

Who we are

BVD Communications is a trading brand of Howcouths Unit Trust (“BVD Communications”), including its corporate affiliates, is an Australian provider of cloud communications. For our business customers, we offer a complete and fully-configured VoIP and Cloud PBX solution for the delivery of end-to-end communications via voice. This Privacy Policy applies to our customers, prospective customers, our customers’ customers (both direct and indirect), and visitors to our company websites, including but not limited to <https://bvd.com.au>. If you do not agree with this Privacy Policy, do not access or use our services or interact with any other aspect of our business. Note: if you’re a user of an application that is integrated or built using [BVD Communications’ products and services](#), that application’s privacy policy will describe how it collects, uses, stores, and shares your data. We are not responsible for the privacy policies or actions of our customers.

What information we collect.

We collect your information in the following ways:

- Information you provide directly to us. When you subscribe to our newsletters, sign up for our services, request us to contact you, or through other interactions with us, we may ask you for certain personal information, such as your name, birthdate, address, e-mail address, telephone number, company name, job title, or payment information. When you request support from us, we may also collect information from you such as contact information, documentation, screenshots, or other information you or we may believe is helpful to solving the issue. When you speak with our customer service or sales representative on the phone, your calls may be recorded and/or monitored for quality assurance and training purposes.
- Information we collect automatically when you visit our websites. We and our third-party partners, such as our advertising and analytics partners, collect information about your visits to our websites and your interactions with our ads or content, together with information such as your IP address, cookies, and other tracking technologies (eg, web beacons, device identifiers, and pixels). For more information, please see our Cookies and Tracking Notice, which includes information on how to control or opt out of these cookies and tracking technologies.
- Information we get from third parties. Third party sources of information include:
 - Third party services and social media. If you create an account or access our services through your account with a third-party service, such as Facebook, Google, LinkedIn or Twitter, or use a social media feature through our services, certain personal data from those third-party social media services may be shared with us,

such as your interests, “likes,” and friends list. We may use this information, for example, to personalise your BVD Communications

experiences and marketing communications, to enhance our services, and to better serve you. You can control this data sharing via options in your social media accounts. We may also collect information from third party services that are integrated with our services, such as third-party CRMs or other applications that you authorise our services to connect with.

- Credit agencies. We may obtain your credit information from third party reporting agencies in order to control our own credit risk in onboarding new customers.
 - Demographic, lead, and interest data. We may obtain information from outside companies such as those that collect customer information including demographic and interest data. Examples of this information include your employment status, your job title with your current employer, and your business contact information. We use this data and combine it with other information we have about you to help us predict your preferences and to provide direct marketing offers that might be more relevant to you. We also obtain, where permitted by law, contact information and other marketing lead information from third parties, website “refer-a-friend” options or social media platforms and may combine it with information we have to contact you or direct BVD Communications marketing offers to you.
 - Information about our customers’ users. Our customers and other third parties may also provide us with personal information about our customers’ users and others. For example, we may receive personal information and other information from our customers, message senders, mobile network operators, databases with information relevant to mobile telephone numbers submitted to our services, and other third parties. This information may include, without limitation, telephone numbers, telephone numbers’ validity, type (eg, mobile, landline, etc.), corresponding device status (eg, whether or not it is currently available for messaging), roaming status, carrier, country of location, and whether or not the number has been ported and is used to help us provide our services.
- Information collected in connection with your use of services delivered via our platform. We and our service

providers may collect information in connection with your use of communications services delivered via our platform.

- Communications usage information. This includes information about your communications delivered via our platform such as the time and duration of usage, source and destination identifiers, completion status, location, IP address, and amount of usage.
- Communications content. To enable you to send and receive communications via our platform, we need to be able to handle the content of the messages, calls, and other communications channels used by you. This also includes, for example, voicemails and call recordings recorded via our services.
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- Device information. Where we have provided end user equipment to you, such as a VoIP phone, or you have installed our software on your device, we collect device-specific information from you. This includes, for example, your hardware model, operating system version, firmware, browser information, device and network configuration, device identifier, IP address, device performance, signal strength, call quality, telemetry, and mobile or wireless network information. We use the device information we collect in order to deliver and improve our services.
- Mobile Phone Contacts: With your permission we enable you to import and store your Contacts (address book) on your phone. We do not access or replicate your contact lists to our servers.
- Google Contacts: With your permission you can import your Google Contacts list into our Web app. We utilize IndexedDB to maintain your contacts directly within your web browser, with a web service syncing to a backend MySQL database. At any time you have the ability to delete the contacts cache from within the web app which simultaneously will also delete the sync'd contacts list from our backend database.
- Removal from servers: In the event you decide to terminate your account, this action will irreversibly eliminate all your CDR records, including chat, video, and call logs, from our servers.

