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Privacy Policy

1. General

1.1 This Privacy Policy ("**Privacy Policy**") applies to all Personal Data collected by Solgreen Energy Pty Ltd (ACN 680 248 391) and each of its associated entities as appropriate, including without limitation, Solgreen Energy Pty Ltd (ACN 680 248 391), a proprietary limited company registered in Australia, Solgreen Energy Pty Ltd (ACN 680 248 391), a proprietary limited company registered in Australia..

1.2 SOLGREEN ENERGY is committed to complying with its obligations under applicable Data Protection Laws. BY ACCESSING AND USING THE SERVICES OR ENGAGING IN COMMUNICATIONS WITH US, YOU AGREE TO THE PROCESSING OF YOUR PERSONAL DATA AS DESCRIBED IN THIS PRIVACY POLICY AND TO BE BOUND BY THE TERMS OF THIS PRIVACY POLICY.

- (a) If you are an Australian individual, the Privacy Act 1988 (as amended, the "**AU Privacy Act**") and the Australian Privacy Principles ("**APP**") may apply to Personal Data about you.
- (b) If you are accessing our Websites and Services from another jurisdiction, additional local requirements may apply.

1.3 In this Privacy Policy, we explain how and why we collect Personal Data about you, how we use, share and protect it, and what controls you have over our use of it. Please read this Privacy Policy carefully. If you do not agree with the terms and conditions of this Privacy Policy, please do not use our Websites and Services.

2. Definitions

2.1 In this Privacy Policy:

- (a) **Account** means an account you need to register on our Websites or establish with our representatives to place orders, access certain password protected portions of our Websites, or receive our Services.
- (b) **American CAN-SPAM Act** means the Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003.
- (c) **Data Protection Laws** means the laws that are designed to protect your Personal Data and privacy that are applicable to SOLGREEN ENERGY. For the purpose of this Privacy Policy, these include:



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- (i) the AU Privacy Act; and
- (ii) applicable federal and state privacy and data protection laws in the United States.
- (d) **Government Related Identifiers** means an identifier assigned to any individual by an agency, a State or Territory authority, an agent of an agency, or State or Territory authority, acting in its capacity as agent; or a contracted service provider for a Commonwealth contract, or a State contract, acting in its capacity as contracted service provider for that contract.
- (e) **Group** means Solgreen Energy Pty Ltd (ACN 680 248 391) and its domestic and overseas subsidiaries and affiliates.
- (f) **OAIC** means the Office of the Australian Information Commissioner.
- (g) **Payment Processors and Payment Facilitators** refers to third-parties that process your payments for the Services.
- (h) **Personal Data** means information or data that constitutes “personal data,” “personal information,” or similar information governed by applicable Data Protection Laws.
- (i) **Processing**, including **process**, refers to the broad terms for collection, storage, transfer, use, or other action related to your Personal Data.
- (j) **Sensitive Information** means information or data that that constitutes “sensitive information” (as defined in the AU Privacy Act), “sensitive personal information”, or similar information governed by Data Protection Laws.
- (k) **Services** refers to services provided by SOLGREEN ENERGY to you, which may include, but are not limited to, the promotion, sourcing, ordering, delivering, and provision of products, services, solutions, and supporting services.
- (l) **Websites** means each of the following websites and platforms available at:
 - <https://solgreen.com.au/>
 - any other SOLGREEN ENERGY website has a link to this Privacy Policy from time to time from which the Services are offered, promoted and/or delivered.
- **You or your** means you as an individual using our Websites, Services or otherwise contacting us (on your own behalf, or for another individual or entity).



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3. Types of Personal Data we collect

