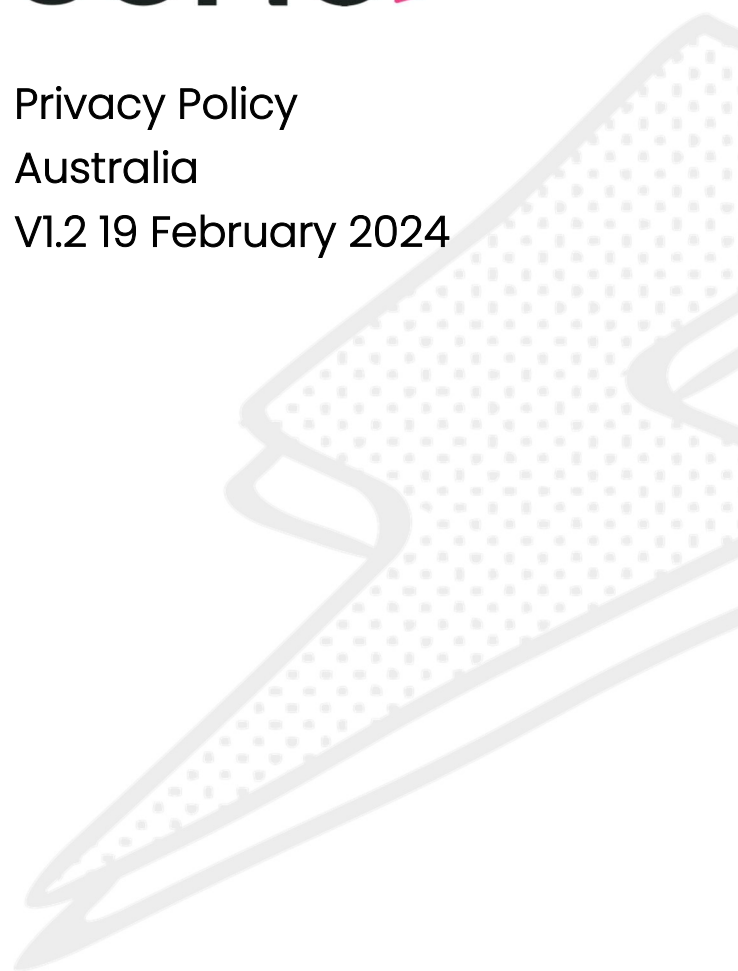




Privacy Policy

Australia

V1.2 19 February 2024



# Privacy Policy

## Important Company information

Company and owner/ operator of the Site:	SendFX Limited ACN 617 647 220 ('Send')
Contact details:	<p><u>Registered office:</u> 10 Rawlins Street Southport QLD 4215</p> <p><u>Tel:</u> +61 7 56 195 700</p> <p><u>Email:</u> info@sendpayments.com</p> <p><u>Website:</u> www.sendpayments.com</p>
Australian Financial Services Licence:	509635
Privacy Policy Version	1.2
Privacy Policy Issue date:	19 February 2024

## General

Your privacy is important to us.

The responsible use of Personal Information is an important element in our business operations and is critical to our reputation. As part of our commitment to your privacy and our respect of your rights, we adhere to this Privacy Policy in the operation and management of the Site and provision of our services.

By submitting identifying data or utilising our services, a visitor to the Site or user of our services is agreeing to Send's use of such data as described in this statement.

By using the Site and our services, you:

- agree to this Privacy Policy and the collection, retaining and use of your Personal Information as outlined in this Privacy Policy; and
- consent to our use of cookies in accordance with the terms of this Policy.

Should you have questions or concerns about this policy or should you have any queries regarding any

personal information relating to you which may be in our possession please feel free to direct these to:

Privacy  
SendFX Limited  
10 Rawlins Street  
Southport QLD 4215  
Australia

Telephone: +61 7 56 195 700  
Email: info@sendpayments.com

## What is covered by this policy

This Privacy Policy sets out Send's policies relating to the collection and use of your Personal Information on the Site and while utilising our services. This statement applies in addition to our Terms and Conditions and should be read in conjunction with them.

