

# Privacy Policy

Last modified: January 6, 2025

ELEK Software (“ELEK”) is committed to providing quality services to you and this policy outlines our ongoing obligations to you in respect of how we manage your Personal Information.

We have adopted the Australian Privacy Principles (APPs) contained in the Privacy Act 1988 (Cth) (the Privacy Act). The APPs are very strict by any standards and govern the way in which we collect, use, disclose, store, secure and dispose of your Personal Information.

A copy of the Australian Privacy Principles may be obtained from the website of The Office of the Australian Information Commissioner at [www.aaic.gov.au](http://www.aaic.gov.au)

## **What is Personal Information. What and why do we collect it.**

Personal Information is Information or an opinion that identifies an individual. Examples of Personal Information we collect includes: names, addresses, email addresses, phone numbers of you or your business. Related to the use of our software product apps we may also collect personal computer or other electronic device identifiers for the purposes of licensing and software access or usage data for our product development and improvement programs.

This Personal Information is obtained in many ways including but not limited to software sales and enquiries, software downloads and trial requests, software licence registrations, software access and usage monitoring, via telephone, email, our websites, social media and publications, from publicly available sources, from conferences and tradeshow, from other businesses and partners including those that may merge with or make acquisition of us or our products, via surveys and interviews, from cookies, via our marketing and advertising tools or service providers. We don't guarantee website links or the policies of authorised third parties.

We collect your Personal Information for the primary purpose of providing our software product and services to you, for providing information to our users and customers and marketing. 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 unsubscribe from our mailing/marketing lists at any time by electronically unsubscribing where that facility is provided or by contacting us in writing and we will try to make it easy to do so.

When we collect Personal Information we will endeavour to, where appropriate and where possible, explain to you why we are collecting the Information and how we plan to use it.

## **Sensitive Information**

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 generally do not collect sensitive information.

Sensitive Information will be used by us only:

- For the primary purpose for which it was obtained.
- For a secondary purpose that is directly related to the primary purpose.
- With your consent; or where required or authorised by law.

## **Third Parties**

### **Where we are provided with Personal Information**

Where reasonable and practicable to do so, we will collect your Personal Information only from you. However, in certain circumstances we may also be provided with information by third parties. Where it is deemed necessary we will take reasonable steps to make you aware of the information provided to us by the third party.

### **Where we provide Personal Information**

We rely on other third party companies for a variety of reasons. We work with specialist companies in the areas of processing payments, providing software solutions, for supporting our business processes and the products or services we deliver to our customers. Some of these companies may have access to your Personal Information and they may also be located outside of Australia overseas. They are not permitted to use your information for their own purposes.

## **Disclosure of Personal Information**

Your Personal Information may be shared in several circumstances including:

- Within our business, between our business units or our offices.
- With businesses who own us, are owned by us or are affiliated with us.
- With authorised third parties for development, delivery or support of our products.
- With contractors, consultants, agencies, institutions or providers engaged by us for software product and website development, sales, marketing or advertising.

- With our resellers or authorised partners for the purposes of following up on your requests, for marketing communications and for delivering support, presentations and training.
- In legal proceedings in which we are a party or a third party, in compliance with the law.
- When we have a good faith belief that the disclosure is necessary to protect ourselves against fraud, for reasons of cyber defence, or otherwise protect our property and safety or that of customers and users.
- If a company buys us or merges with us or we sell a part of our business or ownership of our product and transfer customer or sales lead personal information as part of this deal.
- When you agree to the sharing.
- Where required or authorised by law.

## **Security of Personal Information**

Your Personal Information is stored in a manner that reasonably protects it from misuse and loss and from unauthorized access, modification or disclosure.

When your Personal Information is no longer needed for the purpose for which it was obtained, we will take reasonable steps to remove your Personal Information. However, most of the Personal Information is or will be stored which will be kept by us for a minimum of 7 years.

## **Access to your Personal Information**

You may access the Personal Information we hold about you and to update and/or correct it, subject to certain exceptions. If you wish to access your Personal Information, please contact us in writing.

We will not charge any fee for your access request but may charge an administrative fee for providing a copy of your Personal Information.

In order to protect your Personal Information, we may require identification from you before releasing the requested Information.

## **Requesting Data Deletion**

At ELEK Software, we respect your rights regarding your personal information. You have the right to request the deletion of any personal information that we hold about you. To initiate this process, please follow the steps outlined below:

**How to Request Deletion:** To request the deletion of your personal information, please contact us in writing at [support@elek.com](mailto:support@elek.com). Ensure your request includes sufficient information to identify you and specify the data you wish to have deleted.

**Response Timeframe:** Upon receiving your request, we will take reasonable steps to comply with it within a reasonable timeframe, typically within 30 days.

**Legal Obligations:** Please note that while we strive to fulfill all deletion requests, there may be circumstances where we are required by law to retain certain information. In such cases, we will inform you of the specific reasons for our inability to fully delete your requested data.

**Confirmation of Deletion:** Once your request has been processed, we will provide you with confirmation of the deletion via email. If applicable, we will also inform you of any data we were unable to delete and the reasons for this.

**Monitoring Your Request:** You can track the status of your deletion request by contacting us directly at the same email provided above.

This policy ensures compliance with applicable laws and regulations, including those set forth by Meta Platforms, and reflects our commitment to maintaining transparency and user rights regarding personal data management. For further inquiries or assistance regarding our data deletion policy, please do not hesitate to reach out.

## **Maintaining the Quality of your Personal Information**

It is an important to us that your Personal Information is up to date. We will take reasonable steps to make sure that your Personal Information is accurate, complete and up-to-date. If you find that the Information we have is not up to date or is inaccurate, please advise us as soon as practicable so we can update our records and ensure we can continue to provide quality services to you.

## **Policy Updates**

This Policy may change from time to time and is available on our website.

[www.elek.com](http://www.elek.com)

## Contact Us

For further information or to contact us, please visit our [contact page](#).