Why we collect your information and how we use it.

How we use the information we collect depends on which of our services you use, how you use them, and specific preferences you may have communicated to us. We list below the specific purposes for which we collect your information.

- To deliver our services. We use your information because it is necessary to perform our obligations in delivering our services to our customers. This includes delivering your communications to the intended end user, processing

transactions with you (such as billing), authenticating you when you log into our platform, providing customer support, and operating and maintaining our services.

We also need your information to communicate with you about the services, including registration confirmations, purchase confirmations, expiration or renewal reminders, responding to your requests, and sending you notices, updates, security alerts, administrative messages, and other communications necessary to usage of the services.

- To carry out core activities relating to our services. To effectively deliver our services to you, we use your information to engage in important supporting activities such as:
 - billing and collections, including maintenance of records in the event of a subsequent billing dispute;
 - preventing fraud, violations of our acceptable use policies, and unlawful activities;
 - troubleshooting, quality control, and analytics; and
 - monitoring the performance of our systems and platform.
- For research and development. We are constantly looking for ways to improve our services, to make them more reliable, secure, and useful to you and our users generally. We use data regarding our users' communications on our platform to understand how our services are performing and how they are being used in order to identify areas where we can do better. For instance, we may use message delivery and call connection information to gauge the effectiveness of our routing to ensure that your messages are delivered and your calls are connected. We and our service providers may use your information to assess the level of interest in, and use of, our services, our communications to our customers, and our other messaging campaigns, both on an individual basis and in the aggregate. We also use information about your use of our websites to understand how our website visitors are using our websites. Among other things, this usage information, along with tracking technologies, enables third-party analytics companies, such as Google Analytics, to generate analytics reports on the usage of our services. To opt out of your usage information being included in our Google Analytics reports, you may follow these instructions.
- To market, promote, and drive engagement of our products and services. We use data about you to send promotional communications that may be of specific interest to you. Based on information we collect about you, we may decide whether and how to promote certain of our products or services to you over others. These communications are to drive your engagement and maximise the value of our services to you. To perform the above functions and others described in this Privacy Policy, we may match information collected

from you through different means or at different times, including personal data and usage information, and use such information along with information obtained from other sources (including third parties) such as contact information, demographic information, and personal interest information. Subject to your ability to opt out, by providing your contact information to us, you consent to receive e-mail messages, text messages, phone calls, faxes and postal mail, including that of a promotional nature, from BVD Communications. Where local law permits, you consent to receive phone calls from BVD Communications and its affiliates even if your phone number is listed on “do not call” registries. You may not consent on behalf of someone else or provide someone else’s contact information. You are not required to agree to promotional communications in order to purchase goods or services from us. You can control whether you receive these kinds of communications as described below in Opt out of communications.

- To comply with legal requirements. Applicable laws or regulations may require our processing of your data, such as laws mandating retention of communications data.
- To protect our legitimate business interests and legal rights. Where we believe it is necessary to protect our legal rights, interests, and the interests of others, we use information about you in connection with legal claims, compliance, regulatory, and audit functions, and disclosures in connection with the acquisition, merger or sale of a business.
- According to your explicit consent. If we wish to use your information for certain purposes which require consent under applicable law, we will first seek out and obtain your consent. This may include, for example, testimonials or case studies that identify you in your individual capacity.

European Economic Area users and our “lawful bases” for using their data.

