



## **DIVVY Privacy Policy**

### **1. Object**

Divvy Parking Pty Ltd ("Divvy") is the operator of the "Divvy Parking Service" conducted via the website located at [www.divvy.com.au](http://www.divvy.com.au) (the "Site"). Divvy is committed to protecting your privacy and informing you about how your information is used. In order to provide you with the Divvy Parking Service, Divvy needs to collect certain information about you. Divvy will not use or share your information with anyone except as described in this Privacy Policy. This Privacy Policy applies only to information users make available to Divvy pursuant to the use of the Divvy Parking Service in accordance with the terms and conditions of the Divvy Parking Service ("Divvy Terms" which includes our General Terms and Conditions and our Terms of Service for Listers and Parkers), as such Terms are available on the Site. Capitalized terms that are not defined in this Privacy Policy have the meaning given them in the Divvy Terms.

### **2. Information Collected**

To provide the full benefits of the Divvy Parking Service, Divvy needs to collect certain information about its users.

Most of this information is required to be provided during the Account registration process. Additionally, information will be collected as you use the Divvy Parking Service. If you choose not to provide certain information, you may not be able to utilise the full extent of the Divvy Parking Service. Divvy retains the right, based on its Terms, to suspend, cease or terminate an Account should the user provide insufficient information or provide information which Divvy deems, in its sole discretion, to violate the Terms. This Privacy Policy only applies to the Divvy Parking Service, and not services or sites that are accessed through Divvy.

#### **2.1 Identifying Information**

You must provide Divvy with information about yourself, such as your email address, name, address, and a confidential Account password, when you register for an Account. In addition, Divvy may retain information you provide as part of User Content which you post to the Site.

#### **2.2 Correspondence**

Divvy may retain and reproduce the content of any correspondence between you and us. We may also retain any messages, in whatever form they may be, you send through the Divvy Parking Service.

## **2.3 Payment Information**

Divvy collects payment information, including information stored on other services that you may use in connection with the Divvy Parking Service, such as financial institutions. By submitting your payment information and/or linking your Account with an external payment service, you authorise Divvy to access and use this information in order to process any transactions required by the Terms. Bank account details are stored in an encrypted format. Encryption technology protects data from being accessed by unauthorised users. Divvy does not store credit card or other financial account information entered via the Site. This data is transferred from the website to a secure data vault. Once the transfer is complete or has failed the data is removed from the website. Divvy uses eWAY to ensure high levels of security on all credit card payments. For more information in relation to eWAY's Privacy Policy visit [www.eway.com.au](http://www.eway.com.au)

## **2.4 Parker's Information**

Divvy may (but is not obliged to) check the registration details of all Registered Vehicles which are intended to be used for the Divvy Parking Service to ensure that they are currently registered and accurately described on the Site. Registration plate details will be passed onto the Lister and or building manager to allow the Lister and or building manager to identify you. Divvy may also request you provide licence details, to ensure your licence is current and the details are accurate as at the time of registering your Account. By registering with Divvy, you authorise us to confirm certain details with the Roads and Traffic Authority or other organisations. Divvy's authorisation to check your records is ongoing throughout the time you hold an Account with Divvy.

## **2.5 Car Space Inspection**

If you list your car space on Divvy, we may (but are not obliged to) inspect this car space to ensure it has been accurately described and legally available for listing with this Service. By registering with Divvy, you authorise us to obtain this information and you authorise applicable organisations to release such information to Divvy.

## **2.6 Cookies**

The Site or Service will send a "cookie" to your computer and/or smart phone that contains an identification number unique to the device you are using. Divvy uses cookies to record how the Divvy Parking Service is being used in order to improve it. A cookie does not collect personal information about you, but may convey anonymous information about how you browse and use the Divvy Parking Service. A persistent cookie remains on your hard drive after you close your browser. Persistent cookies may be used by your browser on subsequent visits to the site. Persistent cookies can be removed by following your web browser's directions. A session cookie is temporary and disappears after you close your browser. You can reset your web browser to refuse all cookies or to indicate when a cookie is being sent.

However, some features of the Divvy Parking Service may not function properly if the ability to accept cookies is disabled.

