

# AgCrowd Pty Ltd (ACN 620 434 988)

## PRIVACY POLICY

### 1. About Our Privacy Policy

- 1.1. AgCrowd (ACN 620 434 988) (“we”, “us” and “our”) respect and protect the privacy of Users of our Services and visitors to our Website (agcrowd.com.au).
- 1.2. The purpose of this Privacy Policy is to inform AgCrowd’s Users as to the information we collect, what we do with this information and how your information is protected. This Privacy Policy will outline our information administration practices in relation to the information we acquire on our Website (agcrowd.com.au) and affiliated services as changeable from time to time. This Privacy Policy is to be read in conjunction with our Website Terms and Conditions.
- 1.3. By accessing and using our Services, you hereby acknowledge acceptance to the terms of this Privacy Policy. If you do not agree with any aspect of this Privacy Policy, you must immediately cease using our Services.
- 1.4. We reserve the right to modify this Privacy Policy at any time, and will notify you of changes to this Privacy Policy when required to do so by law. If we make any material changes to this Privacy Policy, we will notify you by email (sent to the email address specified in your account) or by means of a notice on our Services prior to the change becoming effective.
- 1.5. We use some defined terms in this Privacy Policy. The meaning of each defined term is contained in article 2.1 of this Privacy Policy.
- 1.6. Please take a moment to carefully read this Privacy Policy. If you have any questions about this Privacy Policy, please contact us at [info@stax.exchange](mailto:info@stax.exchange).

### 2. Definitions

2.1. In this Privacy Policy, unless stated otherwise, the expressions:

- (a) **Account** means an online account opened by the User via our Website;
- (b) **AgCrowd** refers to AgCrowd Pty Ltd (ACN 620 434 988)
- (c) **Personal Information** refers to information which may be used to reasonably identify Users of our Services. This includes names, addresses, dates of birth, gender, email addresses and telephone numbers. Personal Information may also include information we collect about User’s individual preferences;
- (d) **Services** include services provided and controlled by AgCrowd, including but not limited to:
  - (i) Financial Services offered by AgCrowd and affiliates;
  - (ii) Storage Services offered by AgCrowd and affiliates;
  - (iii) Digital Asset/Currency Services offered by AgCrowd and affiliates.
- (e) **User** means a person who has acknowledged and agreed to our Terms and Conditions and has signed up to our Services by accessing and using our Website from time to time;

- (f) **User Content** includes all information and/or content that a User provides, posts and/or is otherwise obtained through the User accessing our Services;
- (g) **We, Our, Us** and similar terms means AgCrowd (ACN 620 434 988) and our related entities, as changeable from time to time;
- (h) **Website** means our Website (agcrowd.com.au) and any other Website we may operate from time to time;
- (i) **You** means a User of our Services.

### 3. Governing Law

AgCrowd (ACN 620 434 988) respects your right to privacy and is committed to safeguarding the privacy of our Users and Website visitors. We adhere to the Australian Privacy Principles contained in the *Privacy Act 1988 (Cth)* (Privacy Act) as amended from time to time.

### 4. Who Does this Privacy Policy apply to?

The AgCrowd Privacy Policy applies to Users of the AgCrowd Services, including individuals, businesses and legal entities.

### 5. Privacy Policy Consent

- 5.1. By using AgCrowd and all its affiliated services, you consent to this Privacy Policy and its information administration practices. AgCrowd may provide additional disclosures in relation to this Privacy Policy. These documents will apply supplementary to AgCrowd's Privacy Policy. These disclosures may expand on information administration practices or provide further clarification for specific practices.
- 5.2. If you disagree with or are not comfortable with any aspect of AgCrowd's Privacy Policy, you should immediately cease the use of AgCrowd's Services.

