

# ARENBERG PRIVACY POLICY

Effective as of 21 June 2018

This policy ('**Privacy Policy**') explains how **Arenberg Sport Pty Ltd (ABN 55 606 771 466)** ('**Arenberg**' or '**us**') seeks to protect the Personal Information of individuals. Arenberg is committed to protecting the safety and security of the Personal Information of individuals whose information Arenberg has access to, including users of the Arenberg Platform (defined below) and other persons with whom Arenberg interacts (each a '**User**' or '**you**').

The Privacy Policy has been developed in accordance with the *Privacy Act 1988 (Cth)* ('**Act**') and the European Union General Data Protection Regulation (Regulation 2016/679) ('**GDPR**').

Under the Act, "**Personal Information**" is defined as: "*Information or an opinion about an identified individual, or an individual who is reasonably identifiable:*

- (a) whether the information or opinion is true or not; and*
- (b) whether the information or opinion is recorded in a material form or not."*

With respect only to residents of the European Union, Schedule 1 of this Privacy Policy provides additional terms for the protection of "Personal Data" under the GDPR. Personal Data should be considered fundamentally interchangeable with the Australian expression "**Personal Information**" for the purposes of this Privacy Policy.

**Please read this Privacy Policy carefully in order to understand how your Personal Information is collected, held, used, or otherwise processed by us.**

Arenberg reserves the right to make changes or updates to this Privacy Policy from time to time. If this happens we will update this Privacy Policy and notify you of any changes, most likely via email or in-app notification. However, you should also periodically check this Privacy Policy for any updates.

## 1. ABOUT ARENBERG

Arenberg is a performance cycling brand that aims to foster experiences that combine your passion for riding with innovative pairings of design and technology. To this end Arenberg provides a variety of digital and online offerings including the Arenberg website and online store, as well as the EYE Ride mobile application, platform and related website (collectively '**Arenberg Platform**').

In providing the Arenberg Platform, we are sensitive to Users' concerns about the safety of their Personal Information.

In essence, Arenberg will typically only:

- collect, use or share your Personal Information with your consent (unless it is not reasonable in the circumstances to obtain your consent and it is legally permissible for us to do so) or when required by a legal obligation; and
- interact with your Personal Information in order to: (a) provide you with the Arenberg Platform and (b) help us improve and develop the Arenberg Platform.

Arenberg has developed our privacy framework to assist Users, and to comply with privacy legislation and regulations applicable to us and our management of your Personal Information.

## 2. HOW ARENBERG COLLECTS YOUR PERSONAL INFORMATION

Arenberg collects Personal Information from individuals in one of three main ways:

- (a) **Directly from Users**, when they interact with Arenberg or the Arenberg platform (e.g. provide feedback or register a User account);
- (b) **Passively from Users**, when they interact with and use the Arenberg Platform;
- (c) **From third-parties** in certain, specific circumstances (e.g. if you sign up to the Arenberg Platform through a third-party service or platform they may provide us with information you have consented to them sharing).

The types of Personal Information collected in each situation is discussed further below.

## 3. WHEN ARENBERG COLLECTS INFORMATION FROM USERS AND WHAT WE COLLECT

### (a) Personal Information collected directly

When Users sign up to components of the Arenberg Platform we collect the following types of Personal Information directly and consensually:

- **Basic User information**, including your name, User name, email and date of birth;
- **Basic account information**, including any biography, display picture or other information you choose to associate with your account;
- If you access the Arenberg Platform through a **third-party service or platform** (e.g. Facebook or Strava), we will collect **information that is made available to Arenberg by** those services or platforms. You can generally control the information we receive from these sources by using the privacy settings on the third-party services or platforms.

We will collect the following types of information from Users as they use the Arenberg Platform:

- **Basic account preferences**, such as your language settings;
- **Content that you post and submit to the Arenberg Platform** and our **social media pages**, which **includes** any **content from third-party platforms** (e.g. the details of a ride captured on Strava).

If a User decides to make a purchase over the Arenberg Platform we will collect following types of Personal Information directly and consensually from you:

- **Purchase delivery information**, such as your full address and contact number;
- **Information about transactions**, such as records of your purchases and any preferences relevant to the online store; and

When a User **make an enquiry or sends us unsolicited feedback** we may collect the following types of Personal Information directly and consensually:

- **Basic contact information**, including your name and email; and
- **Feedback information** and the **details of your interactions with us**, including communications with customer support or other Arenberg personnel (e.g. the contents of an email sent to [info@Arenberg.co](mailto:info@Arenberg.co)) or other information provided by you regarding your enquiry.

