



THOMAS CYBER

TACTICAL CYBER SECURITY & INTELLIGENCE

PRIVACY POLICY (INCLUDING GDPR)

Policy

Thomas Cyber
Suite 500, 885 Beaufort Street
Inglewood WA 6052, Australia

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CLASSIFICATION: PUBLIC

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Cyber Cerberus Privacy Policy (including GDPR)

Shimazaki Management Group Pty Ltd T/A Thomas Cyber Privacy Policy (Including EU GDPR)

1. We respect your privacy.

- 1.1. Shimazaki Management Group Pty Ltd T/A Cyber Cerberus respects your right to privacy and is committed to safeguarding the privacy of our customers and website visitors. This policy sets out how we collect and treat your personal information.
- 1.2. We adhere to the Australian Privacy Principles contained in the Privacy Act 1988 (Cth) and to the extent applicable, the EU General Data Protection Regulation (“GDPR”).
- 1.3. In this Privacy Policy:
 - a) “personal information” is information about an individual who is identified in the information or their identity can be ascertainable from it. This includes information and opinions obtained from the individual or from a third party;
 - b) “we”, “us” and “our” refers to Shimazaki Management Group Pty Ltd T/A Cyber Cerberus; and
 - c) “you” refers to any individual or entity who uses our website.
- 1.4. We will only use or disclose personal information we hold about you in accordance with this Privacy Policy or as otherwise notified to you.
- 1.5. You may contact us in writing at Suite 500, 885 Beaufort Street, Inglewood WA 6052, Australia or hello@thomascyber.com for further information about this Privacy Policy.

2. What personal information is collected

- 2.1. We will, from time to time, receive and store personal information you submit to our website, provided to us directly or given to us in other forms. You may provide basic information such as your name, phone number, address, and email address to enable us to send you information, provide updates and process your product or service order.
- 2.2. We may collect additional information at other times, including but not limited to, when you provide feedback, when you provide information about your personal or business affairs, change your content or email preference, respond to surveys and/or promotions, provide financial or credit card information, or communicate with our customer support.
- 2.3. Additionally, we may also collect any other information you provide while interacting with us.
- 2.4. If you provide us personal information about another person, you represent that you are authorised to do so and you agree to inform that person who we are, that we will use and disclose their personal information and that they may access any personal information we hold about them. You should also refer them to this Privacy Policy which applies to their personal information.

3. How we collect your personal information

- 3.1. We may collect personal information from you in a variety of ways, including when you interact with us electronically or in person, when you access our website and when we engage in business activities with you. We may receive personal information from third parties. If we do, we will protect it as set out in this Privacy Policy.
- 3.2. By providing us with personal information, you consent to the supply of that information subject to the terms of this Privacy Policy.

- 3.3. If you provide us personal information about another person, you represent that you are authorised to do so and you agree to inform that person who we are, that we will use and disclose their personal information and that they may access any personal information we hold about them. You should also refer them to this Privacy Policy which applies to their personal information.

4. How we use your personal information

- 4.1. We may use personal information collected from you to provide you with information about our products or services. We may also make you aware of new and additional products, services and opportunities available to you.
- 4.2. Your personal information may be used by us to:
- a) verify your identity;
 - b) price and design products and services;
 - c) assist you to subscribe to products and services;
 - d) provide products and services you require;
 - e) provide you access to software;
 - f) notify you of any new or changed services;
 - g) arrange for the products and services you require to be provided by a third part service provider;
 - h) manage our relationship with you;
 - i) administer, improve, and manage our products and services such as charging, billing and collection of debts;
 - j) conduct appropriate checks for credit-worthiness or fraud;
 - k) research and develop our products and services;
 - l) gain an understanding of your needs in order to provide you with better service and products
 - m) assist with the resolution of technical support issues or other issues relating to our products or services;
 - n) carry out marketing or training;
 - o) comply with the laws and regulation in applicable jurisdictions; and
 - p) maintain and develop our business system and infrastructure.
- 4.3. If you withhold your personal information, it may not be possible for us to provide you with our products and services or for you to fully access our website.
- 4.4. We may disclose your personal information to comply with a legal requirement, such as a law, regulation, court order, subpoena, warrant, legal proceedings or in response to a law enforcement agency request.
- 4.5. If there is a change of control in our business or a sale or transfer of business assets, we reserve the right to transfer to the extent permissible at law our user databases, together with any personal information and non-personal information contained in those databases.

