

## VIDCON AUSTRALIA PRIVACY POLICY STATEMENT

The VidCon Privacy Policy Statement applies to the use of personal information by VidCon LLC and its subsidiary, VidCon International LLC, with offices located at 224 W Spruce St, Missoula, MT 59802, USA (jointly and separately referred to as "**VidCon**" or "**we**" or "**us**"). This Privacy Policy Statement explains how we use personal information collected or processed by us and via <http://vidcon.com> and <https://www.con-tix.com> in connection with the organization and marketing of the VidCon conferences and ancillary services (the "**Services**"), and in accordance with the *Privacy Act 1988* (Cth) ("**Privacy Act**").

By using our Services, you consent to the collection, storage, use and disclosure of your personal information in accordance with this Privacy Policy Statement and as otherwise permitted under the Privacy Act.

### "Personal Information"

The VidCon Privacy Policy Statement concerns the use by VidCon of 'personal Information'. Personal Information, or "personally identifiable information or PII", as it is sometimes known, is generally a reference to data that can be linked to or identified with a specific living individual including data identifying a specific computer or mobile device belonging to or used by an individual.

You do not have to provide your personal information to us however, if you choose not to provide your personal information to us, we may not be able to provide the Services to you.

This Privacy Policy Statement does not apply to any data insofar as it is held, processed, disclosed or published in a form which cannot be linked to a specific individual or specific device and which cannot be used to single out an individual (such as anonymized data or aggregated data, or which, in a given form, cannot be used to extract personal information, and which does not qualify as personal data) ("**Generic Data**"). VidCon reserves the right to generate Generic Data out of any databases containing personal information and to use and/or share such Generic Data as it sees fit, taking into account the applicable privacy rules.

### Who is responsible for the processing of personal information

Both VidCon LLC and VidCon International LLC are the entities responsible (data controllers) for the processing of personal information we collect.

Any inquiries or complaints relating to the use of personal information by VidCon should be communicated to VidCon ([info@vidcon.com](mailto:info@vidcon.com)). If you contact VidCon, we may keep a record of your correspondence or comments. We may ask for your name, e-mail address and contact information in order to send you a reply and keep a record of the inquiry.

### Personal Information collected in connection with the Service

In order to provide the Services, VidCon collects certain details of personal information relevant to the Services from individuals who register with us and/or purchase tickets for the VidCon conferences ("**Customers**") and any other persons using our website ("**Users**"). These details typically include the Customer's name, age, email address, mailing address, telephone number, user name and password for using our service online, gender, T-Shirt size and payment details. Customers may be asked to provide other details as may be required from time to time in order to enable us to carry on our business and to provide the Services. Generally, VidCon only collects personal information directly from Customers which the Customer knowingly provides to us on request (for example, by completing a registration form or by providing personal details orally). However, we may also collect personal information from third parties such as your representatives or publicly available sources of information.

If someone other than you provides us with personal information about you that we did not ask for and we determine that we could have collected this information from you had we asked for it, we will notify you as soon as practicable (unless to do so would be a breach of confidence). If we determine that we could not have collected this personal information, we will lawfully de-identify or destroy that personal information.

Please also be informed that photographs and/or audio / video recordings may be taken at an event by VidCon, or others on behalf of VidCon. Such photographs or recordings may include the event visitor's image, name, voice and/or likeness. When attending and/or participating in the relevant event, the relevant personal information may be

processed with the consent of the event visitor or its parent / legal representative for (direct) marketing/ promotion of our products and services.

### **The purposes and legal basis for the collection of Customers' and Users' personal information**

We use personal information that we collect from Users and Customers on the basis that it is necessary for the purposes of our legitimate interests or where the processing is permitted or required by law, including:

- to administer the sale and delivery of tickets to Customers, including payments;
- to process and respond to Customer inquiries (including ticket returns/cancellations);
- to send Customers information in relation to the Service;
- to allow Customers to participate in surveys;
- to analyze the accuracy, effectiveness, usability or popularity of the Services and our website;
- to provide technical and other support to Customers;
- to create Generic Data, which we may use for any purpose;
- to monitor, audit and improve our Service and our website;
- to prevent fraudulent transactions, monitor against theft and otherwise protect our Customers, our Users and our business;
- to discharge our legal and regulatory obligations; and
- as otherwise stated in this Privacy Policy Statement or as may be communicated on our publications including our website from time to time.