3.1 We may collect, use, store and transfer various types of Personal Data, including:

- (a) **Identity Data** including your name, address, gender and date of birth;
- (b) **Contact Data** including billing address, email address for primary and secondary contacts and telephone number;
- (c) **Financial Data** including bank account and payment card details, including credit card number and expiry date and security code (CVC);
- (d) **Transaction Data** including details about payments made to and from you in connection with the Services, identity of customers, resellers or suppliers (as applicable), details of activities listed, booked, or otherwise dealt with through our Services and all other information convenient in relation to the provision of our Services;
- (e) **Technical Data** including internet protocol (IP) address, your login data, browser type and version, access times, webpage you are directed from, webpage(s) or content you historically accessed for us, time zone settings and location, browser plug-in versions and types, operating system and websites, and other technology in devices used to access our Websites and/or Services or the users of our Services;
- (f) **Account Profile Data** including your username and password that you may set to establish an Account with us and your portal preferences;
- (g) **Usage Data** including information about your usage of our Websites and Services including information retrieved from cookies;
- (h) **Marketing and Communications Data** including your preferences for receiving communications about our activities, events, and publications from us and certain third parties, and details about how you engage with our communications;
- (i) **Feedback** including information you provide when you contact us with questions, feedback, or otherwise correspond with us online or offline;
- (j) **Social Network Data** including information from your profile on a third-party social network, including YouTube®, LinkedIn® and other platforms, if you choose to connect with us through such social media sites. Personal Data that we may collect in this context may include your name, username, and email address, among others. In addition, our Websites may offer features that allow you to share information to and from a social media site. If you decide to use such features, they may allow the sharing and collection of information both to and from such websites so you should check the privacy policy of each social media site before using such features;



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- (k) **Event Registration Data**, information that may be related to an online or offline interactions, your Account, or an offline event you register for
- (l) any other Personal Data that may be required in order to facilitate your dealings with us.

3.2 Where we solicit Personal Data, we only collect:

- (a) non-Sensitive Information, if it is reasonably necessary for our Services;
- (b) Sensitive Information, if it is reasonably necessary for or directly related to our Services and you have consented to its collection, or its collection and use is permitted or authorised by law.

3.3 We may collect various other types of Personal Data, including Sensitive Information, in the course of conducting our business where it is provided to the users of the Services or other persons without being solicited, in accordance with clause 10.

4. How we collect Personal Data

4.1 We may collect Personal Data about you through any of the following methods:

- (a) **Direct interactions.** Where you provide us with Identity Data, Account Profile Data, Contact Data, Feedback, Social Media Data, Event Registration Data, Financial Data and/or Transaction Data through completing documentations, web forms or establishing an Account with us, or communicating with us by phone, email, post mail, online or offline. This includes Personal Data that is provided to us when you:
 - (i) access or use our Websites;
 - (ii) request or participate in our Services;
 - (iii) request marketing information from us;
 - (iv) provide us with feedback; or
 - (v) communicate with us via email, telephone, SMS, our Website, or social media; and
 - (vi) otherwise deal with us in the course of our business.
- (b) **Automated means.** Where you interact with our Websites and/or Services, we automatically collect Technical Data, Usage Data and Marketing or Communications Data. We may collect this type of Personal Data using third party service providers. To



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improve your experience on our Websites, we may use “cookies” (small data files that are served by our platform and stored on your device). These are used by us or third parties for a variety of purposes including to operate and personalise the Websites. Cookies may be used for recording preferences, conducting internal analytics, conducting research to improve our offering, assisting with our marketing activities and delivering certain website functionality. In addition to cookies, we may use other automatic data collection technologies that work similarly to cookies, such as internet tags, web beacons (clear gifs, pixel tags, and single-pixel gifs), and navigational data collection (log files, server logs, etc.) that collect your Personal Data as you navigate through and interact with our Websites.

You may refuse to accept cookies by selecting the appropriate setting on your internet browser. However, please note that if you do this, you may not be able to use the full functionality of our Websites.

- (c) **Third parties or publicly available sources.** We may also obtain Personal Data about you from publicly available sources (e.g., websites or publicly accessible databases), third-party data vendors and third-party partners and collaborators. This includes:
 - (i) Technical Data from advertising networks, search information providers and analytics providers;
 - (ii) Contact Data, Financial and Transaction Data from technical and payment services connected to our Services;
 - (iii) Identity Data and Contact Data made available from public sources, law enforcement or government entities in other jurisdictions (as applicable); and
 - (iv) Identity Data and Contact Data from third-party applications where the Services require the import of information about users and their clients to fulfil activities and facilitate payments.

4.2 If we solicit Personal Data, we will generally solicit it directly from the person it relates to or their agents, unless it is unreasonable or impracticable for us to do so. Where we collect Personal Data about you from a third party without your prior consent, we will take reasonable steps to inform you that we have collected Personal Data. We may combine Personal Data from multiple online and off-line sources.