## **2.7 IP Address and Logins**

Divvy logs each visit to each web page on the Site. A log entry can contain information typically found in the "header" of your web browser's request such as the browser type you used, your Internet Protocol address, and the date and time of day. We may also log your cookie's identification number and the URL of the last site you visited. This log information is important for security, audit, quality improvement, as well as for monitoring the status of the Divvy Parking Service.

## **2.8 Clear GIFs**

When you use the Divvy Parking Service, Divvy may employ clear gifs (also known as web beacons) which are used to track the online usage patterns of our users anonymously. No personally identifiable information from your Account is collected using these clear gifs. In addition, we may also use clear gifs in HTML-based emails sent to our users to track which emails are opened by recipients. The information is used to enable more accurate reporting, improve the effectiveness of our marketing and make the Divvy Parking Service better for our users.

## **2.9 Data Gathered**

Divvy's mobile application, if active, may allow us to gather information about your vehicle use, including time of use, location, and other aspects of your vehicle use. Divvy uses this information to provide you with the Divvy Parking Service and to aggregate your use habits and potentially provide you with related benefits such as commuting solutions or other perks for safe driving. Divvy may also aggregate your data with other parkers' data to better understand how people use the Divvy Parking Service and how Divvy can make improvements.

## **2.10 Location**

Divvy may store personal information in locations outside the direct control of Divvy (for instance, on servers or databases co-located with hosting providers).

## **2.11 Ratings**

Divvy may institute a rating system whereby other users can rate their experience with you, whether as a parker or as a car space lister. You agree that, once such information is contributed by you in relation to the rating system, it cannot be recalled or altered and will be the absolute property of Divvy.

## **2.12 Update and Removal**

You may update your Account information that is in an editable format on the Site. You may request Divvy to remove all information about you from our database by using the Account deactivation features available via the Site. However, because

Divvy keeps records of all transactions, you cannot delete information associated with past transactions on the Site or by use of the Divvy Parking Service. Additionally, copies of data may temporarily retain information about users as a regular course of Divvy's data protection and recovery practices.

You agree to bear the risk that removing information made available to the Site or Service may leave cached and archived content viewable by the public, and other persons may have copied or stored that information for uses unconnected to the Divvy Parking Service.

### **3. Information Use**

Pursuant to the Terms, Divvy has the right to use all information, including User Content, you make available to the Site or Service as part of providing the Divvy Parking Service to you and all matters ancillary to provision of the Divvy Parking Service.

#### **3.1 General Uses**

Divvy may use your information for the following purposes: (i) to provide the Divvy Parking Service to users; (ii) to create, improve or edit content on the Site; (iii) for internal administrative duties; (iv) for billing related matters; (v) for any marketing and advertising in which Divvy engages; (vi) to investigate complaints; (vii) to monitor use of the Site and Service; (viii) to provide customer support; (ix) to share with Divvy's affiliates, agents and representatives for any of such purposes; and (x) to do any other act reasonably connected to help fulfil the obligations as stated in this Privacy Policy and the Terms.

#### **3.2 Use of Contact Information**

By providing Divvy with your email address and mobile telephone number, you consent to Divvy using your email address and mobile telephone number to send you notices related to the Divvy Parking Service, including any notices required by law, in lieu of communication by postal mail. For example, if you are a Lister, we will send you information about your rental status. You can turn these notifications off or modify how often and in what form you receive them, in accordance with the options available on the Site.

Divvy may send you other messages in the course of operation of the Divvy Parking Service, such as notifications from other Users, updates about changes and features of the Divvy Parking Service, and important news that may impact your use of the Divvy Parking Service. These communications are considered directly related to your use of the Divvy Parking Service, and may contain banners, ads or promotional material. You may opt out of certain messages as permitted by your settings on the Divvy Parking Service.

#### **3.3 Account Termination or Deactivation**

Following termination or deactivation of your Account, Divvy may retain your information and User Content for a reasonable time for backup, archival, or audit purposes, or to maintain and improve the Divvy Parking Service. Furthermore, Divvy may retain and use all information (including User Content) contained in your communications to other Users or posted to public or semi-public areas of the Divvy Parking Service.

## **4. Information Disclosure**

Pursuant to the Terms, Divvy may disclose the information you provide for a variety of reasons.

