

AMBER OAK CAPITAL – PRIVACY POLICY

For the purposes of this Privacy Policy, the words “Amber Oak Capital”, “we”, “our” and “us” refers to Elbaite Pty Limited ACN 623 185 875.

Our collection use and disclosure of your personal information is governed by the *Privacy Act 1988 (Cth)* as amended from time to time (**Privacy Act**). This Privacy Policy describes how we collect, use and disclose your personal information in accordance with the Privacy Act and will apply in respect of this website on any computer, mobile phone, tablet, console or other device (**Device**).

We are committed to the privacy and security of your personal information. This Privacy Policy is incorporated into and subject to our Terms and Conditions which can be viewed at <https://amberoakcapital.com/terms-and-conditions/>.

CONSENT

By using, accessing or browsing, our website on any Device, you acknowledge that you have read, understood and agree to be bound by this Privacy Policy and consent to the collection, use and disclosure of your personal information in accordance with this Privacy Policy.

WHAT INFORMATION DO WE COLLECT?

Personally Identifiable Information

We will only collect personal and sensitive information that is reasonably necessary for us to provide you with, or directly related to, the services we offer on our website. The specific type of personal information we collect and use may include, but is not limited to, the following:

- name and contact information (including telephone and mobile number, email address, residential and postal address);
- individual information (including age, gender, race, place of birth and photographic identification);
- financial and transactional information (including banking, credit card and PayPal details);
- your tax residency status;
- other information that may be required by a seller of cryptocurrency to satisfy their legal obligations including the ‘Know Your Client’ rules;
- company name and contact information (including ABN/ACN, business name, Directors full names, Senior Executives full names, significant shareholder details, company contact, telephone and fax number, email address and registered, postal and business address); and
- other personal information (including any other information provided to us by you that we are required to collect by law).

We may also collect personal information as we reasonably determine necessary from time to time for any purpose in connection with the general conduct of our business, for example, in dealing with our agents, service providers and contractors.

We only collect personal information which has been provided to us by you. You have to the right to object to, or restrict the collection of your personal data, however if you choose not to provide us with the information we require, we may not be able to provide all of our services to you.

IP Addresses

An Internet Protocol (IP) address is a small set of numbers automatically assigned to your computer when you log onto the internet. We may use general information about your visit to our website, including your IP address and the date and time of your visit, to assist us in improving the quality and useability of our website. Typically, we will not link IP addresses with personal information, however, in rare instances we may need to link IP addresses to personal information if it becomes necessary to enforce compliance with the Terms and Conditions.

Cookies

Cookies are small text files placed on your hard-disk that allows the server to identify and interact more effectively with your Device and are frequently used on many websites. We may use cookies to enable us to identify you and to personalise and enhance your experience and use of our website. For example, a cookie may be used to pre-populate a registration form, or avoid details having to be entered more than once. You can choose if and how a cookie will be accepted by changing your preferences and options in your browser. Please note that declining cookies may impact your experience of our service or limit the use or functionality of our website.

USE OF PERSONAL INFORMATION

We will predominantly use your personal information for the provision of our services to you, and for any other purpose required by law. Such purposes include compliance with our 'Know Your Client' record obligations and AUSTRAC reporting and Anti-Money Laundering and Counter Terrorism Financing (**AML/CTF**) regulations. We may also use the information you have provided us with to engage in marketing activities. If we do use the information that you have provided us with in this manner then it is done in aggregate and on a purely anonymous basis with your personal information removed.

DISCLOSURE

We will not disclose your personal information, except if required by law, to enforce our Terms and Conditions, or otherwise in accordance with this Privacy Policy.

Where permitted by the Privacy Act, personal information we collect about you may be disclosed to third parties as we reasonably determine necessary from time to time for any purpose reasonably necessary or directly in connection with facilitating our service to you, including, but not limited to:

- providing you with use of or information about, or administering, managing, developing and improving, our service;
- managing our relationship with you;
- minimising risks and identify or investigating fraud and other illegal activities;
- maintaining and updating our records;
- addressing any queries, feedback, complaints or concerns;
- marketing and advertising;
- communicating directly with you and providing marketing communications and targeted advertising to you via post, email, SMS, telephone or other means on an ongoing basis (if you do not wish to receive these direct marketing communications, you can contact us via email: support@amberoakcapital.com to opt-out of receiving such communications);
- confirming your identity; and
- complying with any law.

If we intend to use or disclose your personal information for a purpose other than the primary purpose for which it was originally collected, to the extent required by law, we will ensure that:

- you have consented to such use or disclosure of your personal information; or
- the use or disclosure is required, authorised or otherwise permitted by law.

Occasionally, we may be required to disclose your personal information to third parties that are located outside of Australia. In this instance, we will take all reasonable steps to ensure that those third parties, in whichever jurisdiction, adhere to the terms of this Privacy Policy, however we note that our ability to enforce the Privacy Act against overseas recipients and to take action in relation to any breach may be very limited.

THIRD PARTY WEBSITES

Our website may have links to external third-party websites. We are not responsible for the privacy policies of other websites or services. You should make sure that you have read and understood any third-party privacy policies and direct any questions or concerns you may have to the relevant third party administrators.

STORAGE

We take our obligations to protect your personal information very seriously. This includes ensuring that we meet the Office of the Australian Information Commissioner guidelines with respect to the appropriate level of information and software security, governance and associated procedures so as to adequately protect your personal information from unauthorised access, loss, misuse, disclosure or alteration.

We may need to maintain records for a significant period of time. However, we will take reasonable steps to destroy or de-identify personal information where we consider that the information is no longer needed.

ACCESS

We endeavour to ensure that the personal information we hold is accurate and up-to-date. We realise that this information may change frequently with changes of address and other personal circumstances. If at any time you would like to access, correct or change any personal information provided to us by you, please contact us via email: support@amberoakcapital.com Please note that where you require copies of your personal and/or sensitive information held by us, we may charge you a reasonable fee for the postage and administration involved in complying with any such request.

COMPLAINTS

Where you believe that we have not complied with our obligations under this Privacy Policy or the Privacy Act, please [contact us](#) immediately. If you are not satisfied with our response to your complaint, you can telephone the Commonwealth Privacy Commissioner's hotline on 1300 363 992.

UPDATES

Our Privacy Policy will be reviewed from time to time to take into account new laws and technologies, and changes to our operations and/or practices. Accordingly, we reserve the right to change, modify, add or remove portions of this Privacy Policy and will publish the revised version here on our website. By continuing to use, access or browse our website following any changes to this Privacy Policy, you accept this Privacy Policy as it applies from time to time.

CONTACT

If you have any questions, comments or concerns about this Privacy Policy or our data practices please contact us in writing by email at: support@amberoakcapital.com

FURTHER INFORMATION

More information about Australian privacy law is available from the Federal Privacy Commissioner's website: www.privacy.gov.au

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