4.3 It is voluntary to provide Personal Data to us, but if you choose not to provide certain Personal Data, we may not be able to provide the requested Services. You have the right to deal with us anonymously or under a pseudonym unless it is impracticable for us to do so or unless we are required or authorised by law to only deal with identified individuals.

4.4 Where we need to collect Personal Data by law, or under the terms of a contract we have with you, and you fail to provide that information when requested or withdraw your consent to



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us processing your Personal Data (where applicable) we may not be able to perform the contract we have or are trying to enter with you. In this case, we may have to cancel a product or service you have with us, but we will notify you if this is the case at the time.

5. How we store and protect Personal Data

5.1 We prioritise the security of your Personal Data whilst it is in our possession. We may hold Personal Data in various forms, including but not limited to physical documents, electronic records, visual records, and audio recordings. We use commercially reasonable efforts to keep physical files securely inside our access-controlled premises and store electronic files securely on protected information systems. Electronic files are only accessible through our secure network. Our staff members and contractors are bound by confidentiality agreements or professional confidentiality responsibilities.

5.2 We take reasonable steps to:

- (a) ensure that Personal Data we collect is accurate, up-to-date, complete and relevant, other than where it is only collected to provide advice in respect of a particular point in time, in which case we will seek to ensure it is accurate, complete and relevant as at that particular point in time;
- (b) ensure that Personal Data we use or disclose is accurate, up-to-date, complete and relevant, having regard to the purposes for which Personal Data is used or disclosed;
- (c) protect Personal Data from misuse, interference, and loss, and from unauthorised access, modification, or disclosure; and
- (d) destroy or de-identify Personal Data which we no longer need for the purposes for which it was collected, except where it is necessary to retain it in order to maintain ongoing records for our clients.

5.3 We cannot guarantee the security of information transmitted via the internet. As such, transmission of Personal Data via the internet is at your own risk and we cannot be held responsible for the security of such information.

5.4 We will notify you and/or any applicable supervisory authority of a data security breach where the Data Protection Laws in that jurisdiction require us to do so, and within the timeframe required by the relevant Data Protection Laws.

6. How we use your Personal Data

6.1 We may collect, hold, use, and disclose your Personal Data for the following purposes:

- (a) fulfilling the purpose(s) for which it was disclosed to or collected by us;



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- (b) facilitating interactions with you in the course of operating our business;
- (c) responding to your enquiries and information requests;
- (d) providing services (including the Services) to our customers if it was validly collected for that purpose;
- (e) storing information at third-party data centres;
- (f) updating your Personal Data;
- (g) communicating with you for transactional purposes (for example, we might contact you about your Account or this Privacy Policy);
- (h) monitoring, analyzing and improving our understanding of interactions with and views of our products, Services, and events;
- (i) marketing purposes, including sending you information about new features on the Services, new services we offer, new events and activities; serving you ads, and informing you about our products and Services or other information we think you might find interesting or helpful; You can opt out at any time by following steps outlined in clause 9 (Direct Marketing) of this Privacy Policy;
- (j) complying with our legal obligations, including detecting and preventing fraud, spam, abuse, security incidents and other illegal or harmful activity, and to conduct risk and security assessments;
- (k) addressing any disputes and enforce our agreements with third parties;
- (l) protecting the security of the Services and our company, our customers, and other third parties;
- (m) generating aggregated and de-identified data;
- (n) employing staff, including conducting criminal reference checks and other background checks permitted by law;
- (o) for secondary purposes where it would be reasonable to expect us to do so, and that secondary purpose is related (or directly related in the case of Sensitive Information) to the primary purpose for which it was collected; and
- (p) for any other purposes for which you have consented from time to time.

7. How We May Share or Disclose Personal Data

7.1 We may share your Personal Data within the Group and with the Group's respective officers, directors, employees, accountants, attorneys and agents in order to provide and improve



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Services, to ensure complete customer profile and transaction records for the Services, and to allow you to sign in, manage and access information in your Account for any of our and the Group's Websites and Services, and for marketing purposes.