The Site may contain links or plugins to other websites or products owned and operated by third parties. Send is not responsible for the privacy practices of any other sites or platforms that you may access or utilise while accessing the Site and/ or using Send's services. We recommend that you review the privacy policies of any third-party website, product or platform.

Capitalised terms are defined in the Glossary section of this Policy.

## Collection and use of personal information

The extent and type of information we receive from you depends on what you do when visiting the Site and utilising our services.

In some instances, we are not able to provide our services to you if you do not provide us with information we request from you.

Your information will typically be collected in electronic format but may be collected in hard copy.

### Types of information collected

We may collect the following types of information from you:

- information including your name, address, email address, date of birth, occupation, employer name, gender, phone number/s, government issued identity document number (such as passport or licence number), banking/ payment/ account information, income, etc.
- information about your intended use of our services, including who you are transferring to, your reason for transfer, your source of wealth funding the transfer, and other information we may be required to collect to comply with our regulatory obligations;
- information about your use of the Site and our services, which may include your IP address, geographical location, browser type and version, operating system, referral source, length of visit, page views and website navigation paths, as well as information about the timing, frequency and pattern of your use of our services;
- information provided by you while using the Site or utilising our services, including information and instructions provided by you relating to contracts entered into between you and Send;

- communications between you and Send and/ or its representatives, including email and text message communication, recordings of telephone calls between you and Send representatives, and any metadata associated with the communication;
- instructions provided by you in regards to the provision of marketing material;
- credit information that is obtained during the process of obtaining the above (for example bank statements used to verify your identity and address).

Send takes all reasonable steps to ensure that the data collected and used internally are verified, accurate and up-to-date. However, please note that you are responsible for keeping your information and details up-to-date with Send pursuant to our Terms and Conditions.

### Purpose of collecting information

The basis of collecting, retaining, and using Personal Information includes for the purpose of:

- identifying you and updating your Personal Information;
- analysing, monitoring and auditing the use of the Site and our services;
- administration and management of your Send account;
- monitoring and improving the quality of the Site and our services;
- enabling us to provide our product and services as well as related products and services;
- allowing us to undertake associated business processes, including accurately calculating commissions and fees payable to our employees and any third parties, managing risk and liabilities, preventing against fraud and unauthorised transactions, maintaining insurance, obtaining professional advice, receiving advice on compliance processes,

facilitating the purchase or sale of the company or of any company assets, hosting and development of the Site and provision of IT services etc.;

- allowing us to keep proper records of instructions provided by you and transactions entered into between you and Send;
- ensuring the security of our Site and services, as well your account;
- ensuring the proper administration of the Site and business;
- offering relevant marketing of our products and services, related products and services and the products and services of our affiliate partners;
- sending you information and related material about our services, including newsletters, market publications etc.;
- engaging with you and providing you with information which is related to our services;
- processing and handling queries, complaints or legal disputes;
- enforcing our Terms and Conditions;
- undertaking recruitment and training our staff;
- protecting your vital interests or the vital interests of another natural person;
- complying with our obligations under the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (C'th) ('the AML/ CTF Act') and any other regulations, legislation, rules or directions from a relevant body or authority, including requests, orders or directions made by any Court, Tribunal, body or authority.

#### How information may be collected

We may collect Personal Information from you by several methods including:

- through your use of the Site, including through utilising registration and other forms;
- through communication between you and Send and/ or its representatives, including by email, telephone, in person and by any other correspondence or contact; and
- from third parties; and
- from publicly available information sources.

In order to comply with our obligations under the AML/ CTF Act, we may also collect Personal Information about you by conducting searches, and making direct or indirect inquiries through third-parties, including commercial identity verification databases, or such other third parties as deemed relevant or necessary by Send.

By applying for a Send account you consent to the collection, use and disclosure of your personal information to third parties such as credit reporting agencies, and to your information being checked against the records held by official documents issuers or official record holder. You also consent to your personal information being disclosed to our verification agent(s), which will act as intermediary, for the purpose of exercising your right, under the *Australian Privacy Act 1988*, to access personal information lawfully held about you by third parties, and using your verification results to improve their verification services.

