

Privacy Policy

JDM Systems Technologies Pty Ltd ABN 77 149 871 689 and its related bodies corporate (JDM Technology Group AU Region, us, we, our) takes your privacy seriously and is committed to responsible privacy practices.

JDM Technology Group AU Region is a global provider of enterprise software solutions for construction accounting and project management - and operates a number of branded solutions in the Australian and New Zealand marketplace, including [CSSP](#), [Buildlogic](#), [CavSoft](#), [Levesys](#), [Powercad](#), [Spearhead Software](#), [Emac](#), [Nimbus Software](#) and [Costcon](#) amongst many others - more information on which is available at <https://jdmtechnologygroup.com/companies/>.

Please read the following privacy policy (Privacy Policy) to understand how we collect, use, disclose, store, handle and protect your personal information.

We hope that this will help you make an informed decision about sharing personal information with us. As well as applying to our interactions with you, this Privacy Policy also applies to all information collected through this website and any other websites, platforms and/or mobile apps we operate.

This Policy applies to the business operations of JDM Technology Group AU Region in Australia and New Zealand only. For information on how your personal information is dealt with in respect of the broader global JDM Technology Group, please see the section below titled "Does personal information leave Australia or New Zealand?".

This Policy sits alongside our Standard SaaS Terms, Licence Agreements and Terms of Use, and any other terms and conditions that apply to the products and services we provide to you.

What is personal information?

In this Privacy Policy, 'personal information' has the meaning set out in the Privacy Act 1988 (Cth) (**Australian Privacy Act**) and the Privacy Act 2020 (NZ) (**New Zealand Privacy Act**) as applicable, as amended from time to time (together, **Applicable Privacy Laws**). In general terms, personal information is information (whether fact or opinion) about an individual who is identified or reasonably identifiable from that information or other information combined with that information.

Some types of personal information are classified as 'sensitive information' which are subject to higher protection under Applicable Privacy Laws. Sensitive information may include information about your racial or ethnic origin, your health information (including injury reports or incident management), trade union membership, biometric identifiers (including facial or fingerprint information).

What types of personal information do we collect?

The types of personal information we collect about you will depend on the purpose for which the personal information is collected. This can include:

- in the case of individual customers procuring our products and/or services- your name, billing or shipping address, email address, telephone number(s) and your order details;
- in the case of corporate customers procuring our products and/or services (Clients) - the name, email address and other contact information (including telephone number(s)) of our Client's staff member engaging with us;

- in the case of our Clients – the name, contact information (including residential addresses, email address, telephone number(s)) and health-related information of our Clients' customers (e.g. in circumstances where our platform stores Client injury site reports or site health attestations reports, where required for payroll or human resources purposes);
- in the case of Clients and customers using the JDM Mobile, JDM Client, Construction Mobility or Construction Mobility (TM) apps (Apps) – location data including the precise or approximate location information from customer's mobile devices when the Apps are running in the foreground (app open and on-screen) or background (app open but not on-screen) and transaction information relating to the use of the Apps, including route details (such as date and time, start and finish locations, distance travelled);
- in the case of Clients and customers using the Apps – usage data on how customers interact with the Apps, including access dates and times, app features or pages viewed, browser type, app crashes and other system activity;
- in the case of Clients and customers using the Apps – device data on how customers interact with the Apps, including hardware models, device IP address or other unique device identifiers, operating systems and versions, software, advertising identifiers, device motion data and mobile network data;
- technical information and general analytics, such as web browser type and browsing preferences, Internet service provider, referring/exit pages, date/time stamps, IP address, time zone and geolocation data (if applicable), some of which is collected automatically, arising from your use of our website and/or platforms, as well as information about your usage of our website and/or platforms when browsing (see: "How do we collect personal information" below);
- if you have requested to receive news about exclusive offers, promotions, or events from, us – your name, residential address, email address, and telephone number(s);
- if you have contacted us to make a complaint, provide feedback, submit an enquiry, request a call-back or request a product or service demo – your name, residential address, email address, and telephone number(s);
- in the case of prospective employees or contractors – information contained in your application or résumé, recorded during any interview, or obtained through any pre-employment checks, and government-issued identifiers such as tax file numbers; and
- in the case of our suppliers and distributors – your staff member's name, residential address, email address, and/or telephone number(s).

Generally, we will not collect sensitive information about you. However, in some circumstances, including where you disclose this to us (e.g. health or criminal records checks as a prospective employee) or where a Client provides such information to us for storage as part of the provision of our services to a Client, we may need to collect and/or access limited sensitive information about you.

We do not collect personal information of individuals under the age of 18 (a minor) and you should refrain from providing any such information to us. If you do provide us with personal information of a minor, we will remove this from our servers and systems.

How do we collect personal information?

We collect your personal information directly from you, including when you:

- access or use our website;
- subscribe to or purchase our products or services (if applicable);
- sign up to receive news and exclusive offers, promotions, or events;

- enter surveys, competitions, promotions or request information or material from us;
- make inquiries about us or our products or services or otherwise communicate with us by email, by telephone, in person, via a website or otherwise; and
- apply to work with us (as a prospective employee) or are applying to engage with us as a contractor.

