

Privacy policy

INTRODUCTION

Spider Tracks Limited (**we, us, our**) complies with the New Zealand Privacy Act 1993 (the **NZ Privacy Act**) and EU General Data Protection Regulation (**GDPR**). Personal information is information about an identifiable individual (a natural person).

This policy sets out how we will collect, use, disclose and protect your personal information when you access and use our website at spidertracks.com or the Spidertracks aircraft tracking solution or have other dealings with us.

If you are based in the European Union and use our website and/or services, the additional terms in the addendum to this policy (**GDPR Addendum**) apply to you.

This policy does not limit or exclude any of your rights under the NZ Privacy Act and other applicable laws. If you wish to seek further information on the NZ Privacy Act, see www.privacy.org.nz.

CHANGES TO THIS POLICY

We may change this policy by uploading a revised policy onto the website. The change will apply from the date that we upload the revised policy.

This policy was last updated on 30 May 2022.

WHAT PERSONAL INFORMATION DO WE COLLECT

We collect, hold and process the following categories of personal information:

- ▲ **Account and Marketing Data** is personal information that we collect about you as described in the table below:

Information category	Data collected	Purpose for collection	Lawful basis for processing	Retention period	Data shared with
Account owner information	Email, password, first name, last name, city, country, timezone, mobile	Account provisioning - creating a user to allow access to the system	Contractual fulfilment	Maximum 8 years from the date of the performance of the contract.	Internally only
		Monitor system usage, provide customer support and supply relevant information and ongoing news	Legitimate interest	Maximum 8 years from the date of the performance of the contract.	Intercom, Zendesk and HubSpot

		updates in relation to Spidertracks			
	Organisation name, city, country, operation type, fleet size, work phone	Account provisioning - creating an organisation to associate with a user/s	Contractual fulfilment	Maximum 8 years from the date of the performance of the contract.	Internally only
		Monitor system usage, provide customer support and supply relevant information and ongoing news updates in relation to Spidertracks	Legitimate interest	Maximum 8 years from the date of the performance of the contract.	Intercom and HubSpot
	Personal contact information as provided through website forms or at trade shows or any other means	General mailing list subscription	Consent	Maximum 8 years from the date of the performance of the contract.	Internally and Hubspot
	Registration, make, model, aircraft type, manufactured	Account provisioning - creating aircraft to associate with an organisation	Contractual fulfilment	Maximum 8 years from the date of the performance of the contract.	Internally only
Transactional information	Organisation name, accounts email, address, suburb, city, state, zip, country,	To ensure any transaction issues can be dealt with	Contractual performance	Maximum 8 years from the date of the performance of the contract.	Internally only
	Card number, cardholder name, CVC, expiration date	To process purchase transactions for products and services with customers, and	Contractual performance	Only retained whilst authorisation is pending.	Payment card companies, all in line with PCI DSS

Fulfilment information	Organisation name, address, suburb, city, state, zip, country	Actual delivery of physical products that you may have purchased from us	Contractual performance	Maximum 8 years from the date of the performance of the contract.	Internally and third party logistics or supplier companies with whom we contract in order to fulfil these requirements.
------------------------	---------------------------------------------------------------	--------------------------------------------------------------------------	-------------------------	-------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------

- ▲ **Customer Data** which is personal information about our customers' users that is collected or input into the Spidertracks aircraft tracking solution. Customer Data may include personnel names, address, contact details and any other information that our customers decide to capture using the Spidertracks service.

We will not collect or process Customer Data except as provided in our Terms and Conditions ([available here](#)) and/or other agreements with our customers that govern the processing of Customer Data (as applicable) and we require our customers to comply with applicable privacy and data protection laws.

The remainder of this privacy policy sets out how we will collect, use, disclose and protect Account and Marketing Data and does not apply to Customer Data.

WHO DO WE COLLECT YOUR PERSONAL INFORMATION FROM

We collect personal information about you from:

- ▲ you, when you provide that personal information to us, including via our website and services through any registration process, through any contact with us (e.g. telephone call, email or through the user dashboard).

When you visit or use our website or services, we may collect information about you including:

- ▲ Technical information, including the Internet Protocol (IP) address used to connect your device to the Internet;
- ▲ Your login information, browser type and version, time zone setting, browser plug-in types and versions;
- ▲ Your operating system and platform;
- ▲ Information about your visit, including the Uniform Resource Locators (URL) clickstream to, through, and from our site for the purposes of collecting, analysing and reporting data about how you use our website and services; and
- ▲ Through the use of cookies. Please refer to the Cookie section of this policy for further information, including information on how you can disable these technologies.