When you respond to a **survey** we may directly and consensually collect the Personal Information disclaimed on the survey form.

When you make an **application for employment at Arenberg**, we may collect any Personal Information provided within that application, such as the contents of a personal statement made in support of your application.

(b) Personal Information collected passively

As you **interact with the Arenberg Platform or advertisements**, we may collect the following types of Personal Information about your usage:

- **Content that you post in-app**, including in chat to other Users or in discussion threads, **as well as similar content that is posted about you by others**;
- **Background account information**, such as your notification settings; and
- The following types of **browser, system and device information** regarding devices you link to the Arenberg Platform or use to access our digital content:
  - **Locational information**, regarding which country you're accessing the platform from, (e.g. the form of the IP address from which you access the Arenberg Platform);
  - **Web data tracking information**, such as data from cookies stored on your device, including cookie IDs and settings, as well as logs of your access of the Arenberg Platform;
  - **Device information** provided by devices you link to your Arenberg Platform accounts (e.g. device information from a GoPro or smartphone); and
  - **System usage information**, such as logs of Users you have followed or are following you, and friends that you have added and been added by.

(c) Personal Information collected from third-parties

In certain specific situations, Arenberg will collect Personal Information about you from third-parties. The types of Personal Information collected include:

- **Third-party account information** made available to us if you register with Arenberg through a third-party service or platform; and
- **Web data tracking information** that fit certain parameters of who we think could become Arenberg Users (e.g. heat maps developed through Google Analytics which track patterns of User interactions with our web pages).

#### 4. WHY ARENBERG COLLECTS YOUR PERSONAL INFORMATION AND WHAT WE USE IT FOR

Although Arenberg collects Personal Information from Users in a number of circumstances, Arenberg will only collect this information in order to provide and develop the Arenberg Platform. Here are the main ways we use Personal Information to achieve these objectives:

##### Communicating with Users

Arenberg will use **basic User, account and contact information** to communicate with individuals about their feedback or issues with the Arenberg Platform.

If Users have consented, Arenberg will also use these types of Personal Information to share relevant news and updates about Arenberg and the Arenberg Platform.

##### Administration and delivery of Arenberg Platform

Arenberg will use **basic User and account information**, as well as other **basic preferences** to provide you with the baseline experience over the Arenberg Platform (e.g. allowing you to share your cycling experiences and engage with those of others).

If you have registered using **third-party service or platform information** Arenberg will also use this for the same reasons.

Arenberg will use your **basic User information** for simple administrative tasks, such as resetting account passwords.

Arenberg will use your **purchase delivery and payment related information** to allow you to support your use of the online store.

Arenberg will use your **account preferences** to provide you with a tailored experience when using the Arenberg Platform.

##### Ensuring User safety

Arenberg will also use any type of information collected to prevent and address risks to all Users (e.g. Arenberg will use information to investigate suspicious or threatening activity).

##### Research and development

Arenberg will use the following types of information to develop, test and improve the Arenberg Platform:

- **Survey and feedback information**, as well as any **content that is submitted** in relation to competitions or features of the Arenberg Platform;
- **Basic account and online store preferences**;
- **Content you submit**, either directly through the Arenberg Platform or through third-party platforms or services.
- **Background account, browser, system and device information**; and
- **Third-party web tracking information**.

Together these types of Personal Information are used to provide us with an overview of how the Arenberg Platform is being used, any shortcomings it may have, and subsequently to highlight what will be the best means of improving the experience for all Users.

Arenberg's preference will be to de-identify these types information first, and then use it for this purpose in conjunction with **de-identified browser and device information** (see section 6 below for an explanation of what we mean by "de-identified").

### Marketing

Where Users have expressly consented, Arenberg will use **basic contact, enquiry and account information** to provide Users with relevant marketing materials and offers. Users can always opt out of this through the functionality provided in each marketing communication (e.g. by clicking "unsubscribe" at the bottom of an email).

Where applicable Arenberg will use winner's interview information to encourage continued participation in our competitions.