7.2 We may hire third parties to provide limited services on our behalf, such as hosting our Websites, conducting marketing activities, processing payment transactions, or performing statistical analysis of our Services. We will use commercially reasonable efforts to only provide those third parties with the Personal Data they need to deliver the specific services and take reasonable steps to ensure that these third parties maintain the confidentiality of your information and are prohibited from using that information except for the purposes for which it was supplied.

7.3 SOLGREEN ENERGY does not store Financial Data that is collected and processed for billing or payment purposes on servers and equipment it controls. This Personal Data is stored on servers and other equipment managed by the third party Payment Processors and Payment Facilitators as described under this Privacy Policy.

7.4 SOLGREEN ENERGY may disclose your Personal Data, without your notice or prior consent, only for (or to):

- (a) **Good Faith** purposes where it is reasonably believed appropriate to disclose information to a party in connection with the deficient provision of our Services to you or users of our Services;
- (b) **Adherence to the law** where it is required or in good faith reasonably believed that such action is necessary to comply with applicable law, codes of conduct or legal process served on us in relation to our business;
- (c) **Permitted contractors** who provide licensed collection services, payment processing services, and are required to comply with our Privacy Policy, provided we take reasonable steps to ensure that these third parties maintain the confidentiality of your information and are prohibited from using that information except for the purposes for which it was supplied; We may share your Personal Data with our insurers and other professional advisors, including attorneys and accountants, that need access to your information to provide operational or other support services on our behalf;
- (d) **Subsequent owner or operator** upon a merger, consolidation, acquisition, bankruptcy, dissolution, liquidation or other corporate reorganization, to a purchaser of all or a portion of our assets, or pursuant to a financing arrangement or co-promotional agreement. The Personal Data we have about you may be transferred to parties to the transaction based on our legitimate interest in preparing for and completing the transaction. Any successor entity or operator shall be bound by terms and conditions reasonably similar to this Privacy Policy; and



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- (e) **Protection of personal safety** of users of our Services, Websites, our personnel, or the public in circumstances deemed necessary. We may disclose Personal Data at the request of law enforcement or government agencies; in response to subpoenas, court orders, or other legal process; to establish, protect, or exercise our rights; to defend against a legal claim; to detect, investigate, prevent, or take action against illegal activities or potential threats to the rights, property, or safety of any other person; or as otherwise required by law. Under such circumstances, we may be prohibited from providing you with notice of such disclosure, and we reserve the right not to provide you with such notice.

7.5 We may ask, from time to time, if you would like us to share Personal Data about you with affiliated or unaffiliated third parties. We will only disclose your information in this context with your consent. If you do not provide consent, we may not be able to provide you with the requested information and/or Services.

8. Australia

- (a) In Australia, a legal basis for our processing of Personal Data is your informed consent, and by submitting this Personal Data, you acknowledge having granted this consent to SOLGREEN ENERGY.
- (b) To the extent that we processed your Personal Data before the commencement date of the relevant Data Protection Laws in Australia, you consent to us continuing to process such Personal Data in accordance with this Privacy Policy.

9. Direct Marketing

9.1 We will only send you direct marketing communications and information via mail, email, and social media platforms about our Services with your consent.

9.2 If you do not provide your consent to receive direct marketing communications, you may opt-out of receiving marketing communications from us by contacting us at the details below in this Privacy Policy or by using opt-out facilities provided in our communications. Please note that certain email communications that are transactional in nature (for example, emails about your order, or a change in terms and features of your Account) may not contain an unsubscribe link or opt-out instructions.

9.3 We do not provide your Personal Data to other organisations for the purposes of their direct marketing. SOLGREEN ENERGY's practices in regard to its email are designed to be compliant with anti-spam laws, including Australia's Spam Act 2003 and the American CAN-SPAM Act.



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9.4 If you believe you have received mail(s) or email(s) from us in violation of these laws or any other anti-spam law, please contact us using the contact information in this Privacy Policy.

10. Unsolicited information

10.1 If you provide Personal Data that we have not requested, we will only retain it in limited circumstances. We will only Process the unsolicited information if: (i) it is reasonably necessary for us to provide you with the Services, and; (ii) you have either expressly consented to the information being collected and used by SOLGREEN ENERGY, or it was not practical or reasonable for us to obtain your consent under the circumstances and SOLGREEN ENERGY's use of Personal Data about you is permitted under applicable Data Protection Laws.