### **4.1 Third Parties**

Any personal information you make available to the Site or Service may be available, via the Site or Service, to the public, as regulated by any applicable privacy mechanisms. Divvy will never rent or sell your personally identifiable information to others. Divvy may share your personally identifiable information with third parties solely for the purpose of providing the Divvy Parking Service to you. If we do this, such third parties' use of your information will be bound by this Privacy Policy.

### **4.2 Purposes Connected to the Divvy Parking Service**

We may share your personal information with other users of the Divvy Parking Service. If you park in a space made available via the Divvy Parking Service, we will share your phone number with the Lister, so that they can communicate directly with you if there is an urgent need to do so. If you share your parking space via the Divvy Parking Service, the information for that parking space, which may include the car space address, will be made available to others using our service upon booking confirmation.

Divvy reserves the right to share your rating history. We may also collect aggregate data including, but not limited to, how many transactions you have performed, how many complaints have been received regarding your parking or your parking space, or how many tickets, towing or other issues have been associated with your parking space or vehicle. We may display this data in a way that allows other users to help them determine how to use the Site or Service and how they choose to interact with others via the Site or Service.

### **4.3 Additional Services**

Divvy may use your information in its dealings with organisations in the course of providing you with additional services related to the Divvy Parking Service, such as peer-to-peer commuter solutions. When you purchase, register, or otherwise express interest in a product or service offered by a third party through Divvy or sponsored on our site, you consent to Divvy sharing your personal information with those parties. When you choose to participate in rewards programs, contests, discount offers, or other programs that involve third parties, you authorise Divvy to share your personal information with those parties. Such third parties are authorised to use information

that is disclosed to them, in accordance with contracts between Divvy and third parties. In these cases, Divvy will only share the information reasonably needed to provide you with information about such rewards programs, contests, discount offers or other programs. Information that is shared with third parties is subject to the privacy policies of those parties, which may differ from this Privacy Policy. You agree to bear all risks associated with sharing your information with any such third parties.

#### **4.4 Legal Reasons**

Except as otherwise described in this Privacy Policy, Divvy will not disclose personal information to any third party unless required to do so by law or if we believe it is necessary to (a) comply with the law or aid any affiliates to comply with the law, (b) investigate, prevent, or take action regarding suspected or actual illegal activities, (c) enforce the Terms, (d) investigate or resolve complaints involving Divvy giving rise to any civil liabilities, (e) to protect the security or integrity of our Site, (f) to aid any other Government agency in the investigation of matters or for the protection of the rights, property, or personal safety of Divvy, our Users or others.

#### **4.5 Sale of Business**

As Divvy develops its business, Divvy may buy or sell assets or business offerings. All customer information is generally one of the transferred business assets in these types of transactions. We may also transfer or assign such information in the course of corporate divestitures, mergers or dissolution.

#### **4.6 Referrals**

If you elect to use any referral-type service available on the Site, you will be asked to provide your friend's name and email address or mobile phone number. In doing so, you warrant to Divvy that you have obtained your friend's consent to you providing such information to us and to Divvy sending your friend an email or text message with an invitation to him or her to visit the site, containing an introductory offer and your details. Divvy stores this information for the sole purpose of sending this one-time email and tracking the success of our referral program. Any referred potential user may contact us on [hello@divvy.com.au](mailto:hello@divvy.com.au) to request that we remove this information from our database. You agree to indemnify Divvy for all losses it incurs in resolving any claims against it that arose from Divvy acting upon the information you supply through its referral service in the way stated in this clause.

#### **4.7 Miscellaneous Sharing**

Divvy may share non-personally identifiable information (such as anonymous usage data, referring/exit pages and URLs, platform types, number of clicks, etc.) with interested third parties to help them understand the usage patterns for certain Divvy services.

Divvy may allow third party ad servers or ad networks to advertise on the Divvy Parking Service. These third party ad servers or ad networks use technology to send,

directly to your browser, the advertisements and links that appear on Divvy. They automatically receive your IP address when this happens. They may also use other technologies (such as “cookies”, or “web beacons”) to measure the effectiveness of their advertisements and to personalize the advertising content. Divvy does not provide any personally identifiable information to these third party ad servers or ad networks without your consent. However, please note that if an advertiser asks Divvy to show an advertisement to a certain audience and you respond to that advertisement, the advertiser or ad-server may conclude that you fit the description of the audience they are trying to reach. This Privacy Policy does not apply to, and we cannot control the activities of, third party advertisers. Please consult the respective privacy policies of such advertisers for more information.