### 6. Collection of Personal Information

- 6.1. AgCrowd (ACN 620 434 988) will, from time to time, receive and store personal information you enter onto our Website, provide to us directly or give to us in other forms. Our Privacy Policy covers all Personal Information that Users voluntarily submit to us and that we obtain from our partners. This Privacy Policy does not apply to anonymised data as it cannot be used to identify you.
- 6.2. You may provide basic information such as your name, phone number, address and email address to enable us to send information, provide updates and process your product or service order. We may collect additional information at other times, including but not limited to when you log in to our Website or use our Services, when you provide information about your personal or business affairs, change your content or email preferences, provide financial or credit card information or communicate with our customer support.

6.3. We collect the following information:

- (a) **Personal Identification Information:** Full name, date of birth, age, nationality, gender, signature, utility bills, photographs, phone number, home address and/or email.
- (b) **Formal Identification Information:** Passport number, driver's license details, national identity card details, photographic identification details, and/or visa information.
- (c) **Financial Information:** Bank account information, transaction history, trading data and/or tax identification.
- (d) **Transaction Information:** Information about the transactions you make on our Services, such as the name of the recipient, your name, the account and or timestamp.
- (e) **Online identifiers:** Geo-location tracking details, browser fingerprint, OS, browser name and version, and/or personal IP addresses.
- (f) **Usage Data:** Survey responses, information provided to our support team, public social networking posts, authentication data, security questions, user ID, click-stream data and other data collected via cookies and similar technologies.

6.4. Additionally, we may also collect any other information you provide while interacting with us or otherwise connect your contact list information on your device with your Account or establish an account connection between a social media platform and your AgCrowd Account.

6.5. We will not use your Personal Information for purposes other than those purposes which we have disclosed to you in this Privacy Policy without your permission.

## 7. How do we collect your Personal Information?

7.1. We may collect Personal Information from you in a variety of ways, including when:

- (a) You interact with us electronically or in person;
- (b) You access our Website and/or Services; and
- (c) We provide our Services to you.

7.2. We may receive your Personal Information from third parties. If we do, we will protect it as set out in this Privacy Policy.

7.3. From time to time, we receive and store certain types of information automatically, such as whenever you interact with our Website or otherwise engage with our Services. This information does not necessarily reveal your identity directly but may include information about the specific device you are using, such as the hardware model, device ID, operating system version, web-browser software and your IP address or device identifier.

## **8. How do we use your Personal Information?**

- 8.1. Our primary purpose for collecting your Personal Information is to provide you with the best User experience and to improve our products and services by better understanding your needs as a User of our Services.
- 8.2. We may use your information in the following ways:

**(a) To comply with national and international regulation**

We are required by law to comply with anti-money laundering and terrorist financing laws by identifying and verifying Users of our Services.

The consequences of not processing your Personal Information for such purposes is the termination of your account as we cannot perform the Services in accordance with legal and regulatory requirements.

**(b) To provide our Services**

We collect and use your Personal Information to provide you with information and updates regarding our Services.

**(c) To engage in marketing activities**

Based on your communication preferences, we may deliver target marketing, send you marketing communications to inform you about our events or affiliated events, and provide you with promotional offers tailored to you.

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.

We may also make you aware of new and additional products, services and opportunities available to you. You may opt-out of our marketing communications at any time.

## **9. How will we communicate with you?**

- 9.1. AgCrowd (ACN 620 434 988) may contact you by a variety of measures, including but not limited to telephone, email, SMS, mail, or via push notifications.
- 9.2. 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 notification 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 by using our contact details set out below.
- 9.3. We will also send communications that are required or necessary to send to our Users that contain information about important changes or developments to, or the operation of the Website or Services, 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.

## **10. Disclosure of your Personal Information**

10.1. Personal information is only supplied to a third party when it is required for the delivery of our Services. We may disclose your personal information:

- (a) To any of our related entities, employees, officers, insurers, professional advisers, agents, suppliers, sponsors, government agencies or subcontractors insofar as reasonably necessary for the purposes set out in this Policy;
- (b) To third parties 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; or
- (d) To any other person with your consent (express or implied).

