

1. Purpose and nature

ESL Support Pty Ltd (ACN 168 608 179) and its related entities (“Company”, “we”, “us” or “our”) recognises the importance of your privacy. This Privacy Policy explains how we collect, store, use, disclose, protect and otherwise handle your personal information having regard to the Australian Privacy Principles (APPs) contained in the *Privacy Act 1988* (Cth) (Privacy Act).

To the extent that we offer products and services to individuals in the European Union and the United Kingdom, or otherwise monitor the behaviour of individuals in the European Union and the United Kingdom, this Privacy Policy also sets out how we comply with the European Union’s *General Data Protection Regulation* (GDPR). For the purposes of the GDPR, the Company is both a “data controller” and a “data processor” of personal information and is responsible for how personal information is collected and used.

This Privacy Policy does not constitute a contractual representation, promise, guarantee or warranty by the Company to you as to the manner in which we will or may collect, store, use, disclose, protect or otherwise handle your personal information. Some matters are beyond our control, such as third party malicious or criminal attacks.

2. What is personal information?

For the purposes of this Privacy Policy, “personal information” has the meaning given in the Privacy Act and, in general terms, includes information or an opinion about you from which you can be reasonably identified.

3. Why do we collect personal information?

Generally, we collect personal information where it is reasonably necessary for our business functions or activities. In particular, we may collect your personal information:

- a. in connection with providing, administering, improving and personalising our English language and test preparation courses and materials;
- b. to provide you with other products and services and to improve the quality and design of them;
- c. to provide you with customer support;
- d. to establish and maintain our relationship with you by, among other things, providing updates on promotions, products and services which we consider may be of interest to you;

- e. to comply with legal requirements and to exercise our legal rights;
- f. for business analysis purposes and internal accounting and administration purposes; and
- g. for marketing and other advertising purposes (except where you have 'opted out' – see further information on direct marketing at clause 7.2),

(the Primary Purposes).

You do not have to provide us with any personal information, however if you do not, we may not be able to carry out some or all of the Primary Purposes.

4. What personal information do we collect?

The types of personal information we collect will depend on the type of dealings you have with us and includes information that is needed to provide you with our products and services. This may include, but is not limited to, any or all of the following information about you:

- a. name;
- b. contact details (including address, email address, telephone number(s) and other contact details);
- c. date of birth;
- d. banking details;
- e. information about the device you use to access and use our products and/or services;
- f. access logs and system usage information; and
- g. other information you elect to provide to us.

5. How do we collect your personal information?

We collect personal information only by lawful and fair means and not in an unreasonably intrusive manner. When you provide us with personal information you consent to the use, disclosure and handling of your personal information in accordance with this Privacy Policy (as this Privacy Policy may subsequently be amended in the manner described in clause 15).

Collecting information directly from you

If it is reasonable and practical do to so, we will collect personal information directly from you.

Depending on how you choose to interact with us, we may collect your personal information when you contact, or are contacted by, us (or our service providers or relationship partners), by telephone, by email, through our or a service provider's or relationship partner's website, or when you complete a form or document and provide it to us, including when you set up a user account

with us. We may also collect personal information from you when you have other dealings with us, for example, if you participate in any user surveys or provide us with feedback.

Collecting information from third parties

We may also collect information about you from third parties, for example, we may collect information from our partners and third party providers (including third party support service providers, analytics providers, and payment providers), or otherwise where you have consented to this. . Where we have collected your information from a third party, such personal information will be held, used and disclosed by us in accordance with this Privacy Policy.

Collecting information automatically from visits to our website

We may also collect personal information automatically about your interaction or communications with us, including information we receive from devices you use when you access our website.

We use 'cookies', web beacons, unique identifiers and other similar technologies to collect information.

Cookies are small text files that are transferred to your computer's hard drive through your web browser to enable our systems to recognise your browser and record non-personal information such as the date, time or duration of your visit and the pages accessed, for website administration, statistical and maintenance purposes (Cookie Information).

We use cookies to provide you with a more consistent experience across our services. No attempt is made by us to use Cookie Information to personally identify you. However, if Cookie Information is linked with personal information as set out above, this Cookie Information becomes personal information and will be treated in the same manner as the personal information to which it has been linked.

You can remove or reject cookies by adjusting the settings on your web browser. Please note that some parts of our website may not function fully for users that disable cookies.

Unsolicited information

If we receive personal information that we have not requested and determine that the personal information received is not reasonably necessary to provide our services, we will take all lawful and reasonable steps (if any) to de-identify or destroy that personal information.

Minors

We understand the importance of protecting the privacy of children. Our website is not intentionally designed for, or directed at, children under the age of 13.

We will not knowingly collect or maintain information about any person under the age of 13 except as part of a specific engagement to provide services which necessitates such personal information be collected, or as otherwise required by law.

6. How do we hold your personal information?

The security of your personal information is important to us. Accordingly, we take reasonable steps to protect your personal information from misuse, loss and unauthorised access, modification or disclosure. These steps include the implementation of a number of safeguards including using password protected databases, and staff training.

We will take reasonable steps to permanently de-identify or responsibly destroy personal information if it is no longer needed for the purpose for which the information was used or disclosed.

Security breach procedures

Our data security practices have been adopted with a view to protecting the data held by us. Notwithstanding this, individuals should be aware that there are inherent risks associated with the transmission of data over the internet and other mediums. Accordingly, we cannot guarantee any transmission will be completely secure.

