

BITEEU Privacy Policy

Last updated: 14 January 2020

1. Introduction

- 1.1 The privacy of your Personal Information is important to BITEEU Australia Pty Ltd ACN 633 219 137 (“BITEEU” or “us” or “our” or “we”). We respect your rights to privacy and rights under the Privacy Act and are committed to complying with the requirements of the Privacy Legislation in the collection and handling of your Personal Information.
- 1.2 This policy explains how we collect, retain, process, share, transfer and handle your Personal Information and describes the kinds of Personal Information we collect, use, disclose and our purposes for doing so.
- 1.3 We use some defined terms in this policy. You can find the meaning of each defined term at the end of this policy.
- 1.4 Personal Information is information which may be used to reasonably identify you. For example, your name, address, date of birth, gender, email address, telephone number is generally considered to be Personal Information. Personal Information may also include information we collect about your individual preferences.
- 1.5 This policy applies to your Personal Information when you apply for and open an account (“Account”) to use our online cryptoasset trading platform (the “Platform”) which is accessible via the Website, and interact generally with us but does not apply to Third Party Sites. We are not responsible for the privacy policies or content of Third Party Sites.
- 1.6 For the avoidance of doubt, unless stated otherwise, this policy will govern our collection of your Personal Information irrespective of the forum.
- 1.7 This policy may be updated from time to time and the most up to date version will be published on our Website. We encourage you to check our Website periodically to ensure that you are aware of our current policy.
- 1.8 Your continued usage of our Website and/or services will be taken to indicate your acceptance of the terms of this privacy policy insofar as it relates to our Website.

2. Why we collect Personal Information

- 2.1 When you visit our Website, we collect Personal Information so that we can provide you with products and services and improve and customise your experience with us. We only collect Personal Information if it is reasonably necessary for us to carry out our functions and activities.

2.2 The purposes for which we collect and hold your Personal Information include:

- (a) to deliver our products and services to you;
- (b) to confirm your identity and process your transactions through the Platform;
- (c) to ensure compliance with any applicable legislation (including applicable foreign laws) and global AML/KYC practices;
- (d) to meet the regulatory requirements of any competent authority or law enforcement agency (local or overseas) or implementing market's best practices;
- (e) To detect, prevent and report fraudulent or suspicious orders/transactions;
- (f) to manage our relationship with you, evaluate our business performance and build our customer database;
- (g) to provide you with information about our products, services, functions, events or activities, including location specific offers where you elect to share your location with us on your device;
- (h) to enable you to participate in any promotion, competition, survey and/or enable you to subscribe to mailing lists/newsletters and interact or follow our social media pages;
- (i) to respond to your requests and obtain your feedback;
- (j) to conduct research, compare information for accuracy and verification purposes, compile or analyse statistics relevant to the operations of our business;
- (k) to facilitate our internal business operations, including fulfilment of any legal and regulatory requirements and monitoring, analysing and improving the performance and functionality of our Website and investigating breaches of or enforcement of any legal terms applicable to our Website;
- (l) to protect our property, the Website or our legal rights including to create backups of our business records;
- (m) to manage risk and protect our Website from fraud by verifying your identity and helping to detect and prevent fraudulent use of our Website;
- (n) for the direct marketing purposes as set out below; and
- (o) to manage our business, including analysing data collected from our Website concerning visits and activities of users on our Website. This analysis helps us run our Website more efficiently and improve and personalise your experience online. We use information from third party services such as Google Analytics and etc. to help further improve your experience in using our Website.

3. What Personal Information do we collect?

3.1 The kinds of Personal Information we collect will depend on the type of interaction you have with us. Generally, the kinds of Personal Information we collect may include:

- (a) your name, address (postal and residential), email address, telephone number(s), date of birth and gender when you register with us or
- (b) information from third party sources such as internet, Dow Jones sanction list and etc., data providers and credit organisations, where permitted by law;
- (c) transaction data, including details about:
 - (1) the type of cryptoasset involved in any User transaction, the order volume, price, value and, where applicable, the proceeds derived;
 - (2) the User's trading and transactional history on the Platform, including withdrawals and order activity; and
 - (3) the payments which BITEEU receives, or otherwise, charges the User (e.g. BITEEU fees for User's use of the Platform).
- (d) details of the device you have used to access any part of our Website, including carrier/operating system, connection type, IP address, mobile payment methods, interaction with other retail technology such as use of NFC Tags or QR Codes which information may be collected and used by us automatically if you use our Website, through the browser on your device or otherwise;
- (e) demographic information;
- (f) location data;
- (g) your connections with others whose personal information we may collect or hold;
- (h) any other transaction details relating to your use of our products and services.