5. Disclosure of your personal information

- 5.1. We may exchange your information with our related bodies corporate. We and our bodies corporate may use your personal information for any of the purposes mention in Clause 4.2

- 5.2. We may disclose personal information about you, as appropriate, to:
- a) our employees, assignees, agents, referred service providers, contractors and external advisors;
 - b) organisations which verify your identity;
 - c) your agents, advisors, referees, executor, administrator, trustee, the beneficiary of any trust of which you are a trustee, your guardian, attorney or franchisor;
 - d) law enforcement, regulatory and government bodies;
 - e) anyone who introduces you to us;
 - f) you and our auditors, insurers or prospective insurers and their underwriters;
 - g) any person necessary to execute your instructions; and
 - h) any other organisations (and their agents) with whom we have arrangements for the supply and marketing of our respective products and services, unless you “opt out” of marketing.
- 5.3. If we do disclose your personal information to a third party, we will protect it in accordance with this privacy policy.

6. General Data Protection Regulation (GDPR) for the European Union (EU)

- 6.1. We will comply with the principles of data protection set out in the GDPR for the purpose of fairness, transparency and lawful data collection and use.
- 6.2. We process your personal information as a Processor and/or to the extent that we are a Controller as defined in the GDPR.
- 6.3. We must establish a lawful basis for processing your personal information. The legal basis for which we collect your personal information depends on the data that we collect and how we use it.
- 6.4. We will only collect your personal information with your express consent for a specific purpose and any data collected will be to the extent necessary and not excessive for its purpose. We will keep your data safe and secure.
- 6.5. We will also process your personal information if it is necessary for our legitimate interests, or to fulfil a contractual or legal obligation.
- 6.6. We process your personal information if it is necessary to protect your life or in a medical situation, it is necessary to carry out a public function, a task of public interest or if the function has a clear basis in law.
- 6.7. We do not collect or process any personal information from you that is considered "Sensitive Personal Information" under the GDPR, such as personal information relating to your sexual orientation or ethnic origin unless we have obtained your explicit consent, or if it is being collected subject to and in accordance with the GDPR.
- 6.8. You must not provide us with your personal information if you are under the age of 16 without the consent of your parent or someone who has parental authority for you. We do not knowingly collect or process the personal information of children.

7. Your rights under the GDPR

- 7.1. If you are an individual residing in the European Union (“EU”), you have certain rights as to how your personal information is obtained and used. We comply with your rights under the GDPR as to how your personal information is used and controlled if you are an individual residing in the EU. If you reside in a country within the EU, this clause 7 applies as follows:

- a) any personal information you provide to us is handled in accordance with this Privacy Policy and the GDPR. The transfer of your personal information to a country outside the EU in accordance with this Privacy Policy has been approved by our privacy controller;
- b) you agree that, by using the services and our website, you give your consent for us to use your personal information in accordance with this Privacy Policy for the purposes of Article 4(11) of the GDPR;
- c) in the event that your personal information held by us is no longer required for a purpose set out in this Privacy Policy, we will take reasonable steps to deidentify or destroy this personal information.

