivery, resolve disputes, troubleshoot problems, help ensure safe trading on our Site, administer the Site, personalise the Site for you, publish information about you on the Site (for merchants only), send to you products that you purchase (for buyers), send you statements and invoices, process payments from you, send you marketing communications and enforce our User Agreement (in relation to member buyers) and Merchant Agreement (in relation to member merchants). We may also share your information with our related body corporate to help co-ordinate the services we provide to you, enforce our terms and conditions, prevent fraud and promote trust and safety. You agree that we may use personal information about you to improve our marketing and promotional efforts, to analyse site usage, to improve our content and product offerings and customise our Site's content, layout, and services. If you wish to receive communications where we use your information to contact you and deliver

information to you that may refer and relate to administrative notices, product offerings, and communications relevant to your use of the Site, you may opt-in to the receipt of such communications at membership registration. You may make changes to your communication preferences at any time by opting out at the My Account section.

Although POWERSELLER has systems and practices to protect your Personal Information, due to technical limitations, we cannot guarantee or warrant that your private communications and Personal Information will never be disclosed in ways not otherwise described in this Privacy Policy.

We do not sell or rent any personal information about you to any third party. Your Personal Information may be disclosed to advertisers where we aggregate Personal Information and disclose such information in a non-personally identifiable manner to advertisers and other third parties for marketing and promotional purposes. Your Personal Information may be disclosed if you disclose your personal information to other members, third parties, and external service providers. Because we do not control the privacy practices of third parties and external service providers, you should evaluate their practices before deciding to use their services.

Members who register on an POWERSELLER co-branded web site (for example, CompuServe, AOL.com, and AOL) grant POWERSELLER permission to pass your email address back to that co-branded web site and affiliated web sites. The use of such information by the co-branded and affiliated web sites is limited by their applicable privacy policies.

### **Disclosure of your personal information**

Personal Information provided will only be used for the purpose for which you have provided it and not disclosed to any other party unless stated as otherwise. We do not sell, rent or trade your personal information with others.

We may disclose your personal information to a related body corporate.

We may disclose Personal Information to contractors, agents or third party service providers that provide outsourcing of functions (such as shipping, customer relations support and management and order fulfillment, administration or other services in connection with the operation of our business), where that disclosure or use is for a primary or related secondary purpose and has been notified to you or where such disclosure is within your reasonable expectations. We will take reasonable steps to ensure that our contracts with third parties include requirements for third parties to comply with the use and disclosure requirements of the Privacy Act.

Our Site contains links to other sites. Please be aware that POWERSELLER is not responsible for the privacy practices of such other sites. We encourage our members to be aware when they leave our Site and to read the privacy statements of each and every website that collects personal identification information. This Privacy Policy applies solely to information collected by this Site.

You authorise us to disclose your Personal Information to law enforcement agencies, government agencies, courts or external advisers where permitted or required by law in connection with an investigation of fraud, intellectual property infringement, piracy or other activity that may expose us to legal liability or as otherwise permitted under the Privacy Act 1988.

We may disclose Personal Information to avoid an imminent threat to a person's life or to public safety.

If a disclosure is not for a Primary Purpose; is not for a related Secondary Purpose; or upfront consent has not been obtained, we will not disclose Personal Information otherwise than in accordance with the exceptions set out above.

## **Information Security**

We will take reasonable technical and organisational precautions to protect your Personal Information from misuse, loss, unauthorised access, modification or disclosure. Some information is kept for a number of years to comply with legal requirements. Any Personal Information that is no longer needed is destroyed. We will store all the Personal Information you provide on its secure servers.

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

We will take all reasonable steps to ensure that paper and electronic records containing Personal Information are stored in facilities that are only accessible by people within POWERSELLER who have a genuine "need to know" as well as "right to know".

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

## **Access and Correction**

You may access your Personal Information in accordance with the Privacy Act.

You may access and/or correct your Personal Information submitted during registration at the "My Account" section.

You must promptly update your Personal Information if it changes and you should protect your password at all times. You should immediately change your password in "My Account" section if you lose or suspect misuse of your password.

You may deactivate your account and contact information by contacting us at:  
[corporate@powerseller.com.au](mailto:corporate@powerseller.com.au)

## **Updating this Policy**

A copy of the current Privacy Policy is displayed on the Site at all times. We may change this Privacy Policy from time to time by posting a new version on the Site. All changes to this policy are effective after we provide you with at least thirty (30) days' notice of the changes by posting the changes on the Site.

## **Contact us**

If you wish to make an enquiry or complaint regarding privacy please contact us at  
[corporate@powerseller.com.au](mailto:corporate@powerseller.com.au)