



**Notice**

# Privacy Notice EU and UK

**Esri Australia Group**

May 2023

## Contents

---

1	Objectives	4
2	Definitions	4
3	Collection, holding and use of your Personal Information	5
4	How do we process Personal Information under the law?	6
5	What Personal Information do We process?	6
6	Who do We share your Personal Information with?	6
7	How long do We keep your Personal Information?	7
8	How do We keep your Personal Information secure?	7
9	What are your data protection rights?	8
10	Contact us	8
11	How to contact the appropriate authority	8

# 1 Objectives

---

- 1.1 We are committed to protecting your privacy. Where you engage with Us and are based in the European Union (EU) and/or in the United Kingdom (UK) this Privacy Notice will apply to You. Esri Australia's Group Australian Privacy Policy may also apply, if you engage with Us whilst in Australia. Please see our website for a copy of this EU/UK Privacy Notice and our Australian Privacy Policy.
- 1.2 Set out below is information that We are required to communicate to you in connection with Personal Information collected about You, if You are based in the EU and/or the UK. This notice may be amended from time to time. A current version will always be available on our website.
- 1.3 This Privacy Notice operates in conjunction with the Privacy Law and other relevant laws.

# 2 Definitions

---

In this notice:

**Cookies** means text files placed on your computer to collect standard internet log and visitor behaviour information. When You visit our websites, We may collect information from You automatically through cookies or similar technology. For more information about how We use Cookies please refer to our Australian Privacy Policy on our website, You may also withdraw your consent through the link at the bottom of our Esri Australia website.

**Information** means, collectively, Personal Information and Sensitive Information.

**Personal Information** means any information relating to an identified or identifiable living individual, who can be identified, directly or indirectly in particular by reference to:-

- a) An identifier such as a name, an identification number, location data or an online identifier; or
- b) One or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of the individual.

**Privacy Law** includes the EU General Data Protection Regulation (GDPR) and where applicable UK legislation including the UK Privacy Act 2018 and any UK GDPR rules. The Australian Privacy Act may also apply, if You move jurisdictions and are based in Australia, please refer to our Australian Privacy Policy on our website.

**Sensitive Information** means information or an opinion about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences, criminal record or health information.

**We/Us** means any of Esri Australia's Group's related companies (as that definition applies in the Australian Corporations Act 2001 (Cth)) and includes for example (but not exclusive to) Boustead Geospatial Technologies Malaysia, Esri Australia Pty Ltd and Boustead Geospatial Technologies Pte Ltd.

**You** means you as the Customer, both in the singular and plural and as an individual and/or a legal entity under the Australian Corporations Act 2001.

## 3 Collection, holding and use of your Personal Information

---

3.1 We will only collect, hold, use and/or process (together "process") your Personal Information where We are legally allowed to do so.

3.2 We will ensure that your Personal Information is:

- a) processed lawfully, fairly and transparently;
- b) collected for specific, explicit and legitimate purposes;
- c) adequate, relevant and limited to what is necessary for the purpose of the processing;
- d) kept accurate and up to date;
- e) only kept for so long as is necessary;
- f) processed securely using appropriate technical and organisational measures to ensure integrity and confidentiality.

3.3 For Us, the lawful basis which We rely on will fall into one of the following:

- a) **Contractual performance:** where We process your Personal Information for contractual performance

This includes enabling Us to take steps You request prior to Us entering into a contract; and then once We have entered into a contract, to enable Us to perform the contract and to provide You with the products and services. We will process your Personal Information in accordance with the contract.

- b) **Legitimate interests:** where We process your Personal Information for our legitimate interests

We are a commercial organisation engaged in the provision of geographic information systems and associated services. We have an interest in promoting, marketing, selling and supporting our products and services. Where We process your Personal Information for our interests We will do so only where We have carefully considered both our and your interests. We will not process your Personal Information if our interests are overridden by your interests or fundamental rights and freedoms.

- c) **Consent:** where We rely solely on your consent to process your Personal Information

There may be circumstances where We need to or are required to obtain and/or rely upon your consent to process your Personal Information. If this is the case We will give You:

- i. the reason for needing your consent, including details as to how We will process your Information;
- ii. the choice as to whether to provide consent;
- iii. information to enable You to withdraw your consent.

## 4 How do we process Personal Information under the law?

---

- 4.1 We process your Personal Information to enable You to buy or use our products, services, training, or to send You, or allow You to access, our marketing material. We only process your Personal Information in accordance with the Privacy Law. Further information on these is set out below:

Example	Lawful Basis for Processing
You are a customer	We will have entered into a contract with You in order to provide You with products, services, content or training.
You use our website	To help inform You of our products and services. Where We process your Information, We will do so with your consent.'
You apply for a job with Us	The legitimate interests for processing Information You provide Us is to facilitate your employment application.
If You are a supplier	We will have entered into a contract with You in order for You to supply Us with products, goods or services.