10.2 If these conditions are not met, we will destroy the unsolicited information. If the unsolicited information we receive about you is Sensitive Information, we will always obtain your consent.

11. Overseas transfer of Personal Data

11.1 We share your Personal Data within the Group and to SOLGREEN ENERGY's associated entities in different countries to provide and improve Services. Personal Data may also be transferred and processed by our vendors, suppliers, and business partners in different countries.

11.2 Whenever we transfer your Personal Data, this transfer will be completed with a requisite degree of protection. Any international transfer of Personal Data to third parties, including outside the European Economic Area and other countries with cross border transfer restrictions, will be conducted in compliance with the international data-transfer restrictions and requirements that apply under Data Protection Laws.

11.3 We will use commercially reasonable efforts to ensure that persons to whom the disclosed Personal Data relates have comparable rights in relation to that information once disclosed overseas. Please note you have the right to refuse to have your Personal Data transferred overseas and you must contact our SOLGREEN ENERGY privacy officer to make this request. However, you acknowledge that making this request may prevent you from being able to use part or all of our Services (as applicable).

12. Children's Privacy

12.1 SOLGREEN ENERGY's Websites and Services are not intended for persons under 18 years of age ("**Children**"). We do not knowingly collect and use Personal Data from Children.



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12.2 In the event we become aware of any inadvertent receipt of Personal Data from Children through the Websites or Services, we will delete such information from our records in accordance with applicable law. If you are a parent or guardian and become aware that your child has provided us with Personal Data, please contact us using one of the methods in clause 17 (How to Contact Us), and we will work with you to address this issue.

13. Third-party sites

13.1 For your convenience and to improve the usage of the Website and Services we may insert links to third-party websites, applications, or resources, for which this Privacy Policy does not apply.

13.2 SOLGREEN ENERGY is not responsible for those third-party websites, applications, or resources. If you access such websites, applications, or resources, you do so at your own risk, and we make no representations or warranties regarding third parties' privacy practices. We encourage you to read the privacy statements/policies of every website, application, or resource you use.

13.3 When we do link to a third-party website, application, or resource, this does not automatically imply that SOLGREEN ENERGY endorses that website, application, resources, and their contents. Our Privacy Policy does not cover the use of cookies by any third parties.

14. Data Retention

14.1 We will only retain your Personal Data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements.

14.2 To determine the appropriate retention period for Personal Data, we consider the amount, nature and sensitivity of the Personal Data, the potential risk of harm from unauthorised use or disclosure of your Personal Data, the purposes for which we process your Personal Data and whether we can achieve those purposes through other means.

14.3 We may retain your Personal Data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

14.4 In some circumstances you can ask us to delete Personal Data about you in accordance with applicable Data Protection laws, as set out in this Privacy Policy.

14.5 We delete Personal Data within a reasonable period after we no longer need to use it for the purpose for which it was collected (or for any subsequent purpose that is compatible with the original purpose). This does not affect your right to request that we delete your Personal Data before the end of its retention period. We may archive Personal Data (which means storing



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it in inactive files) for a certain period prior to its final deletion, as part of our ordinary business continuity procedures.

14.6 Where we anonymise your Personal Data consistent with applicable Data Protection Laws and industry standards (so that it can no longer be associated with you) for research or statistical purposes, we may use this information indefinitely without further notice to you.

15. Changes to this Privacy Policy

15.1 The date at the top of this page indicates when this Privacy Policy was last updated. From time to time, we will have to modify or update this Privacy Policy, so please review it periodically.

15.2 We reserve the right to make amendments to this Privacy Policy at any time. You can find the latest version of this Privacy Policy on our Websites and it will apply to all your Personal Data held by us at that time. We will post a notice on the Website if we make a material change, in our sole discretion. If you have provided us with an email address as part of your interactions with SOLGREEN ENERGY, we may also email you to tell you the Privacy Policy has been updated, and what the material change is. We do not ordinarily provide advance notice of a minor change. Historic versions of this Privacy Policy can be obtained by contacting us. Unless otherwise indicated, any changes to this Privacy Policy will apply immediately upon posting to our Websites.

15.3 It is important that the Personal Data we hold about you is accurate and current. Please keep us informed if your Personal Data changes during your relationship with us.

