PRIVACY POLICY

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1. BACKGROUND

We recognise the importance of protecting your personal information and being transparent about how we collect, hold, use and disclose it.

This Privacy Policy applies to Hypha Limited ABN 70 621 449 527, Hypha Solutions Pty Ltd ABN 67 650 008 053, Hypha Link Pty Ltd ABN 65 663 059 089, Hypha Networks Pty Ltd ABN 72 656 526 171 and Hypha StarSat Pty Ltd ABN 22 670 024 470, Hypha NZ Limited, Hypha USA Inc. (collectively, the **Hypha Group**). **We**, **our** and **us** mean the relevant Hypha Group entity handling your personal information.

We manage personal information in accordance with applicable privacy and data protection laws, including the Privacy Act 1988 (Cth) (Australia), the Privacy Act 2020 (New Zealand), applicable United States privacy laws and other applicable privacy and data protection laws.

2. DISCLAIMER

While your privacy is very important to us, nothing in this privacy policy constitutes a voluntary opt into privacy laws, anywhere in the world, which we are not statutorily bound to comply with.

3. WHAT IS "PERSONAL INFORMATION"?

Personal information held by us may include your:

- name and date of birth;
- residential and business postal addresses, telephone/mobile/fax numbers and email addresses;
- bank account and/or credit card details for agreed billing purposes;
- any information that you provided to us by you during an account creation process or added to your user profile;
- preferences and password for using our software and services;
- your computer and connection information; and
- any information that you otherwise share with us.

4. COLLECTION

We collect personal information from customers, prospective customers, suppliers, contractors, employees, job applicants, website users and other individuals who interact with Hypha, including when you use our websites, customer portals, software, products and services including (without limitation) when you:

- use our software, services or the software and services of any associated third parties under an agreement with us;
- create an account;
- enter information on software or services which we provide to you;
- add information to your user profile(s);
- purchase any services, hardware or software through us or our site;
- complete an online contact form to contact us or any third party supplier;
- provide information to us by telephone or through marketing forms; or
- send us an email or other communication;

in order to assist you with the supply of products, the provision of services and any related assistance or other purposes requested through such communication.

Information will only be collected directly from you unless you authorise another person to provide the information.

IP ADDRESSES

We may also collect Internet Protocol (IP) addresses. IP addresses are assigned to computers on the internet to uniquely identify them within the global network. We collect and manage IP addresses as part of our services, website and for security purposes. We may also collect and use web log, computer and connection information for security purposes and to help prevent and detect any misuse of, or fraudulent activities involving, the website and any products/services.

Depending on the products and services provided, Hypha may collect service usage, account activity, network performance, device, telemetry and diagnostic information for the purposes of provisioning, administering, supporting, securing and improving its products and services.

5. USE

The personal information you provide is used for purposes related to our primary business operations, which is providing software and services to third party organisations, government bodies and associated individuals. Examples of when your information may be used include:

- providing you with the products and services you have requested;
- administration needs in relation to providing you with products and service, including your account;

- dealing with requests, enquiries or complaints and other customer care related activities;
- verifying your identity;
- informing you about our products and services;
- assisting you to use functionality on the website or services;
- processing any purchases of services that you may make through us or this site, including charging, billing and collecting debts;
- making changes to your account(s);
- responding to any queries or feedback that you may have;
- conducting appropriate checks for credit-worthiness and for fraud;
- preventing and detecting any misuse of, or fraudulent activities involving, this site, the services or software;
- conducting research and development in respect of our services;
- gaining an understanding of your information and communication needs or obtaining your feedback or views about our services in order for us to improve them;
- maintaining and developing our business systems and infrastructure, including testing and upgrading of these systems, marketing our products and services generally; and
- carrying out any activity in connection with a legal, governmental or regulatory requirement imposed on us or in connection with legal proceedings, crime or fraud prevention, detection or prosecution; and
- for any other purpose reasonably considered necessary or desirable by us in relation to the operation of our business.

We may also use personal information for purposes (as would be reasonably expected by you) in connection with those activities described above. We will not use your information for purposes other than as described in this privacy policy unless we have your consent, or there are specific law enforcement, public health or safety reasons.