European data protection law requires organizations like us to provide a lawful basis to collect and use your information. Our lawful basis to collect and use information from our EEA users include when:

- We need it in order to provide you with the services and to carry out the core activities related to our provision of the services.
- We need to comply with a legal obligation.
- We have a legitimate interest (which is not overridden by your data protection interests), such as for research and development, to market and promote the services and to protect our legal rights and interests.
- You give us your consent to do so for a specific purpose.

Who we share your information with and why.

We may share your information as detailed below:

- Third-party service providers that help us to deliver the services and allow us to operate our businesses.
 - Communications providers. As the provider of a communications platform, we share the data we collect from you with communications providers (including traditional PSTN telecommunications companies and over-the-top communications service providers) as necessary in order to provide you with the services. These are the telecommunications companies, for instance, who we need to ensure your calls, messages and other communications reach the people you want to contact.
 - Business operations vendors. We work with third-party service providers to provide website and application development, hosting, maintenance, backup, storage, virtual infrastructure, payment processing, analysis and other services for us, which may require them to access or use information about you. We only work with carefully selected vendors, and we require any vendors with whom we share personal data to protect the confidentiality of such information and use it solely for the purposes for which it was shared.
 - Partners. In the event that you purchase services offered by BVD Communications or a partner through a special marketing arrangement (for example, through a co-branded advertisement or offer, or an arrangement where we and a partner market or offer the other's products or services), we may share your information with these third parties in connection with their services, such as to assist with billing and collections, to provide localised support, and to provide customizations. We may also share information with these third parties where you have agreed to that sharing.
- Third party websites. Our services and websites may include links that direct you to other websites or services whose privacy practices may differ from ours. If you submit information to any of those third party sites, your information is governed by their privacy policies, not this one. We encourage you to carefully read the privacy policy of any website you visit.
- Compliance with law enforcement requests and applicable laws; enforcement of our rights. We may disclose personal data as required by applicable law, regulation, legal process or government request; to protect

BVD Communications, our services, our customers or the public from harm or illegal activities; and to enforce our agreements, policies and service terms.

- With your explicit consent. We share information about you with third parties when you give us consent to do so. For example, we often display use cases or testimonials of satisfied customers on our public websites and require your consent to identify you in your individual capacity. If you are a business customer, and have requested this, your business name and phone number may be included in public directories.
- Sharing with senders and recipients of communications. The name on your account, or a portion thereof, and/or your phone number may be displayed to people that you make calls to and to other users of the services so that they may contact you. Depending on the service you're using, you may be able to control what's displayed by adjusting your settings within your customer account.
- BVD Communications Affiliates; business transactions. We share your information with and among our corporate affiliates in order to operate and improve the services we provide to you; and we may share your information in connection with a sale, merger, liquidation, or reorganization of our business or assets.
- Credit control. We conduct credit checks on new customers in order to control the risk of non-payment. In the event of non- or late payment, we may disclose your name, address and other details to credit bureaus and agencies. They may use that information to assess your credit rating and provide that rating to other companies.

How we protect your information.

BVD Communications has implemented administrative, physical, and technical safeguards to help protect the personal data that we transmit and maintain. However, no system or service can provide a 100% guarantee of security, especially a service that relies upon the public internet. Therefore, you acknowledge the risk that third parties may gain unauthorised access to your information. Keep your account password secret and please let us know immediately if you think your password was compromised. Remember, you are responsible for any activity under your account using your account password or other credentials.

Where we store your information and international transfers.

Personal information held by BVD Communications is stored on and processed on computers situated in the Australia, and in other jurisdictions. We and/or our service providers also process data in some other countries for customer care, account management and service provisioning. If you are an EEA resident, your personal data held by BVD Communications

may be transferred to, and stored at, destinations outside the EEA that may not be subject to equivalent data protection laws, including the United States. When you sign up for service with BVD Communications or inquire about our services, we transfer your information to Australia and other countries as necessary to perform our agreement with you or to respond to an inquiry you make. It may also be processed by staff situated outside the EEA who work for us or for one of our suppliers. Accordingly, by using our services, you authorise the transfer of your information to Australia, where we are based, and to other locations where we and/or our service providers operate, and to its (and their) storage and use as specified in this Privacy Policy and any applicable terms of service or other agreement between you and BVD Communications. In some cases, BVD Communications may seek specific consent for the use or transfer of your information overseas at the time of collection. If you do not consent, we may be unable to provide you with the services you requested. Australia and other countries where we operate may not have protections for personal information equivalent to those in your home country. Where your information is transferred outside the EEA, we will take all steps reasonably necessary to ensure that your data is subject to appropriate safeguards, such as relying on a recognised legal adequacy mechanism, and that it is treated securely and in accordance with this Privacy Policy.