7. How do we use your personal information?

We may use or disclose your personal information so that we can provide you with English language and test preparation courses and materials and other products and services and for the Primary Purposes as set out in clause 3 above.

By submitting your personal information to us, you also consent to us using or disclosing your personal information for any purpose related to the Primary Purposes that could be reasonably anticipated at the time your personal information was collected.

We may also use or disclose your personal information:

- a. with your consent;
- b. where we are authorised or required to do so by law;
- c. to our related entities, third party partners or third party service providers (for example, website hosting and cloud service providers, payment processors, security service providers and support service providers) which provide, support, promote or improve our products or services;
- d. to consider any concern or complaint that you raise against us or to manage any legal action between you and us;
- e. to prevent or investigate any actual or suspected fraud, unlawful activity or misconduct or otherwise where reasonably necessary to assist a law enforcement agency; and / or
- f. as permitted under the APPs..

7.1. Use and disclosure of information in anonymised / aggregated form

In some cases, we may use and share personal information in anonymised and aggregated form to improve the quality and design of our products and services. Information in this form may also be used by us or provided to others for marketing, advertising or research purposes.

7.2. Use of personal information for direct marketing

Where we have your express or implied consent, or where it is otherwise permitted by law, we may use your personal information to send you information about promotions, products or services we offer, as well as other information.

If you do not wish to receive such communications, you may opt out at any time by using the unsubscribe facility that we include in our electronic messages. Alternatively, you may contact us at hello@e2language.com.

7.3. Anonymity

You may use a pseudonym or to remain anonymous except where this is impractical or against the law. In some cases, if you do not provide us with certain personal information, we may not be able to provide you with the relevant product, service or information you have requested.

8. How is personal information disclosed to others?

We do not sell, rent or trade personal information to, or with, third parties.

We may disclose your personal information to our related entities or third parties in limited circumstances, including to external providers that perform services on our behalf.

Our website may contain certain links to other websites. We do not share your personal information with those websites and we are not responsible for the privacy practices applying in respect of those websites.

9. Disclosure of personal information outside Australia

Some of our related entities, partners and service providers (or the services they provide) may be based outside Australia (including in the United Kingdom, the European Union and the United States of America).

By providing us with personal information, you acknowledge that your personal information may be used, stored and disclosed overseas, including in jurisdictions that may not provide equivalent levels of data protection as your home jurisdiction.

10. Change of control

If we sell, assign or otherwise transfer part or the whole of our business, your personal information, which was collected by us may be among the items transferred or sold to the extent that it is relevant to enable the purchaser to continue the Company's business. We will use our reasonable endeavours to continue to ensure the protection of any personal information. We reserve the right to transfer or assign the information we have collected as part of such sale, assignment or transfer and you consent to the transfer of your personal information in such circumstances.

11. How you may access or correct your personal information

You may contact us to request access to the personal information we hold about you at any time. You may also ask us to correct information about you that you may believe is inaccurate, incomplete or out of date.

Please contact us using the contact details set out in clause 14. We will need to verify your identity before giving you access to, or correcting, your personal information. We will respond to

the request within a reasonable period after the request is made. There is no charge to make a request, however we may charge a reasonable fee to cover the administrative costs of retrieving your personal information.

In certain circumstances, we may refuse, or be unable, to correct or provide you with access to your personal information. In these circumstances, we will write to you to explain the reasons why this is the case.

12. Users based in Europe

If you access our products or services from the European Union or the United Kingdom, you may have additional right under the GDPR in relation to the handling of your personal information.

When you use our website, we may monitor your activity using automated processes, including for the purposes of counting usage of our webpages and providing you with more tailored and relevant products and services.

In certain circumstances, in addition to the rights listed in clause 11 above, you may also have a right to:

- request a copy of personal information that you have provided to us, in a commonly used electronic format;
- request that we delete any information that we hold about you, subject to any legal obligations that we have to retain your personal information; and
- withdraw your consent to the processing of the personal information that we hold about you. Once you have withdrawn your consent, we will no longer process your personal information for the purpose(s) you originally agreed to, unless we are required to do so by law. This will not affect the lawfulness of any processing of personal information based on your consent before its withdrawal.

Where your personal information is transferred outside of Europe, it will only be transferred to countries that have been identified as providing adequate protection for personal information, or to a third party where we have approved transfer mechanisms and/or contractual obligations in place to protect your personal information.

13. How you may complain if you have concerns about how we have managed your personal information

If you have a complaint related to how we have managed your personal information, please contact us using the contact details set out in clause 14. We may ask you to place your concerns in writing so that our compliance staff can fully understand and investigate your complaint.

We will provide you with an estimated response timeframe in relation to your complaint. In any event, we will endeavour to respond to your complaint within 30 days.

If a complaint remains unresolved, you may contact the Office of the Australian Information Commissioner (OAIC) at www.oaic.gov.au to have the complaint heard and determined.

14. How to contact us

If you have any questions about this Privacy Policy or our management of your personal information, please contact us on:

Attention: Chief Operating Officer

Email: hello@e2language.com

Mail: Level 8, 20-22 Albert Road, South Melbourne, VIC, 3205

15. Changes to privacy policy and information handling practices

This Privacy Policy is subject to change at any time so we encourage you to review this Privacy Policy at regular intervals. If we change this Privacy Policy an updated version will be posted on our website to notify you of this change. By continuing to use our services after that time you will be deemed to have accepted any changes to our Privacy Policy.