

# Privacy Policy

Unless otherwise indicated, terms used in this privacy policy have the meaning given in our standard Terms and Conditions. A copy of our Terms and Conditions can be found at the attached link: <https://www.skymorials.com/terms-conditions>

This privacy policy sets out how Skymorials treat the privacy of users of the Website and others with whom we interact.

Skymorials is bound by the *Privacy Act 1988* (Cth) (“**Act**”).

In this privacy policy, the term “personal information” has the meaning in the Act and under that legislation includes information about an identifiable and living individual, including names, addresses, telephone numbers, email addresses, photographs, dates of birth, credit and banking details and if and where applicable, includes information that constitutes “sensitive information”.

Please note that information about deceased persons is not covered by the Act or this privacy policy.

## **1. Collection and Storage of Personal Information and Data**

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We may collect personal information about individuals. This information could include name, gender, email address, date of birth, photos, videos and may include some sensitive information if you choose to submit it to us.

For example, we collect personal information in circumstances including when:

- (a) a person signs up to become a Memorial Administrator or Guest User;
- (b) a User posts Content about themselves on the Website;
- (c) a User posts Content about a living third party on the Website;
- (d) a User visits the Website and sends an enquiry through or makes a comment or other post the site, through an email, via a social media platform such as Facebook, Twitter or Pinterest;
- (e) a User signs up to an email marketing list;
- (f) a User interacts with our social media services;
- (g) we meet with an organisation wishing to do business with Skymorials (and an individual from that organisation provides details);
- (h) an individual enters into a transaction with us using a credit card or method other than cash;
- (i) an individual enters a competition; and
- (j) evaluating job applicants and personnel which may include collection of details such as employment history and educational qualifications. This may include “sensitive information” as defined in the Act. Further details about our privacy policy and practices for job applicants will be available at the time of application.

In some circumstances we may receive and collect information about you from other Users, such as when they upload Content that includes information about you, or where a Memorial Administrator nominates you as a Memorial Administrator. If you also give us permission to access information in other services, such as Facebook or Twitter, we may be able to obtain information from those accounts depending on your privacy settings.

## **2. Cookies**

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We may use 'cookies' to collect data (typically not personal information) relating to your general internet usage. This data may include IP-addresses, browser versions, number of visits and similar such data relating to your navigation of the internet and our site. A cookie is a small text file that is placed on your computer's hard drive. Cookies help us to improve our site and to deliver a better and more tailored service, for instance by storing information about your preferences and allowing us to recognise you when you return to our site.

You may refuse to accept cookies by activating settings on your internet browser. However, please note that if you select such settings you may be unable to access certain parts of our site.

When individuals use our mobile application, we may also collect information about your city location, device model and version and operating system version. (This is typically not considered "personal information").

We hold personal information in our own secure databases.

## **3. Anonymity / pseudonymity**

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Where practicable, customers and others have the right to interact with us anonymously or using a pseudonym. Circumstances where it is not practicable, however, include where personal information is required to complete a credit card or account transaction.

## **4. Use of Personal Information**

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We may use personal information for the purpose of marketing but only where such use complies with the Act and the *Australian Privacy Principles* in particular.

We use the personal information collected from you for the purpose it was provided or collected, including in the following ways:

- (a) to display it when you have posted it to the Website;
- (b) for use for the purposes of collection described in 1 above;
- (c) to respond to enquiries received from you;
- (d) to perform authorised financial transactions with you;
- (e) to verify your identity and to assist you if you have forgotten any Account Details;
- (f) to communicate with you and provide you with information (whether by email, post or other means) about our products or services, where you have requested or consented to receiving this from us or where this provision is otherwise permitted under the *Australian Privacy Principles*;

- (g) to notify you about changes to our goods and services;
- (h) to ensure that content from our Website is presented in the most effective manner for you and for your computer/ device;
- (i) to allow you to participate in interactive features of our Website, when you choose to do so;
- (j) to enable you to enter competitions we run;
- (k) to facilitate your participation in surveys we (or a third party on our behalf) runs where you volunteer that personal information;
- (l) to enable you to participate in any loyalty or reward programs, if you so request it;
- (m) to receive and address feedback or complaints from you;
- (n) to protect our legal interests and fulfil our regulatory obligations (if and to the extent necessary), and

in other circumstances, with your prior consent.