- International transfers within BVD Communications and its corporate affiliates. To facilitate our global operations, we transfer information among our corporate affiliates in countries whose privacy and data protection laws may not be as robust as the laws of the countries where our customers and users are based. We utilise standard contractual clauses approved by the European Commission and rely on the European Commission's adequacy decisions about certain countries, as applicable, for data transfers from the EEA to the United States and other countries.

How long we store your information.

The [data retention obligations](#) require us to retain specific telecommunications data (the data set) relating to the services we offer for at least 2 years. In addition, we store your information until it is no longer necessary to provide the services or otherwise relevant for the purposes for which it was collected. This period may vary depending on the type of information and the services used, as detailed below. After such time, we will either delete or anonymise your information or, if this is not possible (for example, because the information has been stored in backup archives), then we will securely store your information and isolate it from any further use until deletion is possible. We may also retain aggregate information beyond this time for research purposes and to help us develop and improve our services. You cannot be identified from anonymised information retained or used for these purposes.

- Customer account information. We store your account information for as long as your account is active and a reasonable period thereafter in case you decide to re-

activate the services. We also retain some of your information as necessary to comply with our legal obligations, to resolve disputes, to enforce our agreements, to support business operations, and to continue to develop and improve our services.

- Communications usage information. While you're an active customer, we retain the communications usage information generated by your use of the services until the information is no longer necessary to provide our services, and for a reasonable time thereafter as necessary to comply with our legal obligations, to resolve disputes, to enforce our agreements, to support business operations, and to continue to develop and improve our services.
- Marketing information, cookies and web beacons. If you have elected to receive marketing e-mails from us, we retain information about your marketing preferences for a reasonable period of time from the date you last expressed interest in our services, such as when you last opened an e-mail from us or visited our websites. We retain information derived from cookies and other tracking technologies for a reasonable period of time from the date such information was created.
- Device information. We collect device-specific information from you when we have provided end user equipment to you, such as an analogue telephone adapter or a VoIP phone, or you have installed our software on your device. If you do not revoke our access to this information via the privacy settings on your device, we will retain this information for as long as your account is active.

How to access and control your information.

- Your choices. To request deletion of your BVD Communications account, please contact us. You should know that deletion of your BVD Communications account will result in you permanently losing access to your account and all customer data to which you previously had access through your account. Please note that certain data associated with that account may nonetheless remain on BVD Communications' servers in an aggregated or anonymised form that does not specifically identify you. Similarly, data associated with your account that we are required by law to maintain will also not be deleted. If you are an end user of an application that uses BVD Communications' services, you should direct requests for access and/or deletion of your data associated with that application to the relevant application provider in accordance with that application provider's own privacy policy.
- Access to your account information. Consistent with applicable laws and data security requirements, we will reasonably honour written requests from you to access

or amend your account information, such as name, address, and billing information. You are responsible for ensuring that the information on file with BVD

Communications is current and accurate. You may access and update your information by logging into your account or contacting us as described in this Privacy Policy. Where permitted by law, we may charge a reasonable fee to process requests for access to data and may limit the number of requests per year. Your right to amend your information is subject to our records retention policies.

- Opt out of communications. You may opt out of receiving promotional communications from us by using some or all of the following methods: the unsubscribe link within each e-mail, updating your e-mail preferences within your service account settings menu, or by contacting us as provided below to have your contact information removed from our promotional e-mail list or registration database. Even after you opt out from receiving promotional messages from us, you will continue to receive transactional messages from us regarding our services. Depending on your type of account with BVD Communications, you may be able to opt out of some notification messages in your account settings.
- Your rights as an EEA resident. If you are from the EEA, you may have broader or additional rights, including:
 - to be provided with a copy of your personal data held by us;
 - to request the rectification or erasure of your personal data held by us;
 - to request that we restrict the processing of your personal data (while we verify or investigate your concerns with this information, for example);
 - to object to the further processing of your personal data, including the right to object to marketing and profiling; and
 - to request that your provided personal data be moved to a third party.