Where it is reasonable and practicable to do so, we will only collect personal information about you from you directly and not from third parties.

However, where you are a staff member or customer of one of our Clients, we may collect your personal information from our Clients where they provide it to us for the purposes of our provision of our products and services to them. We may also collect personal information about you from other third parties. This may include from our third party service providers, through promotional and marketing activities, or from your referees during the recruitment process (e.g. if you apply for a job with us).

Whilst we will always maintain robust privacy practices, we are not responsible for the privacy practices of third parties, so you should review their relevant privacy policy to satisfy yourself as to how they protect and handle your personal information.

We also use the following technologies to collect technical information and general analytics:

- cookies, which are data files that are placed on your device and often include an anonymous unique identifier. For more information about cookies, and how to disable cookies, visit <http://www.allaboutcookies.org>;
- log files, which track actions occurring on our website; and
- web beacons, tags, and pixels, which are electronic files used to record information about how you browse our website.

If available on our websites, you may disable your web browser from accepting cookies and other tracking technologies used to collect technical information and general analytics when browsing our website. If you do so, you can still access our website, but it may impact your user experience.

In addition to JDM Technology Group AU Region's cookies, certain third parties may deliver cookies to your device for a variety of reasons. For example, we sometimes use various web analytics tools that help us to understand how visitors engage with our website. Any third party links or advertising on our website may also use cookies; you may receive these cookies by clicking on the link to the third party site or advertising. We do not control the collection or use of information by these third parties, and these third party cookies are not subject to this Privacy Policy. You should contact these companies directly if you have any questions about their collection and/or use of information. When linking to any other site, you should always check the relevant website's privacy policy before providing any personal information.

Can you choose not to disclose your personal information?

You do not have to identify yourself or provide any personal information if you contact us. You can also notify us that you wish to deal with us using a pseudonym.

However, if we cannot collect personal information about you or if you use a pseudonym, we may not be able to provide you with the information or assistance you require. For example, we will not be able to send you information you have requested if you have not provided us with a valid email address or telephone number.

How do we use your personal information?

We use your personal information for purposes connected to managing our business and providing our products and services to you and to our Clients, including to:

- provide our products and services to our customers and Clients or to receive goods or services from third parties;
- enable the proper operation and functionality of our products and services;
- verify your identity (for example, if you request access to the personal information we hold about you);
- consider you for a role or job at JDM Technology Group AU Region (whether as an employee or contractor) or other relationships with us;
- communicate with you, and to address any issues or complaints that we or you may have regarding our relationship and our products and services;
- prevent, detect and investigate suspicious, fraudulent, criminal or other activity that may cause you, us or others harm, including in relation to our products and services;
- comply with our legal obligations such as notifying you of matters that we may be required by law to do so;
- identify opportunities to improve our products and services and to improve our service to you or our Clients;
- gain insights about you so that we can serve you better, understand your preferences and interests, personalise your experience and/or enhance products and services you are offered and receive;
- for direct marketing purposes (see "Direct Marketing Communications" below); and
- contact you regarding any of the above, including via electronic messaging such as SMS and email, by mail, by phone or in any other lawful manner.

We may also use or disclose your personal information for our administrative, marketing (including direct marketing), planning, product or service development, quality control, survey and research purposes and for other purposes to which you have consented, or as otherwise permitted or required by law.

We do not use automated decision making tools or computer programs that make decisions that could reasonably be expected to significantly affect the rights or interests of an individual. However, if we do use these programs in the future, we will update this Privacy Policy and notify you in line with the process in the "Changes to this Policy" section below.

Technical information and general analytics are used for the purpose of gauging visitor traffic, trends and delivering personalised content to you while you are using our website, and to improve our website and our products and services.

To whom do we disclose personal information?

We may disclose your personal information to third parties in connection with the purposes described above (see the "How do we use your personal information?" section).

This may include disclosing your personal information to the following types of third parties:

- our related companies;

- any potential third party acquirer of our business or assets, and advisors to that third party;
- our professional advisers (such as lawyers, accountants or auditors) and insurers;
- our employees, contractors and third-party service providers who assist us in performing our functions and activities e.g. payment systems operators and financial institutions, cloud service providers, data storage providers, shipping companies, telecommunications providers and IT support services providers;
- organisations authorised by us to conduct promotional, research or marketing activities;
- third parties to whom you have authorised us to disclose your information (e.g. referees or account nominees); and
- any other person as required or permitted by law.

We use third party service providers to provide us with web analytics services, such as Google Analytics and Google Ads provided by Google LLC, Meta Pixel provided by Meta Platforms, Inc, Microsoft Advertising and LinkedIn Advertising. You can read more about how Google LLC uses your personal information [here](#), about how Meta Platforms, Inc. uses your personal information [here](#) about how Microsoft uses your personal information [here](#) and about how LinkedIn uses your personal information [here](#).

If we disclose your personal information to third parties we will use reasonable commercial efforts to ensure that such third parties only use your personal information as reasonably required for the purpose of disclosure and in a manner consistent with Applicable Privacy Laws, for example (where commercially practical) by including suitable privacy and confidentiality clauses in our agreement with a third party service provider to which we disclose your personal information.

