

PRIVACY STATEMENT

1. BACKGROUND

We are committed to preserving your privacy. This privacy statement was drafted having regard to our obligations under the *Telecommunications Act 1997*, the *Privacy Act 1998* (including the *National Privacy Principles*) and the *ACIF Code on the Protection of Personal Information of Customers of Telecommunications Providers*. This statement reflects our commitment to you.

2. HOW WE COLLECT INFORMATION

The personal information that we collect from you is information that is necessary for the provision and billing of our service, including the information you provide in your application form or online registration. We also collect information on your use of the service and related billing data and store the content of your messages.

We do not collect sensitive information such as your race, religion, beliefs or sexual preference.

3. HOW WE USE AND DISCLOSE INFORMATION

We will use information we collect from you to provide you with our service, for billing and to inform you about promotions, new services and features offered by MessageNet. Your company name may be used as a reference from time to time unless you specifically request that it is not to be used. We may sometimes use or disclose the personal information we collect for a secondary purpose, that is, for use in a way different from the original reason for collection. We will only do this where the secondary purpose is directly related to the primary purpose, and you would reasonably expect us to use or disclose the information in such a way.

For example, if we collect information about your use of our services, we may use that information to provide you with promotional materials about similar services we offer.

Where we give you marketing material about our services, we will always give you an opportunity to 'opt-out' (that is, to request not to receive any such promotional materials in the future).

Generally, we treat information we collect from you as strictly confidential. However, we may also use or disclose your personal information in the following circumstances:

- where you have consented,
- where we are permitted or required by law, or it is in the interests of public safety to do so,
- where the disclosure is to a law enforcement agency, government agency, court or external adviser and we are permitted or required to do so,
- where we believe that there has been a breach of your obligations under paragraph 7.2 of our Terms and Conditions in relation to the content of your messages, or
- where it is necessary for a contractor to provide their services to us, in which case we will take all reasonable steps to ensure that the contractor keeps the information confidential.

4. SECURITY

We take all reasonable steps to protect the information we hold from misuse and loss and from unauthorised access, modification and disclosure.

You can view some of your information such as customer message logs, contact lists and user lists at our Internet site by using your username and password. We have designed the web page architecture of our Internet site with the aim of preventing this information from being disclosed by any other means. However, the inherent nature of the Internet is such that the security of information cannot be guaranteed.

Our authorised staff may access your information for the purposes of providing our service and they may also access your message content when you request a verification of your message records.

When registering online using a credit card, your credit card details are protected by 128 bit encryption across a secure Internet connection.

5. DATA QUALITY, ACCESS AND CORRECTION

We will take all reasonable steps to ensure that the personal information that we collect, use or disclose is accurate, complete and up to date.

You have the right to access the personal information that we hold about you. If this information is not accurate, complete and up to date, you can ask us to modify it.

To make such a request, please contact us by email at enquiries@MessageNet.com.au or phone 1300 55 15 15.

We will not charge you to lodge a request. However, we may charge a reasonable fee for providing access to the information and may refuse access in accordance with the *National Privacy Principles*.

6. CONSENT AND CHANGES

By providing us with your information and using our services, you consent to the collection, use and disclosure of your personal information in the manner described in this privacy statement. We encourage you to check our privacy statement regularly as it may change from time to time.