7.2. Erasure of Personal Information

- a) You have the right to request that we erase any personal information held by us without undue delay if:
 - i. the personal information is no longer necessary in relation to the purposes for which it was collected or otherwise processed;
 - ii. you withdraw consent on which the processing is based according to point (a) of Article 6(1), or point (a) of Article 9(2) of the GDPR, and where there is no other legal ground for the processing;
 - iii. you object to the processing pursuant to Article 21(1) of the GDPR and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Article 21(2) of the GDPR;
 - iv. your personal information has been unlawfully processed;
 - v. your personal information has to be erased for compliance with a legal obligation in Union or Member State law to which we are subject to; or
 - vi. your personal information has been collected in relation to the offer of information society services referred to in Article 8(1) of the GDPR;
- b) where we have made your personal information public and we are obliged pursuant to clause 7.2(a) to erase the personal data, we, taking account of available technology and the cost of implementation, will take reasonable steps, including technical measures, to inform any third party which is processing the personal data that you have requested the erasure of any links to, or copy or replication of, that personal information;
- c) clauses 7.2(a)-(b) shall not apply to the extent that processing of your personal information is necessary:
 - i. for exercising the right of freedom of expression and information;
 - ii. for compliance with a legal obligation which requires processing by Union or Member State law to which we are subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in us;
 - iii. for reasons of public interest in the area of public health in accordance with points (h) and (i) of Article 9(2) as well as Article 9(3) of the GDPR;
 - iv. for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) of the GDPR in so far as the right referred to in clause 5.2(d) is likely to render impossible or seriously impair the achievement of the objectives of that processing; or
 - v. for the establishment, exercise or defence of legal claims.

7.3. Right to Data Portability

- a) You have the right to receive your personal data which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit that information to another person without hindrance from us, where:
 - i. the processing is based on consent pursuant to point (a) of Article 6(1) or point (a) of Article 9(2) or on a contract pursuant to point (b) of Article 6(1) of the GDPR; and
 - ii. the processing is carried out by automated means;
- b) in exercising your right to data portability pursuant to clause 7.3(a), you have the right to have your personal information transmitted directly from us to another third party, where technically feasible;
- c) the exercise of the right referred to in clause 7.3(a) shall be without prejudice to your rights under clause 7.3(a). That right shall not apply to processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in us;
- d) the right referred to in clause 7.3(a) must not adversely affect the rights and freedoms of others.

7.4. Right to Object

- a) You have the right to object, on grounds relating to your particular situation, at any time to processing of your personal information concerning him or her which is based on point (e) or (f) of Article 6(1) of the GDPR, including profiling based on those provisions. We will no longer process your personal information unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims;
- b) where your personal information is processed for direct marketing purposes, you have the right to object at any time to processing of your personal information, which includes profiling to the extent that it is related to such direct marketing;
- c) where you object to processing for direct marketing purposes, your personal information will no longer be processed for such purposes;
- d) you agree that by using the services or website subject to this Privacy Policy, the right referred to in paragraphs 7(k)-(m) have been brought to your attention;
- e) in the context of the use of information society services, and notwithstanding Directive 2002/58/EC (Privacy and Electronic Communications Directive 2002), you may exercise your right to object by automated means using technical specifications; and
- f) where your personal information is processed for scientific or historical research purposes or statistical purposes pursuant to Article 89(1) of the GDPR, you, on grounds relating to your particular situation, have the right to object to processing of your personal information, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

8. Hosting and International Data Transfers

- 8.1. Information that we collect may from time to time be stored, processed in or transferred between parties or sites located in countries outside of Australia. These may include but are not limited to Five Eyes Countries (Australia, New Zealand, United States of America, United Kingdom and Canada).
- 8.2. We and our other group companies have offices and/or facilities in Five Eyes Countries (Australia, New Zealand, United States of America, United Kingdom and Canada). Transfers to each of these countries will be protected by appropriate safeguards, these include one or more of the following: the use of standard data protection clauses adopted or approved by the European Commission which you can obtain from the European Commission Website; the use of binding corporate rules, a copy of which you can obtain from Shimazaki Management Group Pty Ltd T/A Cyber Cerberus's Data Protection Officer.