#### Disclosure and use of personal information

We do not sell your Personal Information to others.

We will only share your Personal Information with others as follows and strictly only insofar that it is reasonably necessary for the purposes outlined in this Policy, or for purposes related to those outlined in this Policy:

- to any related body corporate, stakeholder, shareholder or member of the Send group, which may include any subsidiaries, as well as any holding company and its subsidiaries;

- to our insurers, contractors, service providers, professional advisers and consultants;
- to any third-party or internal intermediaries or financial providers (including liquidity providers, third-party payment service providers, and intermediary banks) required in order to provide our services to you or process transactions on your behalf pursuant to your instructions;
- to third-party Send partners and affiliates;
- to any government authorities, regulatory bodies, or any other body or person that may lawfully request or require it, or that we are directed or ordered to provide it to pursuant to an order of a Court or Tribunal;
- to any other person, body or authority that we are required to provide the Personal Information to by law;
- to a prospective purchaser or seller of the company or any company assets.

Some or all of the recipients located above may be located overseas, including to countries outside the European Economic Area (EEA). Transfers to each of these countries will be protected by appropriate safeguards, namely the use of standard data protection clauses adopted or approved by the European Commission.

We may communicate with you, including providing you with marketing material and other information, via email or text message, or via other channels.

### Use of government identifiers/ anonymity & pseudonymity

If lawful and practicable, individuals may deal anonymously with Send but given the nature of our services, that is unlikely to be a viable option. Send does not use official identifiers (e.g. tax file numbers) to identify individuals.

### Data security

Send will take reasonable steps and implement safeguards to ensure that your Personal Information is kept and maintained securely to protect your data

from accidental, unlawful or unauthorised access, improper use, loss, disclosure or alteration. These include:

- internal measures including implementing access controls and policies, and staff training;
- physical measures including access and authorisation controls, security keys, and physical barriers;
- network and technological security measures, including authentication processes, virus checking, secure network drives and terminals, auditing and data integrity checks, and encryption technology.

However, please note that Send cannot guarantee that information submitted online over the Internet is completely secure.

Send has a policy document detailing its processes for the handling and storage of data subject to privacy laws.

This document may be viewed by appointment with the Chief Operating Officer at [info@sendpayments.com](mailto:info@sendpayments.com).

### European Union General Data Protection Regulation (GDPR)

In accordance with the data protection requirements in the European Union General Data Protection Regulation, which apply from 25 May 2018, we provide the following additional measures which we have adopted in relation to all EU clients and third parties:

- We will limit the processing, collection and retention of data to the extent legally possible and practically viable.
- We will not request or collect data that is not required for the purpose of providing our services or meeting our legal obligations.
- We will delete your information, and acknowledge your right of erasure or to be forgotten, as soon as we are legally able and subject to our other legal and

regulatory obligations regarding record-keeping.

- You may advise us at any time that you withdraw any consent previously given to us, and require us to stop processing your data.
- You may object to any decision based on automated processing, and you may request a manual review.
- You have the right to request a transfer of your personal information, which will be provided in a machine-readable electronic format.
- Where we intend to process/utilise your personal data beyond the disclosed legitimate purpose for which it was collected, we will obtain a clear and explicit consent from you (which can be withdrawn at any time).
- We will maintain a Personal Data Breach Register and notify the relevant regulator in a timely manner as required.
- We ensure that organisational and technical mechanisms are utilised to protect personal data when we are designing new systems and processes.
- We will conduct Data Protection Impact Assessments when initiating a new project/change/product which involves significant changes to the processing of personal information.
- We ensure our representatives are regularly trained regarding our obligations and their responsibilities under applicable privacy/data protection regulations.

## Accessing, erasing and correcting Personal Information

Your rights to access, erase, and rectify Personal Information are outlined fully in the Act.

Access to personal information which Send holds about an individual can be gained by making application for access to [info@sendpayments.com](mailto:info@sendpayments.com).