Where the processing of your personal data by us is based on consent, you have the right to withdraw that consent without detriment at any time by contacting us. If you do not want your personal data used by BVD Communications for any direct marketing purposes, or shared with third parties for their own marketing use, then you may opt out of such use or sharing by contacting us, even if you have previously consented to such use. You can exercise the rights listed above at any time by contacting us and if you feel that your request or concern has not been satisfactorily resolved, you may approach your local data protection authority.

Other important information

Information from children. BVD Communications does not sell products or services for purchase by children and we do not knowingly solicit or collect personal data from children or teenagers under the age of eighteen. If you believe that a minor has disclosed personal data to BVD Communications, please contact us.

Changes to this policy

In the event we make changes to this Privacy Policy, we'll let you know by posting a notice on our website at www.bvd.com/privacy-policy and, in relation to substantive changes that broaden the types of personal data collected or their usage, we will notify you via e-mail to the e-mail address associated with your account, via our platform or websites, or by some other means.

How to contact us.

Please direct questions about this Privacy Policy to:
BVD Communications Attn: BVD Communications Data Protection 120 Wills St Bendigo,
Vic E-mail: accounts@bvd.com.au

Cookies and Tracking Notice

A cookie is a small text file that a website saves on your computer or mobile device to facilitate and enhance your interaction with that service. We or our service providers may use cookies and equivalent technologies such as clear gifs, web beacons, pixel tags, Javascript, device fingerprinting, and third-party cookies on our website and, where relevant, in our promotional emails. They also help us track users, conduct research, allow you to back click to earlier registration pages viewed by you and improve our content and services. For instance, we may use web beacons on our websites to access and set cookies and otherwise help us to better understand how users are moving through our websites. Information provided by the web beacon includes the computer's IP address, the type of browser being used and the time that the web beacon was viewed. We may also use web beacons in e-mails and newsletters so that we know when such communications have been opened and to otherwise help us tailor our communications to individual users. Learn more about when and how we use cookies and tracking technologies and some of our service providers:

- When it's strictly necessary

These cookies and other technologies enable us to recognise you when you return to our service and to maintain your web session so you can more easily navigate the subscription process or your viewing of your call details. They are also essential for you to access secure areas of our sites, for example, to use shopping baskets or make payments.

Google Tag Manager is a third-party service provider that allows us to manage website tags via an interface. Tags are small elements of

code that are used, for example, to measure traffic and visitor behaviour, to understand the effect of online advertising and social channels, to set up remarketing and orientation towards target groups, and to test and optimise websites. Google Tag Manager only implements tags. This means that no cookies are used and, as a result, no personal data is recorded. We list it here for completeness and to be transparent about the tools we use. If deactivation has been performed at a domain, page, event or 3rd party script level, this remains in place for all tracking tags if these are implemented with Google Tag Manager.

- For performance and analytics

These cookies and similar technologies collect statistical information about how you use our websites so that we can improve your user experience. We use cookies to identify the number of unique visitors we receive to different parts of the website and identify where leads originate. This helps us for our legitimate interests of improving the way our website works, for example, by ensuring that users are finding what they are looking for easily.

Google Analytics is one of the third-party analytics providers that we use to help us improve our website. Google Analytics uses cookies to help the website analyse how visitors use the site. The information generated by the cookie about your use of the website (including your IP address) will be transmitted to and stored by a Google server in the United States. Google uses this information for the purpose of evaluating your use of the website, compiling reports on website activity for website operators and providing website operators with other services relating to website activity and internet usage. You can prevent the storage of data relating to your use of the website and created via the cookie (including your IP address) by Google as well as the processing of this data by Google by downloading and installing the browser plug-in available [here](#).