Direct marketing communications

We will only send you direct marketing communications (either through mail, SMS or email), including any news and exclusive offers, promotions, or events, where you have consented for us to do so.

You may opt-out of receiving direct marketing communications at any time by contacting us or by using opt-out facilities provided in the direct marketing communications.

How do we store personal information?

We store your personal information in paper-based files and/or other electronic record keeping methods in secure databases. Personal information may be collected in paper-based documents and converted to electronic form for use or storage (with the original paper-based documents either archived or securely destroyed). We combine or link personal information we hold about you with other personal information about you from third party sources.

Does personal information leave Australia or New Zealand?

Your personal information may be transferred overseas or stored overseas for a variety of reasons including to members of our corporate group located around the world, and/or to our data storage or hosting service providers located overseas. It may be necessary to share limited information about our customers to other members of the global JDM Technology Group located in Canada, the United States of America, United Kingdom and Norway, where products and/or services provided by those members may be required by our customers. Such sharing of information would be solely for the purpose of facilitating contact between those member companies and our customers.

If we share your personal information overseas, we make sure that there are appropriate privacy, data handling and security arrangements in place to protect your personal information. Please be aware that overseas organisations may be required to disclose information we share with them under applicable foreign laws.

How do we protect your personal information?

We use a range of technical and organisational security measures to protect and safeguard your personal information.

For example, we maintain physical security over paper and electronic data stores, such as through locks and security systems at our premises. We also maintain computer and network security, for example, we use firewalls (security measures for the internet) and other security systems such as user identifiers and passwords to control access to our computer systems.

However, particularly for electronic data stores and due to the fact that the Internet is inherently insecure, we cannot guarantee the security of transmission of personal information disclosed to us online. Accordingly, you transmit your personal information to us online at your own risk and are encouraged to exercise care in sending personal information via the internet.

Please notify us immediately if you know or reasonably suspect that your personal information has been subject to any data breach, breach of security or other unauthorised activity.

How long do we keep your personal information?

Generally, we will retain your personal information only for as long as we need it - for the purposes for which your personal information was collected (as outlined in this Policy) unless a longer retention period is required by law, or if it is reasonably necessary for us to comply with our legal obligations, or as otherwise permitted by law.

When personal information is no longer required, we will take reasonable steps to delete the personal information from our systems or de-identify the personal information.

How can you access and correct your personal information?

You may request access to any personal information we hold about you at any time by contacting us at info@nimbus.co.nz. We will provide access to that information in accordance with Applicable Privacy Laws, subject to any exemptions that may apply. We may charge a reasonable administration fee in limited circumstances, but we will let you know in advance if that is the case.

If you believe that personal information we hold about you is incorrect, incomplete or inaccurate, then you may request us to amend it in accordance with Applicable Privacy Laws by contacting us at info@nimbus.co.nz. Where we agree that the information needs to be corrected, we will update it. If we do not agree, you can request that we make a record of your correction request with the relevant information.

You can also ask us to notify any third parties that we provided incorrect information to about the correction. We'll try and help where we can - if we can't, then we'll let you know.

Questions or complaints?

If you have any questions, concerns or complaints about our collection, use, disclosure or management of your personal information, please contact us at info@nimbus.co.nz.

We are committed to resolving any complaints reasonably and to ensuring that we are doing the right thing by our customers. We will make all reasonable inquiries and your

complaint will be assessed with the aim of resolving any issue in a timely and efficient manner.

If you have raised a complaint with us and you are unsatisfied with the outcome or have further concerns about the way we handle your personal information, you may complain:

- If you are in Australia, to the Information Commissioner at the Office of the Australian Information Commissioner, whose contact details are set out below:

Office of the Australian Information Commissioner
GPO Box 5218
Sydney NSW 2001
Phone: 1300 363 992
Online: www.oaic.gov.au
Email: enquiries@oaic.gov.au

- If you are in New Zealand, to the Privacy Commissioner at the Office of the Privacy Commissioner, whose contact details are set out below:

Office of the Privacy Commissioner
PO Box 10-094
Wellington, New Zealand
Phone: 0800 803 909
Online complaints form: <https://www.privacy.org.nz/your-rights/making-a-complaint-to-the-privacy-commissioner/complaint-self-assessment/>

How to contact us

If you have a query, concern or complaint about the manner in which your personal information has been collected or handled by us or would like to request access to or correction of the personal information we hold about you, please contact us using the details provided below:

Privacy Officer
JDM Technology Group NZ Region
203A Waimea Road
Nelson, 7010, New Zealand
Phone: +64 3 548 9893
Online: nimbus.co.nz
Email: info@nimbus.co.nz

Changes to this Policy

We may change or update this Privacy Policy from time to time to keep up-to-date with legal requirements and the way we operate our business. An up-to-date version of this Privacy Policy is available at any time on this page. You are responsible for reviewing this Privacy Policy periodically and informing yourself of any changes. We suggest that you check back regularly. If we make significant changes to our Privacy Policy, we will seek to inform you by notice on our website or by email.

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