In limited circumstances, you may not be entitled to access or erase some or all of your Personal Information, including for example, where:

- the information is subject to privilege, or relates to an existing or anticipated legal claim, proceeding or investigation;
- the information relates to an unlawful activity or suspected unlawful activity or the investigation of an unlawful activity;
- Send is prohibited from providing you with or erasing the information by law or by a request, direction or order of a Court or Tribunal, government authority, enforcement body, or regulatory body;
- the information contains commercially sensitive information or impacts on the privacy of others;
- the request could reasonably be considered by Send to be frivolous or vexatious;
- the disclosure could reasonably be expected to have an adverse impact on the life, health, or safety of another individual or the public.

If Send holds Personal Information that you are entitled to access, Send will allow you to access that information within 28 days of your request. Where practicable and the request is reasonable, Send will attempt to provide the material in the format requested by you or otherwise by a suitable method such as mail or email.

If you identify that information held by Send is not accurate, complete or up-to-date, you are entitled to request Send to update your information. We will respond to the request as quickly as possible, and within 14 days after the request has been made advising you if the amendment has been made. If Send does not agree that the correction should be made, our response will provide its reasons for the

refusal and what steps you can take to complain about the refusal.

## Disposing of data

Your personal information will be retained only for as long as necessary to fulfil the purposes for which the information was collected or as required by law.

Under the AML/ CTF Act, we are obliged to retain information regarding personal identity as well as other information including but not limited to transaction history for a period of 7 years following the date of collection.

Once Send has complied with its legislative obligations, it may erase, destroy or otherwise de-identify any of your Personal Information that we hold.

## Opting out

If we send you marketing material or information regarding our services that you do not wish to receive, you can opt out of receiving further material or information by:

- following any link or instructions to unsubscribe located at the bottom of the marketing material;
- emailing us at [info@sendpayments.com](mailto:info@sendpayments.com)

Please note that we are required by law to provide certain information to you, including where we make certain changes to our services. You will continue to receive this information even if you choose to opt out of other communications from us.

## Use of Cookies

In some areas of the Site we may employ cookies (small data files that are sent to your computer) or other similar technology. The use of cookies is now standard operating procedure for most websites, but most browsers permit you to reject or disable them if you wish. Blocking cookies will have a negative impact upon the usability of many websites. If you block cookies, you may not be able to use all the features on our website.

Cookies do not typically contain any information that personally identifies a user, but Personal Information that we store about you may be linked

to the information stored in and obtained from cookies. Nothing will be collected which is intrusive or unlawful. There is no obligation on your part to provide any or all of the information requested by us, however we may require you to provide information in order to utilise our services.

We may use cookies, or other similar technology to:

- identify you when you visit or navigate to the Site;
- determine if you are logged into the Site;
- provide widgets, tools and features to you, including social media widgets;
- store information about your preferences and to personalise the Site for you;
- assist us to provide our services to you, as well as deliver relevant information to you;
- protect user accounts and provide additional security measures generally;
- track referrals from our affiliate partners;
- analyse the use and performance of our Site, (including through third-party analytics providers such as Google Analytics) as well as use and performance of our marketing and promotional campaigns;
- store your preferences in relation to use of cookies and generally.

Our service providers and partners may use cookies and those cookies may be stored on your computer when you visit our website.

## Google Adwords

Our Site may use the Google AdWords remarketing service to advertise on third party websites (including Google) to previous visitors to our site. It means that we could advertise to previous visitors who haven't completed a task on our site, for example using the contact form to make an inquiry. This could be in the form of an advertisement on the Google search results page, or a site in the Google Display Network. Third-party vendors, including

Google, use cookies to serve ads based on someone's past visits to the Send Site. Of course, any data collected will be used in accordance with our own privacy policy and Google's privacy policy.

You can set preferences for how Google advertises to you using the Google Ad settings page.

## Making a Complaint

If you have a complaint about how Send is handling your personal information, the complaint should be directed in writing to our Chief Operating Officer, to the contact details as above. The Officer will respond to the complaint as quickly as possible but not more than 28 days after the complaint has been made.