We partner with Microsoft Clarity and Microsoft Advertising to capture how you use and interact with our website through behavioural metrics, heatmaps, and session replay to improve and market our products/services. Website usage data is captured using first and third-party cookies and other tracking technologies to determine the popularity of products/services and online activity. Additionally, we use this information for site optimisation, fraud/security purposes, and advertising. For more information about how Microsoft collects and uses your data, visit the [Microsoft Privacy Statement](#).

- To enable functionality

These cookies and similar technologies can tell us which language you prefer and what your communications preferences are. They can help you fill out forms on our sites more easily. They also enable customisation of the layout and/or content of the pages on our sites.

- For targeted advertising

These cookies and other technologies record your visits to our website, the pages you have visited and the links you have followed.

We will use this information subject to your choices and preferences to make our website more relevant to your interests. We may also share this information with third parties for this purpose. These companies may use information about your online activities over time and across our services and other online properties, the region of the country or world where your IP address indicates you are located, as well as other information about you, in order to provide advertisements about goods and services of interest to you. The information practices of these ads networks are governed by their own privacy policies and are not covered by this Privacy Policy. For more information about third-party advertisers and how to prevent them from using your information, visit Aboutads.info and for our EEA users <http://www.youronlinechoices.eu>. You have to opt out using each of your web browsing applications, computers and mobile devices separately.

- Social media cookies and widgets We use social media platforms to advertise to you online and to monitor the success of our advertising (for instance by receiving reports when you click on our ads on Facebook, LinkedIn and others). We summarise the main advertising and social media partners who drop cookies below:
 - LinkedIn Ads: the analysis and conversion tracking technology provided by the social network LinkedIn is integrated into our website. When you visit our website, a connection is established between your browser and the LinkedIn server via the remarketing tags. This informs LinkedIn that you visited our website with your IP address, meaning that LinkedIn can connect your visit to our website with your user account. We can use this information to display LinkedIn ads. Please be aware that we as the website provider do not receive any information about the content of the transferred data or how it is used by LinkedIn. Further information can be found in LinkedIn's privacy policy.
 - Intercom: We use third party marketing software from a company called Intercom to send some of our e-mails. We use cookies as part of tracking so we have information on e-mail open rates and click through rates. We also track activity on the website. For example, visitors can download marketing white papers from the site and we use Intercom cookies to see who does this and if they then visit other parts of our website. For more information on Intercom's privacy and cookie policy, please visit Intercom's privacy policy.
 - DoubleClick: Google's Doubleclick re-targeting cookie lets us serve personalised advertising to you when you're browsing

other websites and social media platforms. You can control advertising personalisation on Google and partner websites here. o

Facebook Custom Audience: This service from Facebook enables us to display personalised ads to people on our e-mail lists when they visit Facebook. We provide personal information such as your e-mail address and phone number in encrypted form to Facebook (so they cannot be seen by anyone at Facebook) to enable Facebook to determine if you are a registered account holder with Facebook.

- o Twitter advertising and remarketing: We advertise on Twitter and our advertising content will be tailored to your interests on the basis of your browsing behaviour and the pages you have consulted on this and other websites. In order to improve the relevance of our marketing content, the cookie may therefore transmit such data to Twitter, who will use it to understand your interests better including to benefit their other advertising customers. If you decide that you do not wish your browsing data to be collected, you can find comprehensive information on Twitter's advertising policy and the steps you can take to protect your privacy here.
- o We also use Facebook Connect to allow you to sign up and log in to our websites by using your Facebook account. If you sign up using Facebook Connect, Facebook will ask your permission to share certain information from your Facebook account with us. This may include your first name, last name, and e-mail address in order for us to verify your identity and gender, general location, a link to your Facebook profile, your time zone, birthday, profile picture, your "likes" and your list of friends. This information is collected by Facebook and is provided to us under the terms of Facebook's data privacy policy. You can control the information that we receive from Facebook using the privacy settings in your Facebook account.

How to control cookies.

You can control and/or delete cookies as you wish – for details, see www.aboutcookies.org. You can delete all cookies that are already on your computer and you can set most browsers to prevent them from being placed. If you do this, however, you may have to manually adjust some preferences every time you visit a site and some services and functionalities may not work. You will not be able to opt-out of