3.2 Your telephone calls to us may also be recorded for training and quality assurance purposes.

4. With whom do we share Personal Information?

4.1 We may disclose Personal Information collected from you:

- (a) to our related entities, employees, officers, agents, contractors, other companies that provide services to us, sponsors, government agencies or other third parties to satisfy the purposes for which the information was collected (as outlined in clause 2.2 of this policy) or for another purpose if that other purpose is closely related to the primary

purpose of collection and an individual would reasonably expect us to disclose the information for that secondary purpose;

- (b) to third parties, including those in the cryptoasset, marketing and advertising sectors, to use your information in order to let you know about goods and services which may be of interest to you in accordance with the *SPAM Act 2003* (Cth) and the Privacy Act;
- (c) to third parties who help us analyse the information we collect so that we can administer, support, improve or develop our business and the services we provide to you;
- (d) if the disclosure is required by a law, or legal process, requested by a government agency or other third parties pursuant to a subpoena, court or other legal process with which we are required to comply;
- (e) professional advisers of BITEEU such as consultants, bankers, professional indemnity insurers, brokers and auditors;
- (f) other organisations engaged by BITEEU where the exchange of information is for the purpose of fraud protection or credit risk reduction on the Platform;
- (g) debt recovery agencies who assist BITEEU with the recovery of debts owed to BITEEU;
- (h) to any other person, with your consent (express or implied); and
- (i) to facilitate the sale of all or a substantial part of our assets or business or to companies with which we propose to merge or who propose to acquire us and their advisers.

4.2 In addition to the above recipients, we will disclose your Personal Information if we are required to do so under law or if the disclosure is made in connection with either the normal operation of our business in a way that you might reasonably expect, for example, if such disclosure is incidental to IT services being provided to our business or for the resolution of any dispute that arises between you and us. This disclosure may involve your Personal Information being transmitted overseas including to entities in and outside the European Economic Area (“EEA”) and to any state body, if it has the authority to do so.

4.3 We may also disclose your Personal Information if you choose to participate in online or “app” based service offerings whereby your Personal Information may be disclosed to and stored in software which is operated by a third party intermediary as part of your dealings with us. Personal Information disclosed in this manner may be transmitted offshore, including to the United States of America. When you provide your personal information to us, you consent to the disclosure of your personal information outside of Australia and acknowledge that other countries may have different data protection rules to Australia and that we are not required to ensure that the overseas recipients deal with that personal information in compliance with

Privacy Legislation. We will, however, take reasonable steps to ensure any overseas recipient to which we provide your Personal Information deals with such information in a manner consistent with the APPs.

- 4.4 In the event of a proposed restructure or sale of our business (or part of our business) or where a company proposes to acquire or merge with us, we may disclose Personal Information to the buyer and their advisers without your consent subject to compliance with the Privacy Legislation. If we sell the business and the sale is structured as a share sale, you acknowledge that this transaction will not constitute the 'transfer' of Personal Information.
- 4.5 We will not sell, trade or rent your Personal Information to any third parties for marketing purposes without your consent.