## **5. ARENBERG'S DISCLOSURE OF PERSONAL INFORMATION**

Generally, Arenberg does not disclose Personal Information to any third-parties except:

- **Service providers Arenberg engages to help us provide and develop the Arenberg Platform** (e.g. cloud service providers or consultants); and
- **Law enforcement agencies, or another party that has a legitimate legal right to access the information.**

The above disclosures will only be made in circumstances where the recipient has provided an undertaking that they will maintain the confidentiality of the information and that they recognise the appropriate limitations placed on the use of the information. Disclosures will also always be in accordance with this Privacy Policy.

### Overseas Disclosure

Some of the third-parties Arenberg discloses Personal Information to are located overseas. This is particularly the case for our third-party software and cloud service providers which are currently located in the United States and Europe.

As with disclosures to third-party service providers, overseas disclosures are always made once Arenberg has taken all reasonable steps to determine the information will be treated at least as favourably under the Act and other applicable privacy laws.

## **6. ARENBERG'S TREATMENT AND STORAGE OF INFORMATION**

### Arenberg's general approach

Arenberg will keep your Personal Information confidential and not sell or knowingly divulge User information to any external third-parties, unless:

- We believe, in good faith, that we are required to share the Personal Information with a third party in order to comply with legitimate legal obligations;
- The disclosure is to a third-party processor of Personal Information that acts on our behalf and/or under our instruction in order to enable us to develop and deliver the Arenberg Platform (e.g. a cloud service provider or local marketing and development partner);
- Other entities acquire ownership or operation of Arenberg or the Arenberg Platform; and/or
- We need to protect the safety of Users, and the security of our Arenberg Platform.

Arenberg seeks the informed and voluntary consent of individuals whenever it collects their Personal Information, or as soon as possible after.

Users can always refuse or revoke this consent, but sometimes this will affect Arenberg's ability to provide them with the Arenberg Platform and other offerings. Arenberg will advise Users if this is the case.

### De-identification

**De-identified information** refers to information that cannot reasonably be used to identify a particular individual.

De-identified information that will never be able to personally identify particular individuals is referred to as **anonymised information** (e.g. statistics that show 90% of Users were happy with the Arenberg Platform). Additionally, de-identified information that can identify individuals only if it is combined with another, separate piece of information is referred to as **pseudonymised information** (e.g. account ID numbers).

Where possible Arenberg will aim to collect, store and use **anonymised information** as a first preference, and if not, then **pseudonymised information**.

However, sometimes it will be impractical for User information to be de-identified or treated in this way, and in this case, Arenberg will continue to use and hold the information in a personally identifiable state. For example, if Arenberg needs to reply to a User enquiry we will have to use the contact information provided.

### Security

Arenberg is committed to information security. We will use all reasonable endeavours to keep the Personal Information we collect, hold and use in a secure environment. To this end we have implemented technical, organisational and physical security measures that are designed to protect Personal Information, and to respond appropriately if it is ever breached (e.g. Arenberg has developed an extensive Data Breach Response Plan which we use to prepare and respond to data breaches).

When information collected or used by Arenberg is stored on third-party service providers (e.g. Azure or AWS cloud servers), Arenberg takes reasonable steps to ensure these third-parties use industry standard security measures that meet the level of information security Arenberg owes Users.

As part of our privacy framework we endeavour to routinely review these security procedures and consider the appropriateness of new technologies and methods.

### Data Breaches

In the circumstances where Arenberg suffers a data breach that contains Personal Information, we will endeavour to take all necessary steps to comply with the **Notifiable Data Breach Scheme** outlined under the Act.

## 7. ARENBERG'S RETENTION OF INFORMATION

Arenberg retains Personal Information until it is no longer needed to provide or develop the Arenberg Platform, or until the individual who the Personal Information concerns asks us to delete it, whichever comes first. It may take up to 30 days to delete Personal Information from our systems following a valid request for deletion.

However, Arenberg will retain:

- **Personal Information** in circumstances **where we have legal and regulatory obligations** to do so (e.g. for law enforcement purposes, employment law, corporate or tax record keeping, or where the information is relevant to legitimate legal proceedings); and
- **anonymised information** for analytic and service development purposes.

The information we retain will be handled in accordance with this Privacy Policy.

## 8. SPECIFIC RIGHTS OF EUROPEAN RESIDENTS

Users who are habitually located in the European Union ('**EU Residents**') have additional rights in respect of their **Personal Data** (a term that is fundamentally interchangeable with Personal Information).