## 5 What Personal Information do We process?

---

- 5.1 Depending on the circumstances for processing Personal Information, Personal Information We process will include for example: title/salutation; name; date of birth; address; country or location; employer; e-mail addresses; telephone numbers; IP address and information obtained from that address; Information We obtain from use of Cookies on your computer.
- 5.2 We may also process other Personal Information about You when needed to provide data, software, products, services or other Information that You requested. We will make You aware of what Personal Information We are processing at the time of when We obtain it.
- 5.3 We do not process any Sensitive Information about You. You should not provide Us with any Sensitive Information. Any Sensitive Information provided to Us will be deleted.

## 6 Who do We share your Personal Information with?

---

- 6.1 We will never sell your Information to a third party.
- 6.2 We will only share your Information with a third party or transfer your data outside of the EU if We need to. Where We do this We will comply with all of our legal obligations and We ensure that there are adequate protections in place to protect your Information.

- 6.3 If We need your consent We will:
- a) explain why We need to share your Personal Information;
  - b) explain the purpose for which We will be sharing it;
  - c) provide You with details of the third party;
  - d) obtain your explicit consent.
- 6.4 You will be able to easily withdraw your consent in the same way in which You gave it.
- 6.5 Where We rely on a different lawful basis, such as 'legitimate interests' or 'contractual', We will do so only to the extent permitted by such lawful basis.
- 6.6 Organisations that We may share your Personal Information with include:
- a) Boustead Geospatial Technologies Pte Ltd ("Boustead") for the purpose of enabling licensing, use and support of Boustead and Esri (defined below) products. Boustead is located in Singapore but operated from Australia and is one of our related companies; Where We share your Information with Boustead, We do so subject to the above and in accordance with our group internal processes and procedures and/or contractual arrangements;
  - b) Those who We use for our back-office systems, for the purpose of hosting those back-office systems;
  - c) Those who We use for our online services or our other hosted/managed services, for the purpose of hosting these services;
  - d) The third party owner or licensor of any third party software and/or third party data, for the purpose of licensing and administering access, use and support of the third party software and/or third party data.

## 7 How long do We keep your Personal Information?

---

- 7.1 In all cases We will only keep your Personal Information for as long as We have a lawful basis for processing it.
- 7.2 Where You enter into a contract and/or place an order, We will keep your Information for the duration of the contract and/or order, and thereafter for such period as We are permitted by law (to comply with financial legislation), or for so long as is necessary for the establishment, exercise or defence of legal claims.
- 7.3 Where You have made a general or specific enquiry but have not entered into a contract or placed an order with Us, We will keep your Information until that enquiry is resolved.
- 7.4 Where You have expressly consented to and/or subscribed to marketing, newsletters, events Information or to any other form of communication, We will keep your Information only whilst your consent and/or subscription is valid.

Where We no longer need your Information and no longer have a basis for keeping it, We will delete it within 12 months.

## 8 How do We keep your Personal Information secure?

---

We place a great deal of importance on the security of all Personal Information. We have in place appropriate technical and security measures which are reviewed routinely. Our approach to Information security will soon be validated by our externally audited certification to ISO 27001.

## 9 What are your data protection rights?

---

We respect and place significant importance on your rights. We would like to make sure you are fully aware of all of your data protection rights.

- 9.1 In summary, your rights include the right to:
- a) **The right to access** – You have the right to request Us for copies of your personal data. We may charge You a small fee for this service;
  - b) **The right to rectification** – You have the right to request that We correct any Information you believe is inaccurate. You also have the right to request Us to complete the Information You believe is incomplete;
  - c) **The right to erasure** – You have the right to request that We erase your personal data, under certain conditions;
  - d) **The right to restrict processing** – You have the right to request that We restrict the processing of your personal data, under certain conditions;
  - e) **The right to object to processing** – You have the right to object to Us processing your personal data, under certain conditions;
  - f) **The right to data portability** – You have the right to request that We transfer the data that We have collected to another organisation, or directly to You, under certain conditions.
- 9.2 If you wish to object or to withdraw consent, You may contact Us though one of the methods detailed below in the 'Contact us' section. In addition, where We have sent You a marketing email, We will have provided an 'unsubscribe' or 'set your preferences' which You can use to stop any future marketing communications.

## 10 Contact us

---

- 10.1 Please contact by one of the following means:
- a) E-mail us at: [privacy@esriaustralia.com.au](mailto:privacy@esriaustralia.com.au)
  - b) Telephone us at: +61 (0)7 3218 4100;
  - c) Write to us at: FAO Privacy Officer, Esri Australia, Level 3, 111 Elizabeth St, Brisbane Qld 4000.

## 11 How to contact the appropriate authority

---

- 11.1 Should You wish to report a complaint or if You feel that We have not addressed your concern in a satisfactory manner, You may contact the Information Commissioner's Office.
- a) UK : please contact the UK Information Commissioner's Office;
  - b) EU : please contact the Data Protection authority in your jurisdiction for example if You are based in Ireland contact the Irish Data Protection Commission.