16. Your Privacy Choices

16.1 Depending on the jurisdiction in which you live, you may have certain rights with respect to SOLGREEN ENERGY use and disclosure of your Personal Data. You may request to access, correct, or delete your Personal Data, or object to or ask us to restrict our processing of your Personal Data by submitting a request via the contact information listed in clause 17 (How to Contact Us) below. We will review all such requests in accordance with applicable Data Protection Laws. We may need to verify your identity before actioning your request.. In certain circumstances, we may not be able to completely remove your Personal Data from our systems, as further discussed in clause 14 (Data Retention). If we are not able to provide the information or make the change you requested, you will be provided with the reasons for such decisions. You may be entitled, however, to appeal our decisions and can do so by following the instructions provided in the correspondence we send to you communicating our decision. Under local law, you may also be entitled to lodge a complaint with your local data-protection authority.



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16.2 This clause 16.2 applies to you if and when AU Privacy Act applies to Personal Data about you:

- (a) Accessing or Correcting Your Personal Data. We are committed to maintaining accurate, timely, relevant, and appropriate information. Where requested, we will provide you with a copy of the Personal Data that we hold which relates to you, provided that the request is made in accordance with the APPs (contained in the AU Privacy Act). We will also update any inaccurate information about you if you inform us that the information is inaccurate, out of date, incomplete, irrelevant, or misleading. There are no charges for requesting access to or the correction of your Personal Data, however if the volume of information we hold is excessively large, we reserve our rights to charge you any reasonable administration fees (including fees for photocopying) associated with your request. You can contact us using one of the methods in clause 17 (How to Contact Us) regarding access to or correction of your information. We will respond to those requests within 30 days in accordance with our obligations under the AU Privacy Act. If we refuse a request to access or correct Personal Data, where reasonable, we will provide you our reasons for doing so and information about your ability to complain about such refusal. To protect the confidentiality of your Personal Data, details of your information will only ever be passed on to you where we are satisfied that the information relates to you. Accordingly, we may request documentation from you which confirms your identity before passing on any Personal Data which relates to you.
- (b) Complaints. If you have a complaint about our Privacy Policy or the collection, use, disposal or destruction of your Personal Data, your complaint should be directed in the first instance to our SOLGREEN ENERGY privacy officer using one of the methods in clause 17 (How to Contact Us). We will investigate your complaint and attempt to resolve any breach that might have occurred in relation to the collection, use or destruction of Personal Data held by us about you in accordance with the Act. If you are not satisfied with the outcome of this process, then: if you are in Australia, you can make a complaint to the OAIC. If we cannot resolve your complaint to your reasonable satisfaction, within a reasonable time, either we or you may refer the complaint to the applicable Privacy Commissioner or supervisory authority as listed in this clause.
- (c) Further Information. If you require any further information or have any queries, please contact us using one of the methods in clause 17 (How to Contact Us). Should you wish to read more information on the AU Privacy Act, we recommend that you visit the website of the OAIC at www.oaic.gov.au.

16.3 You may learn more about internet advertising practices and related consumer resources, and opt out from targeted advertising

at <https://youradchoices.com/control/>, <https://optout.networkadvertising.org/?c=1>, and <https://youronlinechoices.eu/>. PLEASE NOTE: We do not operate or control these third party services, and there may be additional ways for you to opt out of online advertising. By



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opting out, you will continue to see ads, but ads may not be as relevant to your interests. For more information on Google Analytics' processing of your Personal Data, please see "[How Google uses information from sites or apps that use our services](#)." You can opt out of Google Analytics by installing Google's opt-out browser add-on. You can find more information on data processing by Google at <https://policies.google.com/privacy?hl=en>. Various browsers (i.e., Internet Explorer, Chrome, Firefox, Edge, etc.) allow a "do not track" ("DNT") setting, which sends a signal to websites visited by an individual about their browser DNT setting. At this time, there is no general agreement on how companies, like us, should interpret DNT signals. Therefore, at this time our Services do not respond to "Do Not Track" signals transmitted by browsers.

17. How to Contact Us

If you have any questions or concerns about this Privacy Policy or would like to exercise your rights in relation to Personal Data we hold about you under applicable Data Protection Laws, please contact us at:

If to: **Solgreen Energy Pty Ltd**
admin@solgreen.com.au
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