6. THIRD PARTY COOKIES

In some cases, third parties may place cookies through this site. For example:

- Google Analytics, one of the most widespread and trusted website analytics solutions, may use cookies de-identified data about how long users spend on this site and the pages that they visit;
- Google AdSense, one of the most widespread and trusted website advertising solutions, may use cookies to serve more relevant advertisements across the web and limit the number of times that a particular advertisement is shown to you; and
- third party social media applications (eg, Facebook, Twitter, LinkedIn, Pinterest, YouTube, Instagram, etc) may use cookies in order to facilitate various social media buttons and/or plugins in this site. Log files track actions occurring on the websites, and collect data including your IP address, browser type, internet service provider, referring/exit pages, and date/time stamps.

7. INTERACTING WITH US

If you contact us with a general question, we may interact with you anonymously or through the use of pseudonyms. However, you are required to provide true and accurate details when requesting the supply of products or provision of support services. You agree you will provide accurate information if so required.

8. SHARING YOUR PERSONAL INFORMATION

We may disclose your personal information to:

- employees, a related company and professional advisors such as our lawyers;
- law enforcement agencies to assist in the investigation and prevention of criminal activities
- credit-reporting and fraud-checking agencies;
- credit providers (for credit-related purposes such as creditworthiness, credit rating, credit provision and financing);
- government and regulatory authorities and other organisations, as required or authorised by law;
- organisations who manage our business strategies, including those involved in a transfer/sale of all or part of our assets or business (including accounts and trade receivables) and those involved in managing our business risk and funding functions; and
- third party contractors or service providers with whom we have a business association, including:
  - i integration providers;
  - ii marketing service providers;
  - iii accounting service providers; and
  - iv information technology service providers including cloud application providers.
  - v cloud hosting provides
  - vi managed service providers
  - vii telecommunication providers
  - viii other supplies engaged by Hypha to provide products and services.

We will not disclose your personal information other than in accordance with this privacy policy without your consent. Unless necessary for our business purposes, we will de-identify your information where it is shared with third parties under this clause.

9. OVERSEAS DISCLOSURE

Where personal information is disclosed internationally, Hypha will take reasonable steps to ensure appropriate contractual, technical and organisational safeguards are in place, consistent with applicable privacy laws and our Information Security Management System.

Personal information may be stored or processed in Australia, New Zealand, the United States or other jurisdictions in which Hypha, its related bodies corporate, suppliers or service providers operate.

Hypha may disclose or provide access to personal information to third party suppliers, related entities and service providers located within or outside Australia where reasonably necessary to provide our products and services or operate our business.

This may include cloud hosting providers, managed service providers, telecommunications providers and technology vendors that store or process information in overseas jurisdictions.

10. SECURITY OF YOUR PERSONAL INFORMATION

Hypha implements administrative, technical and physical safeguards designed to protect personal information against unauthorised access, disclosure, misuse, alteration and loss.

These controls include access management, encryption where appropriate, monitoring, backup, supplier assurance processes and information security controls maintained under Hypha's Information Security Management System (ISMS)

11. DISPOSAL OF PERSONAL INFORMATION

Hypha retains personal information only for as long as necessary to fulfil the purpose for which it was collected, or to meet applicable legal, regulatory, contractual, operational and legitimate business requirements. Hypha maintains documented information management and document control processes to support the retention and secure disposal of personal information.

At the expiry of the applicable retention period, personal information will be securely destroyed or permanently de-identified unless continued retention is required or authorised by law, or is reasonably necessary for legal proceedings, regulatory investigations, insurance purposes or the protection of Hypha's legal rights and legitimate business interests.

Certain records may be retained for minimum periods prescribed by law or contractual obligations.

Individuals may request the deletion of their personal information. Hypha will consider each request in accordance with applicable privacy legislation and its legal obligations.