5. How we collect and store data and transmit Personal Information

- 5.1 We usually collect and store information in paper, physical and electronic form provided by you in person or when you communicate with us by telephone, email, web-based form, letter, facsimile or other means, including when:
- (a) you contact us over the email;
 - (b) we provide you with our services via email or our Website;
 - (c) we provide you with assistance or support for our products or services;
 - (d) you participate in our functions, events or activities or on our social media pages;
 - (e) you request that we provide you with information concerning our products or services;
 - (f) you upload or submit information to access a rewards program or to submit a review; or
 - (g) you complete any forms requesting information from you, including on registration with us, complete any survey or provide feedback to us concerning our products or services.
- 5.2 Where practicable we will only collect information from you personally. However, we will also collect your Personal Information through our partners and third parties who supply services to us.
- 5.3 Please note that we use our own and third party computer servers including our Website hosts, data backups and payment gateway(s), which may be located overseas and your Personal Information will likely be stored and transmitted overseas including in Australia, European Union, CIS countries, USA as part of the normal operation of our business.
- 5.4 We also collect information from your computer or mobile device automatically when you

browse our Website or use our Platform. This information may include:

- (a) the date and time of your visit;
- (b) your domain;
- (c) locality;
- (d) operating system;
- (e) the server your computer or mobile is using to access our Website or App;
- (f) your browser and version number;
- (g) search terms you have entered to find our Website or access our Website or Platform;
- (h) pages and links you have accessed both on our Website and on other websites;
- (i) the last website you visited;
- (j) the pages of our Website that you access;
- (k) the device you use to access our Platform; and
- (l) your IP Address.

5.5 While we do not use some of this information to identify personally, we may record certain information about your use of our Website such as which pages you visit and the time and date of your visit. This may be stored in software known as a cookie. The practices that BITEEU has in place for the treatment of cookies is set out in our IP Address and Cookie Policy.

5.6 It may be possible for us to identify you from information collected automatically from your visit(s) to our Website. If you have registered an account with us, we will be able to identify you through your user name and password when you log into our Website. Further, if you access our Website via links in an email we have sent you, we will be able to identify you.

5.7 The device you use to access our Website may collect information about you including your location using longitude and latitude co-ordinates obtained through GPS, Wi-Fi or cell site tri-angulation. For information about your ability to restrict the collection and use of such information, please use the settings available on your device.

5.8 We may use statistical analytics software tools [such as Google Analytics] and software known as cookies which transmit data to third party servers located overseas including in [Australia, European Union, CIS countries, USA]. To our knowledge, [Google Analytics] does not identify individual users or associate your IP Address with any other data held by [Google].

6. How we protect your Personal Information

6.1 We will endeavour to take all reasonable steps to keep secure and protect any Personal Information which we hold about you, including:

- (a) securing our physical premises and digital storage media;
- (b) placing password protection and access control over our information technology systems and databases to limit access and protect electronic information from unauthorised interference, access, modification and disclosure; and
- (c) taking regular back-ups of our electronic systems.

6.2 Notwithstanding that we will take all reasonable steps to keep your Personal Information secure, data transmission over the internet is never guaranteed to be completely secure. We do not warrant the security of any information you transmit to us or from any online services.

7. How we use Personal Information for communicating with you and direct marketing

7.1 We may communicate with you by email, social media, SMS or push notification, to inform you about existing and new products and services that may be of interest to you.

7.2 We will ensure that any e-mail that you are sent by us as direct marketing complies with the *SPAM Act 2003* (Cth) and contain an 'unsubscribe' option so that you can remove yourself from any further marketing communications. To opt-out of communications via SMS, reply with "STOP". You may decline marketing messages sent by push notifications by refusing the relevant permission in your phone or tablet settings, however this setting will prevent you from receiving other messages from us via push notification. You may also opt-out of receiving marketing materials from us using the contact details set out below.

7.3 You can also call or write to us to request that your details be removed from our direct marketing list. We will endeavour to remove your details from our direct marketing list within a reasonable time (ordinarily [5] working days).

7.4 Our direct marketing list may be operated by software and servers located overseas and your Personal Information may be sent overseas as part of our marketing.

7.5 We will also send communications that are required or necessary to send to users of our Website that contain information about important changes or developments to or the operation of the Website or as well as other communications you request from us. You may not opt out of receiving these communications but you may be able to adjust the media and format through which you receive these notices.

8. Not identifying yourself

- 8.1 It may be impracticable to deal with you on an anonymous basis or using a pseudonym.
- 8.2 We may be able to provide you with limited information in the absence of your identifying yourself but generally we will be unable to provide you with any information, goods and/or services unless you have identified yourself.
- 8.3 Whenever and to the extent possible, BITEEU de-identifies data which BITEEU holds about Users when it is no longer necessary to identify a User from the data which BITEEU holds about that User.