## **5. Information Security**

Divvy uses industry standard security measures in place to prevent the loss, misuse, and alteration of the information that we obtain from you.

### **5.1 Encryption**

We use SSL technology to encrypt sensitive data transfer, and we recommend that you maintain strict and confidential passwords for your account at all times. Unfortunately, nothing is 100% secure, and Divvy makes no assurances that your information will not be made available to third parties, or that such information may not be accessed, disclosed, altered, or destroyed arising from the failure of Divvy’s technical safeguards. Divvy cannot ensure or warrant the security of any information you transmit to Divvy and you do so at your own risk. Divvy takes commercially reasonable efforts in accordance with this Privacy Policy to ensure the security of our systems.

### **5.2 Account Login**

To protect your information, we take reasonable steps (such as requesting a unique password) to verify your identity before granting you access to your Account. You are responsible for keeping Account passwords and information confidential, and for controlling access to all communications between you and Divvy, at all times.

### **5.3 Compromise of Personal Information**

In the event that personal information is compromised as a result of a breach of security, Divvy will notify those persons whose personal information has been compromised, as soon as practicable following Divvy becoming aware of such breach of security, or as otherwise required by applicable law.

### **5.4 Information Control**

You can change your Account details, information you make available to the Site and Service, and Account preferences at any time by logging onto your Account. You have the right to request and review information that Divvy holds about you, and the

right to request changes to correct inaccuracies. Divvy will make the requested changes after due consideration and within a reasonable time.

## **5.5 Children's Privacy**

Divvy does not collect or save any information from children 13 years of age and younger. Protecting the privacy of young children is especially important. For that reason, Divvy does not knowingly collect or solicit personal information from anyone under the age of 13 or knowingly allow such persons to register as Members. If you are under 13, please do not send any information about yourself to us, including your name, address, telephone number, or email address. No one under age 13 is allowed to provide any personal information to or on Divvy. In the event that we learn that we have collected personal information from a child under age 13 without verification of parental consent, we will delete that information as quickly as possible. If you believe that we might have any information from or about a child under 13, please contact us at [hello@divvy.com.au](mailto:hello@divvy.com.au)

## **5.6 Information from Third Party Websites**

Divvy is not responsible for the practices employed by websites linked to or from the Site or Service, nor any of the information or content contained on those websites. Please remember that when you use a link to go from the Divvy Parking Service to another website, our Privacy Policy is no longer in effect. You bear the risk of using third party websites regardless of whether they have a link on the Site.

## **5.7 Anti-Phishing**

Identity theft and the practice currently known as "phishing" are of great concern to Divvy. Safeguarding information to help protect you from identity theft is a top priority. Divvy does not and will not, at any time, request your credit card or financial account information, your account ID, password, or national identification numbers in a non-secure or unsolicited e-mail or telephone communication.

## **5.8 Public Forums**

The Site may include interactive forums such as message boards and chat rooms. Please remember that any information that is disclosed in these areas becomes public information and you should exercise caution when deciding to disclose your personal information.

## **5.9 Facebook Connect**

The Site or Service may allow users to access Facebook Connect to leverage integration of Facebook social networking features with the Site or Service. By using this Service you are allowing the Divvy to access your information and use it for such integration purposes. You can edit privacy settings for the information that appears on Facebook or disconnect this service by visiting the Facebook Application Settings page or by disabling the integration from our Site.



## **6. Changes to this Policy**

If Divvy changes any terms set out in this Privacy Policy, Divvy will post those changes on the Site or Service to keep you aware of those changes. Changes to this Privacy Policy are effective when they are posted on this page regardless of whether you have actual notice of those changes.

## **7. Contacting Us**

If you wish to contact us regarding questions or complaints relating to how we collect, store, use, manage or disclose your personal information, we ask that you contact us at [hello@divvy.com.au](mailto:hello@divvy.com.au) and mark your email "For attention of Privacy Officer".