VidCon may also use the e-mail addresses of its Customers (insofar as permitted under applicable law) to communicate with Customers in relation to its own similar Services, if VidCon has obtained the e-mail address of the Customer in the context of a concluded (ticket) sale. VidCon may continue such email communications unless the Customer indicates that this should be discontinued ('opt-out'), or if otherwise required by law.

Where a Customer gives us an opt-out notice, VidCon will not use his or her personal information for direct marketing purposes but may continue to use the personal information in our possession to deliver our Services, and to administer, maintain and improve our website and our Services and for the other purposes described above.

Where an opt-in is required by applicable law as a prerequisite for sending direct marketing communications or for providing personal data to third parties, VidCon will not use a Customer's personal information for such purposes unless the Customer provides the requisite opt-in.

Where the processing of any personal information is based on the Customer's consent (or 'opt-in') that consent can be withdrawn by that person at any time by giving us written notice.

### **How personal information is disclosed to third parties**

#### Subsidiaries and Affiliates

We may share personal information of Users and Customers with our subsidiaries and affiliates for purposes consistent with this Privacy Policy Statement. The sharing of information with our subsidiaries and affiliates may involve the transfer of personal information overseas to foreign countries who are not subject to the Privacy Act. By providing your personal information to us, you consent to this disclosure. Our subsidiaries and affiliates will be required to maintain that information in accordance with this Privacy Policy Statement.

#### Sponsors

We do not share our Customers' or Users' personal information with sponsors of our conferences.

#### Support services and subcontractors

We may use third parties to perform functions in connection with our Services and our website such as administration services, technical services relating to the maintenance, servicing and upgrading of the products, software or services provided or used by VidCon, hosting services, data migration services, and analytical services. We may share Customers' and Users' personal information that these third parties need to perform their functions and in accordance with our agreements with them. VidCon enters into data processing agreements with its service providers and

partners that meet the requirements of applicable privacy law, ensuring that such third parties use the personal information of our Customers and Users for the sole purpose of providing services to us in connection with our Services and that they keep that data secure and do not use it for any other purposes, nor disclose it to any third parties nor retain copies of such data except as necessary to provide their services to VidCon or to its Customers or as may be required by law.

Some of the third party service providers we use may be located overseas, or may disclose your personal information to third parties in foreign countries in the course of performing their functions in connection with our Services. By providing your personal information to us, you consent to this disclosure.

### Business Changes

We may disclose and transfer personal information of our Customers and Users to purchasers or potential purchasers of our business or those business activities relating to our Services and to their advisors (including, where necessary, in negotiations towards such sale or transfer). Such purchase of our business could take the form of a purchase of assets or shares, a merger or other form of corporate reorganization and consolidation. We shall ensure that any such disclosure meets the requirements of the applicable privacy law. It will, for instance, be ensured that the recipients of the personal data use it only for the purposes specified in this Privacy Policy Statement in the operation of the Services (or, prior to a sale being concluded, for the purpose of evaluating the transaction), and not for any other services, and that the data is kept secure and is not transferred to other third parties.

### Investigations and Law

Regardless of the choices Customers and Users make regarding their personal information, we may disclose information to third parties where required for the purpose of:

- enforcing or applying our terms of conditions, terms of use or contracts with our Customers;
- protecting our rights, reputation, integrity, safety and property, or that of our Users and Customers;
- protecting against liability of VidCon, its partners or others;
- investigating, preventing or taking action regarding suspected illegal activities, fraud, violation of our terms and conditions, or as otherwise required by law; or
- complying with law, in response to subpoenas, warrants or court orders, or in connection with any legal process or cooperate with government or law enforcement officials.

VidCon will fully cooperate with law enforcement, investigation and security agencies and regulators to identify anyone who uses its Service or website for illegal activities. We may report to law enforcement, investigation and security agencies and to regulators any activities that are believed to be unlawful.

### Aggregated Information

We may share Generic Data relating to our Customers and Users with affiliated or unaffiliated third parties. We and our service providers may use cookies and other storage, web beacons and technologies in relation to the Services. Please see our Cookie Policy for more information.

### **Storage, security, retention and transfer of personal data to other countries**

Personal information that VidCon collects is stored on its servers or on the servers of its hosting or cloud service provider (which may be located overseas). Where personal information is stored on servers located overseas, we will ensure that such data exports are secure and lawful through the use of data exporting agreements or by implementing other safeguards as permitted by law. Further information regarding our data exporting agreements or other safeguards we put in place in relation to the transfer of data overseas may be available on request at [info@vidcon.com](mailto:info@vidcon.com).