- 8.3. The hosting facilities for our website are situated in Five Eyes Countries (Australia, New Zealand, United States of America, United Kingdom and Canada). Transfers to each of these Countries will be protected by appropriate safeguards, these include one or more of the following: the use of standard data protection clauses adopted or approved by the European Commission which you can obtain from the European Commission Website; the use of binding corporate rules, a copy of which you can obtain from our Data Protection Officer.
- 8.4. Our Suppliers and Contractors are situated in Five Eyes Countries (Australia, New Zealand, United States of America, United Kingdom and Canada). Transfers to each of these Countries will be protected by appropriate safeguards, these include one or more of the following: the use of standard data protection clauses adopted or approved by the European Commission which you can obtain from the European Commission Website; the use of binding corporate rules, a copy of which you can obtain from our Data Protection Officer.
- 8.5. You acknowledge that personal data that you submit for publication through our website or services may be available, via the internet, around the world. We cannot prevent the use (or misuse) of such personal data by others.

9. Security of your personal information

- 9.1. We are committed to ensuring that the information you provide to us is secure. To prevent unauthorised access or disclosure, we have put in place suitable physical, electronic, and managerial procedures to safeguard and secure information and protect it from misuse, interference, loss and unauthorised access, modification and disclosure.
- 9.2. Where we employ data processors to process personal information on our behalf, we only do so on the basis that such data processors comply with the requirements under the GDPR and that have adequate technical measures in place to protect personal information against unauthorised use, loss and theft. The transmission and exchange of information is carried out at your own risk. We cannot guarantee the security of any information that you transmit to us or receive from us. Although we take measures to safeguard against unauthorised disclosures of information, we cannot assure you that personal information that we collect will not be disclosed in a manner that is inconsistent with this Privacy Policy.

10. Access to your personal information

- 10.1. You may request details of personal information that we hold about you in accordance with the provisions of the Privacy Act 1988 (Cth), and to the extent applicable the EU GDPR. If you would like a copy of the information which we hold about you or believe that any information we hold on you is inaccurate, out of date, incomplete, irrelevant or misleading, please email us at hello@thomascyber.com.
- 10.2. You may be required to put your request in writing for security reasons. We may also charge a fee for giving you access to your personal information and will try to deal with your request within a reasonable time.
- 10.3. We reserve the right to refuse to provide you with information that we hold about you, in certain circumstances set out in the Privacy Act or any other applicable law.

11. Complaints about privacy

- 11.1. If you have any complaints about our privacy practices, please feel free to send in details of your complaints to hello@thomascyber.com. We take complaints very seriously and will respond shortly after receiving written notice of your complaint.

12. Changes to Privacy Policy

- 12.1. Please be aware that we may change this Privacy Policy in the future. We may modify this Policy at any time, in our sole discretion and all modifications will be effective immediately upon our

posting of the modifications on our website or notice board. Please check back from time to time to review our Privacy Policy.

13. Website

13.1. When you visit our website

When you come to our website (www.thomascyber.com), we may collect certain information such as browser type, operating system, website visited immediately before coming to our site, etc. This information is used in an aggregated manner to analyse how people use our site, such that we can improve our service.

13.2. Cookies

We may from time to time use cookies on our website. Cookies are very small files which a website uses to identify you when you come back to the site and to store details about your use of the site. Cookies are not malicious programs that access or damage your computer. Most web browsers automatically accept cookies, but you can choose to reject cookies by changing your browser settings. However, this may prevent you from taking full advantage of our website. Our website may from time to time use cookies to analyse website traffic and help us provide a better website visitor experience. In addition, cookies may be used to serve relevant ads to website visitors through third party services such as Google AdWords. These ads may appear on this website or other websites you visit.

13.3. Third party sites

Our site may from time to time have links to other websites not owned or controlled by us. These links are meant for your convenience only. Links to third party websites do not constitute sponsorship or endorsement or approval of these websites. Please be aware that we are not responsible for the privacy practises of other such websites. We encourage our users to be aware, when they leave our website, to read the privacy statements of each and every website that collects personal identifiable information.