HOW WE USE YOUR PERSONAL INFORMATION

We may use your personal information for one or more of the following purposes:

- ▲ To provide you with information (including content and advertisements) that you have requested or which we think may be relevant to a subject in which you have demonstrated an interest;
- ▲ To initiate and complete commercial transactions with you, or the entity that you represent, for the purchase of products and/or services;
- ▲ To fulfil a contract that we have entered into with you or with the entity that you represent;
- ▲ To ensure the security and safe operation of our websites and underlying business infrastructure
- ▲ to improve the services and products that we provide to you, and
- ▲ To manage any communication between you and us.

We may also combine information we collect (aggregate) or remove personally identifiable (anonymise) information to conduct research and statistical analysis. This privacy policy does not apply to our use of such aggregated or anonymous information.

We may also use your personal information:

- ▲ to protect and/or enforce our legal rights and interests, including defending any claim
- ▲ for any other purpose authorised by you, the Act or other applicable law
- ▲ to respond to lawful requests by public authorities, including to meet law enforcement requirements
- ▲ to transfer your information in the case of a sale, merger, consolidation, liquidation, reorganisation or acquisition.

DISCLOSING YOUR PERSONAL INFORMATION

We may disclose your personal information to:

- ▲ another company within our group for the purposes described in this policy
- ▲ any business that supports our services and products, including any person that hosts or maintains any underlying IT system or data centre that we use to provide the website or other services and products. The third parties we use include:
 - Apple
 - Google
 - AWS
 - Hubspot
 - Intercom
 - Zendesk
 - Shopify
 - Xero
 - SendGrid
 - MessageMedia
 - AskNicely

- Payment Express
- Pendo
- Zapier
- InSyncle
- Qwilr
- Webflow
- Stock&Buy
- ▲ other third parties (for anonymised statistical information)
- ▲ a person who can require us to supply your personal information (e.g. a regulatory authority);
- ▲ any other person authorised by the NZ Privacy Act or other applicable law (e.g. a law enforcement agency)
- ▲ our professional advisers e.g accountants, lawyers, auditors
- ▲ any other person authorised by you
- ▲ any other company in the case of a sale, merger, consolidation, liquidation, reorganisation or acquisition

TRANSFERS OF PERSONAL INFORMATION

A business that supports our services and products may be located outside the European Economic Area (**EEA**) or New Zealand. This may mean your personal information is held and processed outside the EEA or New Zealand. Please see the GDPR Addendum for further information about personal data transfers from the EEA.

PROTECTING YOUR PERSONAL INFORMATION

We will take reasonable steps to keep your personal information safe from loss, unauthorised activity, or other misuse. We implement appropriate technical and organisational measures to ensure a level of security appropriate to risks inherent in processing personal information.

You can play an important role in keeping your personal information secure by maintaining the confidentiality of any password and accounts used in relation to our products and services. Please do not disclose your password to third parties. Please notify us immediately if there is any unauthorised use of your account or any other breach of security.

ACCESSING AND CORRECTING YOUR PERSONAL INFORMATION

Subject to certain grounds for refusal set out in the NZ Privacy Act or other applicable law, you have the right to access your readily retrievable personal information that we hold and to request a correction to your personal information. Before you exercise this right, we will need evidence to confirm that you are the individual to whom the personal information relates.

In respect of a request for correction, if we think the correction is reasonable and we are reasonably able to change the personal information, we will make the correction. If we do not make the correction, we will take reasonable steps to note on the personal information that you requested the correction.

If you want to exercise either of the above rights, email us at compliance@spidertracks.co.nz. Your email should provide evidence of who you are and set out the details of your request (e.g. the personal information, or the correction, that you are requesting).

INTERNET USE

While we take reasonable steps to maintain secure internet connections, if you provide us with personal information over the internet, the provision of that information is at your own risk.

If you follow a link on our website to another site, the owner of that site will have its own privacy policy relating to your personal information. We suggest you review that site's privacy policy before you provide personal information.

CONTACT US

If you have any questions about this privacy policy, our privacy practices, or if you would like to request access to, or correction of, your personal information, you can contact us here: compliance@spidertracks.co.nz

GDPR addendum

If you are based in the European Union (**EU**) and use our website and/or our services, these additional terms (**GDPR Addendum**) form part of our privacy policy.