9. How to access or correct your Personal Information or make an enquiry or complaint

- 9.1 If you have any queries in relation to this policy, you wish to access, correct or erase the Personal Information we hold about you, or make a complaint, please contact us in writing at:

Email: info@biteeu.com

Mail: Privacy Officer

BITEEU AUSTRALIA PTY LTD

C/- PIPER ALDERMAN, Level 23, 1 Farrer Place, SYDNEY NSW, 2000

- 9.2 We aim to acknowledge receipt of all privacy complaints from you within [5] working days and resolve all complaints within [30] working days. Where we cannot resolve a complaint within that period, we will notify you of the reason for the delay as well as advising the time by which we expect to resolve the complaint.
- 9.3 In order to disclose information to you in response to a request for access we may require you to provide us with certain information to verify your identity. There are exceptions under the Privacy Legislation which may affect your right to access your Personal Information – these exceptions include where (amongst other things):
- (a) access would pose a serious threat to the life, health or safety of any individual;
 - (b) access would have an unreasonable impact on the privacy of others;
 - (c) the request for access is frivolous or vexatious;
 - (d) the information relates to existing or anticipated legal proceedings between you and us and the information would not otherwise be accessible by the process of discovery;
 - (e) giving access would reveal our intentions in relation to negotiations with you;

- (f) giving access would be unlawful;
- (g) denying access is required or authorised by or under an Australia law or a court/tribunal;
- (h) the information relates to commercial sensitive decision making process; or
- (i) giving access would prejudice enforcement related action.

9.4 We may (depending on the request) charge you a fee to access the Personal Information. We will inform you of any fees payable in respect of accessing your Personal Information prior to actioning your request. All requests for Personal Information will be handled in a reasonable period of time (within [30] days after the request is made).

9.5 If you wish to have your Personal Information deleted, please contact us using the details above and we will take reasonable steps to delete the information (unless we are obliged to keep it for legal or auditing purposes).

9.6 In the event that you believe that there has been a breach of the Privacy Legislation, we invite you to contact us as soon as possible.

9.7 If you are not satisfied with our handling of a complaint or the outcome of a complaint you may make an application to the Office of the Australian Information Commissioner or the Privacy Commissioner in your State or Territory.

10. Changes to this Privacy Policy

10.1 BITEEU may amend this privacy policy from time to time, particularly where BITEEU needs to take into account and cater for any:

- (a) business developments; or
- (b) legal or regulatory developments to the issuance or trading of digital currency and digital currency under Australian law and International Acts.

10.2 If BITEEU makes changes, BITEEU will notify Users by revising the date at the top of the Privacy Policy and, in some cases, BITEEU may provide Users with additional notice (such as adding a statement to the BITEEU homepage or sending Users a notification). BITEEU encourages Users to review the Privacy Policy whenever the User accesses the Services or otherwise interacts with BITEEU to stay informed about BITEEU information practices and the ways Users can help protect their privacy.

11. Definitions used in this policy

- (a) **Australian Privacy Principles** or **APPs** means the principles set out in Schedule 1 to

the Privacy Act.

- (b) **IP Address** means a number automatically assigned to your computer which is required when you are using the internet and which may be able to be used to identify you.
- (c) **Personal Information** has the meaning set out in the Privacy Act.
- (d) **Privacy Act** means the *Privacy Act* 1988 (Cth) as amended from time to time.
- (e) **Privacy Legislation** means such laws as may place requirements on the handling of Personal Information under the Privacy Act and the Australian Privacy Principles.
- (f) **Third Party Sites** means online websites or services that we do not own or control, including websites of our partners
- (g) **Website** <https://biteeu.com.au/> and/or any other website as we may operate from time to time.
- (h) **User, you, your** and similar terms means, as the context requires (1) you, when you use our Website; and/or (2) you, during your dealings with us as a customer; and/or (3) any agent providing your Personal information to us; and/or (4) any agent dealing with us on your behalf.