We use all reasonable endeavours to implement and maintain (and ensure that our hosting and cloud services provider maintain) adequate security measures to protect your personal information in a secure environment and to

prevent misuse and unauthorised access or disclosure. We seek to comply with all local rules in respect of storage of data. We collect no more personal information from Users and Customers than is reasonably required for the purpose for which it is collected.

Personal information collected from Customers through their registration and/or purchasing tickets process is kept on our servers for such time as is required or otherwise authorised by the Privacy Act. If we no longer need and are not required by law to retain your personal information, we will take reasonable steps to destroy or lawfully de-identify in accordance with this Privacy Policy Statement.

We note that the sending of information via the internet is not highly secure and on occasion such information can be intercepted. Whilst we shall use reasonable efforts to protect the security of personal information about Customers and Users, we cannot guarantee the security of data that Customers choose to send us electronically. Sending such data is at the risk of the sender.

### **Notification in the event of breach**

In the event of a breach in the security of personal information, VidCon may be obliged under applicable law to notify the relevant authorities within 72 hours and the data subjects without undue delay. Subject to the applicable law, VidCon may also on its own accord decide to notify Customers or Users who are actually or potentially affected (and VidCon may consult with relevant data regulators as to the appropriate course of action in the circumstances). VidCon may elect to give notice of the breach to its affected Customers via email (if such data is available to VidCon) or other electronic means. Notice of data breach may also be given via publication including on our website. Subject to the applicable law and its regulatory requirements, VidCon reserves the right to decide whether or not to give notice of a data breach to any specific Customer or User and to decide which individuals should be notified, and reserves the right to delay notification if it is asked to do so by law enforcement or other authorities, or if VidCon believes that giving notice will increase the risk of harm to its Customers.

### **Special categories of personal data**

VidCon does not collect personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, genetic data, biometric data, data concerning health or sex life, data relating to criminal convictions and offences or related security measures, or a national identification number or any other identifier of general application. VidCon does not wish to receive any such data and will not request it.

### **Data on children**

Persons under the age of 13/16 - depending on the applicable law - should not purchase tickets for our conferences, use our Services or our website, or otherwise transfer personal information to us unless they have the consent of their parent(s) or guardian(s). We do not knowingly collect, nor do we want to receive, personal information about children who are under 13/16 years old.

### **Third party links**

On occasion, we include links to third parties on this website. Where we provide a link it does not mean that we endorse or approve that site's policy towards visitor privacy. Users of our website should review the privacy policy statements of any third party website to which we may provide a link before sending any personal information to that website.

### **Right to access, correction and rectification**

#### Access to information

Customers and Users may exercise their right to access the personal information we hold about them by making a request to us. VidCon will then, within a reasonable period and where reasonable and practicable, provide access to the information in the manner requested. Where permitted by applicable law, we reserve the right to charge a fee to a person making a request for such information to cover our costs in providing it.

Rectification or deletion of personal information

Where personal data is collected in connection with our Services, a person may request that we:

- (1) rectify his or her personal information held by VidCon, for instance if it is inaccurate or incomplete; or
- (2) erase such data from our records if:
  - a. it is no longer necessary,
  - b. it was collected on the basis of an opt-in/consent and the Customer's or User's consent has been withdrawn, or
  - c. if the Customer or User has a legitimate reason under applicable law to object to the processing of his data.

A person affected may contact us or our representative in relation to such request either via email or by sending a written notice to the address provided above.

We will rectify or erase all personal information we hold on a person, upon receiving a justified request, save that:

- (1) VidCon reserves the right (insofar as permitted or required by law) to retain records of a person's personal information if we reasonably require to maintain such records for legal or administrative purposes including to process payments and refunds, to comply with our legal or regulatory duties, to investigate and respond to complaints (including from other Customers), to maintain compliance records, to enforce our terms and conditions, or for the establishment, exercise or defense of legal claims; and
- (2) VidCon shall be entitled to retain any Generic Data which may have been extracted or obtained from a person's personal information including any aggregated, anonymized or otherwise de-personalized data.

**Complaints**

Complaints and enquiries relating to the processing of personal information can be sent to us at the email address provided above.

**Privacy Policy Statement changes**

This Privacy Policy Statement was last changed on *November 4, 2016*. If VidCon makes changes to the Privacy Statement, the new version will be posted on our website or published or made available to Customers in connection with our Service. VidCon may change, modify, add or remove portions of this Privacy Policy Statement at any time, and any changes will become effective immediately upon being posted unless stated otherwise.