The General Data Protection Regulation (**GDPR**) regulates the collection, processing and transfer of EU individuals' personal data (as defined in the GDPR). The personal information described in our privacy policy is personal data under the GDPR. We are committed to complying with the GDPR when dealing with personal data of our website visitors and service users based in the EU.

This GDPR Addendum was drafted with brevity and clarity in mind. It does not provide exhaustive detail of all aspects of our collection and use of personal data. However, we are happy to provide any additional information or explanation needed. Any requests for further information should be sent to compliance@spidertracks.co.nz

For the purposes of the GDPR:

- ▲ we are the data controller (as defined in the GDPR) when processing Account and Marketing Data; and
- ▲ our customers are the data controller when processing User Data.

We will not process User Data except as provided in our terms and conditions ([available here](#)) and/or other agreements with our customers that govern the processing of User Data (as applicable) and we require our customers to comply with applicable privacy and data protection laws. If we receive any data subject requests relating to User Data, such as requests to access personal data, we will forward this request to the relevant customer.

The remainder of this GDPR Addendum applies to Account and Marketing Data only, and does not apply to User Data.

PROCESSING PERSONAL DATA

The Account and Marketing Data we may process is described in our privacy policy. This Account and Marketing Data may be processed for the purposes outlined in our privacy policy.

The legal basis for our processing of Account and Marketing Data is your consent or that processing is necessary for the performance of a contract to which you are a party

Despite the above, we may process any of your personal data where such processing is necessary for compliance with applicable laws.

You do not have to provide us with your name and email address to access and use the website. However, you must provide us with your name and email addresses when using some of our services

such as signing up for our newsletter or registering an account in the system. The consequence of not providing the name and email addresses is that we will not be able to provide all of our services to you.

YOUR RIGHTS

Your rights in relation to your personal data under the GDPR include:

- ▲ **right of access** - if you ask us, we will confirm whether we are processing your personal data and provide you with a copy of that personal data.
- ▲ **right to rectification** - if the personal data we hold about you is inaccurate or incomplete, you have the right to have it rectified or completed. We will take every reasonable step to ensure personal data which is inaccurate is rectified. If we have shared your personal data with any third parties, we will tell them about the rectification where possible.
- ▲ **right to erasure** - we delete your personal data when it is no longer needed for the purposes for which you provided it. You may request that we delete your personal data and we will do so if deletion does not contravene any applicable laws. If we have shared your personal data with any third parties, we will take reasonable steps to inform those third parties to delete such personal data.
- ▲ **right to withdraw consent** - if the basis of our processing of your personal data is consent, you can withdraw that consent at any time.
- ▲ **right to restrict processing** - you may request that we restrict or block the processing of your personal data in certain circumstances. If we have shared your personal data with third parties, we will tell them about this request where possible.
- ▲ **right to object to processing** - you may request that we stop processing your personal data at any time and we will do so to the extent required by the GDPR.
- ▲ **right to data portability** - you may obtain your personal data from us that you have consented to give us or that is necessary to perform a contract with you. We will provide this personal data in a commonly used, machine-readable and interoperable format to enable data portability to another data controller. Where technically feasible, and at your request, we will transmit your personal data directly to another data controller.
- ▲ **the right to complain to a supervisory authority** - you can report any concerns you have about our privacy practices to the relevant data protection supervisory authority.

Where personal data is processed for the purposes of direct marketing, you have the right to object to such processing, including profiling related to direct marketing.

If you would like to exercise any of your above rights, please contact us at compliance@spidertracks.co.nz. If you are not satisfied by the way your query is dealt with by our data protection team, you may refer your query to your local data protection supervisory authority e.g. in the United Kingdom, this is the Information Commissioner's Office.

CHILDREN

We do not intend to collect personal data from children aged under 16. If you have reason to believe that a child under the age of 16 has provided personal data to us through our website and/or by using our services, please contact us at compliance@spidertracks.co.nz.

COOKIES

We use cookies (an alphanumeric identifier that we transfer to your computer's hard drive so that we can recognise your browser) to monitor your use of the website. We use cookies for the following purposes:

- ▲ We use JSESSIONID cookie which is used for session management in J2EE web application for HTTP protocol. Since HTTP is a stateless protocol there is no way for our web server to relate two separate requests coming from the same client. We use this cookie for session management, it creates and sends JSESSIONID cookie to the client and then the client sends it back to the server in subsequent HTTP requests. It is essential for our website to work and for initiating a session within our GO application. The cookie will not be used for any purpose other than the one stated.