12. HOW TO ACCESS YOUR PERSONAL INFORMATION

Upon your request and after satisfying ourselves of your identity, we will provide access to your personal information we hold except in certain prescribed circumstances which include, where:

- we believe giving access would pose a serious threat to the life, health or safety of any individual, or to public health or public safety;
- giving you access would be unlawful;
- granting that access would have an unreasonable impact on the privacy of other individuals;
- we would be in breach of our obligations under a Technical Assistance Notice (TAN), Technical Capability Notice (TCN) or Computer Access Warrant (CAW) from an Australian Government agency;
- the request for access is frivolous or vexatious; or
- there are anticipated legal proceedings.

We will amend any personal information about you that is held by us and that is inaccurate, incomplete or out of date if you request us to do so. If we disagree with your view about the accuracy, completeness or currency of a record of your personal information that is held by us, and you ask us to associate with that record a statement that you have a contrary view, we will take reasonable steps to do so.

Additional Rights: Depending on the jurisdiction in which an individual is located and the applicable privacy legislation, individuals may have additional rights in relation to their personal information, including rights to access, correct, delete, restrict or object to certain processing activities. Hypha will consider and respond to such requests in accordance with applicable law.

13. THIRD PARTY WEBSITES

You may click-through to third party websites from this site, in which case we recommend that you refer to the privacy statement of the websites you visit. This Privacy Policy applies to this site only and we assume no responsibility for the content of any third party websites.

14. GDPR

Where the General Data Protection Regulation (GDPR) or other applicable privacy legislation applies to Hypha's collection, use, disclosure or processing of personal information, Hypha will comply with its legal obligations under that legislation.Individuals whose personal information is subject to the GDPR may have rights under that legislation, including rights to access, rectify or erase their personal information, restrict or object to processing, request data portability where applicable, withdraw consent where processing is based on consent, and lodge a complaint with the relevant supervisory authority. Hypha will consider and respond to requests made under the GDPR in accordance with its legal obligations.

15. COMPLIANCE WITH AUSTRALIAN ASSISTANCE AND ACCESS LEGISLATION

Hypha is committed to protecting the privacy and security of personal information. However, Australian legislation may require Hypha to provide assistance or information to authorised government agencies in certain circumstances. Where Hypha is legally required to do so, it will comply with those obligations in accordance with applicable law. Where permitted by law, Hypha will seek to minimise the disclosure of information and protect the privacy of affected individuals

16. USER SECURITY

Hypha takes reasonable steps to protect personal information through appropriate technical, organisational and physical security measures. Users also play an important role in protecting their information by maintaining the security of their devices, passwords and user credentials.

Individuals are encouraged to follow good cyber security practices, including guidance published by the Australian Cyber Security Centre (ACSC)

17. COMPLAINTS PROCEDURE

If you have a complaint or concern about how Hypha has handled your personal information, please contact our Privacy Officer using the contact details below.

We will investigate your complaint and respond within a reasonable period.

If you are not satisfied with our response, you may lodge a complaint with the Office of the Australian Information Commissioner (OAIC):

The Office of the Australian Information Privacy Commissioner
GPO Box 5218
Sydney NSW 2001
Telephone: 1300 363 992
Email: enquiries@oaic.gov.au

Depending on your location and the applicable privacy laws, you may also have the right to make a complaint to, or seek assistance from, a privacy, data protection or other regulatory authority in the jurisdiction in which you reside or in which the relevant Hypha entity operates.

18. HOW TO CONTACT US

If you have any questions, concerns, requests or complaints about how Hypha handles your personal information, please contact:

Privacy Officer
36 Fienta Place, Darra, QLD 4076, Australia
Telephone: +61 7 2111 8385
Email: helpdesk@hypha.world

The Privacy Officer acts on behalf of the Hypha Group and will coordinate responses with the relevant Hypha Group entity responsible for handling personal information.

19. AMENDMENTS TO THIS PRIVACY POLICY

Hypha may amend this Privacy Policy from time to time to reflect changes in legislation, regulatory requirements, technology or our business practices. The current version of this Privacy Policy will be published on our website. For further information about privacy, please visit the Office of the Australian Information Commissioner website. Alternatively, please contact our Privacy Officer using the details provided above.

20. SUPPLEMENTAL NOTICES

Hypha may publish supplemental privacy notices from time to time to address jurisdiction specific requirements, products, services or regulatory obligations. Any such supplemental notice forms part of this Privacy Policy to the extent applicable.