If you are not satisfied with the response or outcome of the enquiry, you should raise the complaint and the response to it with the Office of the Australian Information Commissioner. The Office is located at Level 3, 175 Pitt Street, Sydney, NSW, 2000 (Telephone within Australia: 1300 363 992). The Office of the Australian Information Commissioner is responsible for accepting, investigating and making a decision on a complaint.

## Terms of Use

The website located and accessed at the URL [www.sendpayments.com](http://www.sendpayments.com) is owned and operated by Send. Your access to the Site is conditional upon your acceptance and compliance with any terms, conditions, notices, statements and disclaimers contained on the Site (known collectively as the 'Terms of Use'). Your use of and or access to the Site constitutes your acceptance of the Terms of Use. Send reserves the right to amend the Terms of Use (or any part of them) at any time. As you are bound by the Terms of Use we recommend that you refer to them on this Site.

## Amending this Policy

We may update this Policy from time to time by publishing a new version on our website. You should check the website occasionally to ensure you are happy with any changes to this Policy.

We may notify you of changes to this Policy by email, or by another method.

You may also request that Send sends you a hard copy of the Privacy Policy by emailing [info@sendpayments.com](mailto:info@sendpayments.com)

## Disclaimer

The information contained and accessed on [www.sendpayments.com](http://www.sendpayments.com) is provided for information purposes only. No warranty or representation is given or made as to the reliability, completeness, accuracy or authenticity of the content available herein. Send, its partners, directors, employees, agents or its related bodies corporate will not be liable for any direct, indirect, incidental, special, exemplary, punitive, consequential or other damages whatsoever (including, but not limited to, liability for loss of use, data or profits), without regard to the form of any action, including but not limited to contract, statute, negligence or other tortious actions, arising out of or in connection with the Site, any content on or accessed by use of the Site, or any copying, display or other use hereof. The information on the Site is provided on the basis that all persons accessing the Site undertake responsibility for assessing the relevance and accuracy of its content.

Information published by Send is considered to be true and correct at the time of publication. Changes in circumstances after the time of publication may impact on the accuracy of this information.

The information contained on the Site is to be displayed in full screen format only. No liability is accepted for any information that may appear in other formats.

Our links or plugins to third party websites or products should not be construed as an endorsement, approval or recommendation by us of the owners or operators of those linked websites or products or of any information, graphics, materials, products or services referred to or contained on those linked websites or products unless and to the extent stipulated to the contrary.

Send does not guarantee or warrant that the Site will be uninterrupted, without delay, error-free, omission-free, or free of infections by viruses or any other manifesting, contaminating or destructive properties. Therefore, the information is provided 'as is' without warranties of any kind, express or implied,

including as to accuracy, timeliness and completeness.

This disclaimer does not attempt or purport to exclude liability arising under statute if and to the extent such liability cannot be lawfully excluded.

The Site is governed by and construed in accordance with the laws of Queensland, Australia. Users of the Site irrevocably and unconditionally submit to the exclusive jurisdiction of the Courts of Queensland and to the Federal Court of Australia sitting in Queensland.

## Glossary

In this Policy, the following terms have the following meaning, unless indicated to the contrary:

- **Act** means the *Privacy Act* 1988 (C'th)
- **Personal Information** has the same meaning as outlined under the Act.
- **Policy** means this Privacy Policy.
- **Send** means SendFX Limited ACN 617 647 220.
- **Site** means [www.sendpayments.com](http://www.sendpayments.com), or such other website or websites utilised by Send to provide its services from time to time, and including the Send API, the customer hub and any other platform (including a third party platform) or product offered by Send to utilise our services.

The following rules of interpretation apply to this Policy:

- A reference to:
  - legislation is to that legislation, as amended, varied, re-enacted or replaced, and includes any subordinate legislation issued under it;
  - anything (including a right, obligation or concept) includes each part of it;
  - a singular word includes the plural, and vice versa; and

- a word which suggests one gender includes the other genders.

- Headings are for convenience only, and do not affect the interpretation of this Policy.
- If an example is given of anything (including a right, obligation or concept), such as by saying it includes something else, the example does not limit the scope of that thing.