We use Google Analytics to analyse your use of our website and to analyse the demographics (on an aggregated and anonymous basis) of users of our website or improve our website and related services. Google's serves cookies for these purposes. Information about Google's cookies is available from: <https://www.google.com.au/policies/technologies/types/>. Google's privacy policy relating to its cookies is available at <https://www.google.com/policies/privacy/partners/>. If you would like to customise or opt out of these settings please visit: <https://tools.google.com/dlpage/gaoptout>.

We also use online behavioural advertising techniques such as Google AdWords to present advertising relevant to your interests when you access the website or our services, generated from data relating to your access and use of the website or our services. Google Adwords places cookies on your browser to collect information about your past use of the website and then places ads on sites across the Internet that are more likely to be of interest to you. If you would like to customise or opt out of AdWord's behavioural advertising, you can visit Google's Ads Settings at <https://adssettings.google.com/authenticated>.

We use third-party analytics services to help understand your usage of our services. In particular, we provide a limited amount of your information (such as sign-up date and some personal information like your email address) to Intercom, Inc. ("Intercom") and utilize Intercom to collect data for analytics purposes when you visit our website or use our product. As a data processor acting on our behalf, Intercom analyzes your use of our website and/or product and tracks our relationship by way of cookies and similar technologies so that we can improve our service to you. For more information on Intercom's use of cookies, please visit <https://www.intercom.com/terms-and-policies#cookie-policy>. We may also use Intercom as a medium for communications, either through email, or through messages within our product(s). As part of our service agreements, Intercom collects publicly available contact and social information related to you, such as your email address, gender, company, job title, photos, website URLs, social network handles and physical addresses, to enhance your user experience. For more information on the privacy practices of Intercom, please visit <https://www.intercom.com/terms-and-policies#privacy>. Intercom's services are governed by Intercom's terms of use which can be found at <https://www.intercom.com/terms-and-policies#terms>. If

you would like to opt out of having this information collected by or submitted to Intercom, please contact us.

You can learn more about interest-based advertising and opt out of interest-based advertising from participating online advertising companies at the following links:

Network Advertising Initiative (NAI) – <http://optout.networkadvertising.org/>

Digital Advertising Alliance (DAA) – <http://optout.aboutads.info/>

Digital Advertising Alliance EU (EDAA) – <http://www.youronlinechoices.com/>

DAA AppChoices page – <http://www.aboutads.info/appchoices>

Please note that opting out of interest-based advertising does not mean you will no longer be served advertising. You will continue to receive generic ads.

You can control and/or delete cookies as you wish. 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 our website and attempt use our services, you may not be able to access certain parts of our website or services, and some functionalities may not work. You can find out more information about how to change your browser cookie settings at <http://www.aboutcookies.org.uk>.

INTERNATIONAL TRANSFER OF DATA

The Account and Marketing Data we collect through our website and/or the provision of services may be transferred to, and stored in, a country operating outside the European Economic Area (**EEA**). Under the GDPR, the transfer of personal data to a country outside the EEA may take place where the European Commission has decided that the country ensures an adequate level of protection. In the absence of an adequacy decision, we may transfer personal data provided appropriate safeguards are in place.

Some of the Account and Marketing Data we collect is processed in New Zealand (where our operations are located). New Zealand is recognised by the European Commission as a country that ensures an adequate level of data protection and we rely on this decision in transferring personal data to New Zealand.

Some of the Account and Marketing Data we collect is processed by third party data processors in other countries, including United States, Canada and Australia. Where Account and Marketing Data is transferred outside the EEA, it will only be transferred where the transfer complies with the GDPR (e.g. to organisations in the United States under the EU-U.S. Privacy Shield framework or by entering into the European Commission's Standard Contractual Clauses). For further information, please contact us using the details set out in set out in our privacy policy.

DATA RETENTION POLICY

Account and Marketing Data that we collect and process will not be kept longer than necessary for the purposes for which it is collected, or for the duration required for compliance with applicable law, whichever is longer.

CONTACTING US

You can contact us as set out in our privacy policy.

Representation for data subjects in the EU or in the UK:

We value your privacy and your rights as a data subject and have therefore appointed Prighter as our privacy representative and your point of contact.

Prighter gives you an easy way to exercise your privacy-related rights (e.g. requests to access or erase personal data). If you want to contact us via our representative Prighter or make use of your data subject rights, please visit: <https://prighter.com/q/18309548>