10.2. We may from time to time need to disclose personal information to comply with a legal requirement such as a law, regulation, court order, subpoena, or warrant in the course of a legal proceeding or in response to a law enforcement agency request.

10.3. We may use your personal information to protect the copyright, trademarks, legal rights, property or safety of AgCrowd (ACN 620 434 988), its customers or third parties.

10.4. Information that we collect may from time to time be stored, processed in or transferred between parties located in countries outside Australia. These may include, but are not limited to Malaysia.

10.5. If there is a change of contract in our business or a sale or transfer of business assets, we reserve the right to transfer to the extent permissible at law our user databases, together with any personal information and non-personal information contained in those databases. The information may be disclosed to a potential purpose under an agreement to maintain confidentiality. We would seek to only disclose information in good faith and where required by any other above circumstances.

10.6. By providing us with Personal Information, you consent to the terms of this Privacy Policy and the types of disclosure covered by this Policy. Where we disclose your Personal Information to third parties, we will request that the third party follow this Privacy Policy regarding handling your Personal Information.

## 11. Security of your Personal Information

11.1. AgCrowd (ACN 620 434 988) is committed to ensuring that the information you provide to us is secure. In order to prevent unauthorised access or disclosure of your Personal Information, we have put in place suitable physical, electronic and managerial procedures to safeguard and secure information and protect it from misuse, interference, loss and unauthorised access, modification and disclosure.

11.2. Notwithstanding article 11.1 of this Privacy Policy, the transmission and exchange of information is carried out at your own risk.

11.3. We cannot guarantee the security of any information that you transmit to us or receive from us. While we take commercially reasonable measures to maintain a secure

site, electronic communications and databases are subject to errors, tampering and break-ins. AgCrowd cannot guarantee that loss, misuse, unauthorised acquisition, or alteration of your data will not occur, and we will not be liable to Users for any such occurrences.

- 11.4. Furthermore, we cannot ensure or warrant the security or confidentiality of information you transmit to us or receive from us by Internet or wireless connection, including email, phone, or SMS, since we have no way of protecting that information once it leaves and until it reaches us. If you have reason to believe that your data is no longer secure, please contact us at the email address, mailing address or telephone number listed at the end of this Privacy Policy.

## **12. General Data Protection Regulation (GDPR)**

- 12.1. The General Data Protection Regulation applies to organisations who process data in the European Union (EU) as well as organisations that offer goods or services to or monitors the behaviour of the people inside the EU. The GDPR applies to all information that can directly or indirectly influence an individual.

AgCrowd has prepared itself for the General Data Protection Regulation by providing information as to when AgCrowd data is deleted, have provided a transparent overview of AgCrowd's use of the personal information it has collected, detailed how you can exercise your privacy rights.

- 12.2. European Union Residents have the following rights:

- (a) The right to withdraw your consent to process your personal information.
- (b) The right to request AgCrowd provide you with a copy of your personal information held by us. This information will be provided without undue delay subject to some fee associated with gathering of the information (as permitted by law), unless such provision adversely affects the rights and freedoms of others.
- (c) The right to request AgCrowd update any of your personal information that you believe incorrect or inaccurate.
- (d) The right to request erasure of your personal information that:
  - (i) is no longer necessary in relation to the purposes for which it was collected or otherwise processed;
  - (ii) was collected in relation to processing that you previously consented, but later withdraw such consent; or
  - (iii) was collected in relation to processing activities to which you object, and there are no overriding legitimate grounds for our processing;
- (e) If we process your Personal Information based on a contract with you or based on your consent, or the processing is carried out by automated means, you may request to receive your personal information in a structured, commonly used and machine-readable format, and to have us transfer your personal information directly to another "controller", where technically feasible, unless exercise of this right adversely affects the rights and freedoms of others. A "controller" is a natural or legal person, public authority, agency or other body

which, alone or jointly with others, determines the purposes and means of the processing of your personal information.