All members and others with whom we interact have the option to opt-out of receiving marketing communications from us. If you do not wish to continue to receive electronic marketing communications from us and/or selected third parties you should opt-out by clicking on the "unsubscribe" link in any email communications that we might send you.

## **5. Third parties**

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The Website may contain links to third party websites including the networks of our valued affiliate service providers and/or advertisers. If you follow a link to any of these websites, note that they have their own privacy policies. If you use our website to link to another site you will be subject to that site's terms and conditions of use and privacy policy. We strongly encourage you to view these before disclosing any of your personal information on such sites.

Skymorials does not control, and does not accept any responsibility or liability for, the privacy policy of, and use of personal information by, any party other than Skymorials, including any user of the Website and the operators of any website to which the Website links.

## **6. Disclosure of Personal Information**

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We may disclose your personal information to any of our related group companies. They will only use it for the same purposes that we may under this privacy policy. We may provide personal information to third parties outside our group companies for limited purposes, such as to help us in providing goods and services to customers.

Those persons and business may include:

- (a) organisations who carry out credit, fraud and other security checks;
- (b) couriers and delivery business (where we arrange to deliver goods to you or persons you have requested us to send deliveries to);

- (c) third party software providers who store details of customer account for us or who provide other IT services;
- (d) marketing businesses engaged by us to disseminate materials to which recipients have consented; and
- (e) we may also disclose your personal information to third parties outside our group of companies:
  - (i) where we have your express permission to do so;
  - (ii) where it can reasonably be inferred from the circumstances that you consent to the disclosure to the third parties;
  - (iii) if Skymorials or substantially all of its assets are acquired by a third party, in which case personal information which we hold about our customers may be one of the transferred assets (subject to the same constraints on use and disclosure as under this policy).;
  - (iv) if we are under a duty to disclose or share your personal information in order to comply with any legal obligation, or in order to enforce or apply our terms and conditions or to protect the rights, property, or safety of Skymorials, its personnel or customers . This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction;
  - (v) we limit the information we provide to third parties to the information they need to help us provide or facilitate the provision of goods and services to you. We deal with third parties that are required to meet the privacy standards required by law in handling your personal information, and use your personal information only for the purposes that we gave it to them; and
  - (vi) we do not currently disclose personal information to business located outside Australia, except if and to the extent that the Website may be hosted outside Australia and where such hosting constitutes a disclosure (rather than a use).

## **7. Security of personal information**

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Each Memorial is protected by the Account Details provided to each Memorial Administrator for privacy and security. We will take all reasonable steps to protect the personal information we hold about you from unauthorised access, use and disclosure, however we cannot guarantee the absolute security of that information, or that our systems will be completely free from third party interception or are incorruptible from viruses. We cannot and do not guarantee that information you send from your computer to us over the Internet will be protected by any form of encryption (encoding software). In light of this, we cannot and do not ensure or warrant the security or privacy of your personal information, including payment and bank account details. You transmit your personal information to us at your own risk.

You are entirely responsible for maintaining the security of your passwords and/or account information.

We treat website and credit card security seriously and endeavour to provide a secure, safe platform through which to conduct transactions.

## **8. Access to/ correction or updating of your personal information**

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You have a right to access the personal information we hold about you. To obtain a copy of the personal information we hold about you, please write to us at:

The Privacy Officer  
Skymorials Pty Ltd  
email: [Andrew.ranger \(at\) skymorials.com](mailto:Andrew.ranger@skymorials.com)

Please provide sufficient detail about the information in question to help us locate it. We will then use commercially reasonable efforts to promptly determine if there is a problem and take the necessary corrective action within a reasonable time.

## **9. Concerns about privacy**

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If you have any concerns regarding the privacy of your personal information, or a possible breach of the *Australian Privacy Principles*, please write to us at:

The Privacy Officer  
Skymorials Pty Ltd  
email: [Andrew.ranger \(at\) skymorials.com](mailto:Andrew.ranger@skymorials.com)

Please provide sufficient information regarding your concern so that we may address it accordingly. We will then use commercially reasonable efforts to promptly determine if there is a breach and take the necessary corrective action within a reasonable time.

## **10. Changes to our privacy policy**

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We may modify, alter or otherwise update this privacy policy at any time. We will post revisions on our website. We encourage you to review this policy from time to time.

Last update: 22/05/18