Users who are EU Residents should refer to Schedule 1 for more information regarding how Arenberg's privacy practices in relation to their Personal Data.

## 9. MANAGING PERSONAL INFORMATION YOUR INFORMATION

### Accessing and ensuring the accuracy of Personal Information

Arenberg takes reasonable steps to ensure that the Personal Information we collect and hold is accurate, up to date and complete.

Users have a right to access and request the correction of any of Personal Information we hold about them at any time. Any such requests should be made by directly contacting us at the details set out below. Arenberg will grant access to the extent required or authorised by the Act and applicable laws, and will take all reasonable steps to correct the relevant Personal Information where appropriate.

There may be circumstances in which Arenberg cannot provide Users with access to information. We will advise you of these reasons if this is the case.

### Contacting Arenberg

Arenberg has appointed a Privacy Officer to be the first point of contact for all privacy related matters and to assist in ensuring our compliance with our privacy obligations.

### Privacy Officer

Privacy Officer  
Email: [info@arenberg.co](mailto:info@arenberg.co)

Oceania	Europe
PO Box 7754	Rågvägen 5
Bondi beach	SE-954 32 Gammelstad
NSW 2026	Sweden
Australia	

If you have any queries or wish to make a complaint about a breach of this Privacy Policy or the Act you can contact or lodge a complaint to our Privacy Officer using the contact details above. You will need to provide sufficient details regarding your complaint as well as any supporting evidence and/or information.

The Privacy Officer will respond to your query or complaint as quickly as possible. Arenberg will contact you if we require any additional information from you and will notify you in writing (which includes electronic communication via email) of the relevant determination. If you are not satisfied with the determination you can contact us to discuss your concerns or complain to the **Australian Privacy Commissioner** via [www.oaic.gov.au](http://www.oaic.gov.au).

This Privacy Policy was last updated on 21 June 2018.

## SCHEDULE 1

### SPECIFIC RIGHTS OF EUROPEAN RESIDENTS

Arenberg is committed to ensuring its compliance with the European Union General Data Protection Regulation ('**GDPR**').

Although our Privacy Policy explains how Arenberg meets all of its' obligations for Australian Users, Arenberg also has some Users who are habitually located in the European Union ('**EU Residents**') that have additional rights in respect of their **Personal Data**.

**Personal Data** is defined as: "*Any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier*". This should be considered fundamentally interchangeable with the Australian expression "**Personal Information**" for the purposes of this Privacy Policy.

Under the GDPR, Arenberg is primarily a "controller" of Personal Data, as opposed to being a "processor". As part of its' GDPR compliance, Arenberg provides the Arenberg Platform in a way that ensures:

- **Personal Data** (i.e. Personal Information) is:
  - processed fairly, lawfully and in a transparent manner; and
  - collected and processed only for specified and lawful purposes.

(For more information see sections 2 - 5 of this Privacy Policy).

- **Processed Personal Data** (i.e. Personal Information that is used, held or disclosed by Arenberg) is:
  - adequate, relevant and not excessive;
  - accurate and, where necessary, kept up to date;
  - kept secure, and not longer than necessary;
  - not transferred to countries outside the European Union without adequate protection; and
  - treated in accordance with individuals' legal rights.

Whilst Arenberg strives to provide all Users with appropriate access and control over their Personal Data, **individuals covered by the GDPR are also able to:**

- Prescriptively **restrict, limit or otherwise provide instructions** to Arenberg regarding how we can use their Personal Data. This includes being able to **object** to how and why their Personal Data is used (e.g. by the removal of their consent for particular functions);
- **Verbally request the erasure** (i.e. deletion) of their information; and
- Request **Arenberg provides all Personal Data** held about them in a **portable format**, meaning in a way that is structured, commonly used and machine-readable. Users who exercise this **right to data portability** are also able to direct Arenberg to transmit this data to other entities who they intend to allow to process their Personal Data.

Arenberg will allow and assist Users that are EU Residents to exercise these rights, unless we have compelling and legitimate legal grounds not to (e.g. a legal obligation under Australian legislation, or if the Personal Data has been fully anonymised).

**Personal Information** refers to information or an opinion about an identified, or reasonably identifiable individual, regardless of the truth of that information/opinion and regardless of whether it is in a recorded form.