(f) The right to restrict or object to us processing your personal information where one of the following applies:

- (i) You contest the accuracy of your personal information that we processed. In such instances, we will restrict processing during the period necessary for us to verify the accuracy of your personal information.
- (ii) The processing is unlawful, and you oppose the erasure of your personal information and request the restriction of its use instead.
- (iii) We no longer need your personal information for the purposes of the processing, but it is required by you to establish, exercise or defence of legal claims.
- (iv) You have objected to processing, pending the verification.

12.3 Restricted personal information shall only be processed with your consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest. We will inform you if the restriction is lifted.

12.4 AgCrowd will communicate any rectification or erasure of your Personal Information or restriction of processing to each recipient to whom your personal information has been disclosed, unless this proves impossible or involves disproportionate effort. We will inform you about those recipients if you request this information.

12.5 Where the processing of your Personal Information is based on consent, contract or legitimate interests you may restrict or object, at any time, to the processing of your Personal Information as permitted by applicable law. We can continue to process your personal information if it is necessary for the defence of legal claims, or for any other exceptions permitted by applicable law.

12.6 You have the right not to be subject to a decision based solely on automated processing of your Personal Information, including profiling, which produces legal or similarly significant effects on you, save for the exceptions applicable under relevant data protection laws.

### **13. Retention of your Personal Information**

After you have terminated your use of our Services, we reserve the right to maintain your Personal Information as part of our standard back-up procedures in an aggregated format.

### **14. Access to your Personal Information**

You may request details or Personal Information that we hold about you in accordance with the provisions of the *Privacy Act 1988 (Cth)* ("*Privacy Act*"). A small administrative fee may be payable for the provision of information. If you would like a copy of the information which we hold about you or believe that any information we hold on you is inaccurate, out of date, incomplete, irrelevant or misleading, please email us at [info@stax.exchange](mailto:info@stax.exchange). We reserve the right to refuse to provide you with information that we hold about you in certain circumstances set out in the Privacy Act.

## **15. Complaints about Privacy**

We take complaints about privacy seriously. If you have any complaints about our privacy practices, please feel free to send in details of your complaints to [info@stax.exchange](mailto:info@stax.exchange). We take complaints very seriously and will respond as soon as possible after receiving written notice of your complaint.

## **16. Changes to our Privacy Policy**

We may modify this Policy at any time, in our sole discretion, and all modifications will be effective immediately upon our posting of the modifications on our Website or noticeboard. If Privacy Policy Amendments are made, we will notify you as soon as possible by email.

## **17. Website**

### *17.1. When you visit our Website or use our Services*

When you visit our Website ([agcrowd.com.au](http://agcrowd.com.au)) we may collect certain information such as your browser type, operating system, website visited immediately before coming to our Website etc. This information is used in an aggregate manner to analyse how people use our Website such that we can improve our Services.

### *17.2. Cookies*

We may from time to time use cookies on our Website. Cookies are very small files which a Website uses to identify you when you come back to the site and to store details about your use of the site. Cookies are not malicious programs that access or damage your computer. Most web browsers automatically accept cookies but you can choose to reject cookies by changing your browser settings. However, this may prevent you from taking full advantage of our Website or Application. Our Website may from time to time use Cookies to analyse website traffic and help us provide a better visitor experience. In addition, Cookies may be used to serve relevant ads to Website visitors through third party services such as Google Adwords. These ads may appear on our Website or other websites you visit.

### *17.3. Third Party Sites*

Our Website may from time to time have links to other Websites not owned or controlled by us. These links are meant for your convenience only. Links to third party websites do not constitute sponsorship or endorsement or approval of these websites. Please be aware that AgCrowd (ACN 620 434 988) is not responsible for the Privacy Practices of other such websites. We encourage our Users to be aware, when they leave our Website, to read the Privacy statements of each and every Website that collects personal identifiable information.

## **18. Contact Us**

If you have any enquiry regarding our Policies and Procedures surrounding personal information, feel free to contact us by email at [info@stax.exchange](mailto:info@stax.exchange).