



SmartCap Life App and LifeHub Privacy Policy

Updated as of 23rd April 2020

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SmartCap Technologies Pty Ltd (“SmartCap,” “we,” “our,” or “us”) respects the privacy of your information. SmartCap built the Life app as a commercial app and is intended for use as is.

This SmartCap Life app and LifeHub Privacy Policy explains SmartCap’s privacy practices for the SmartCap Life app and LifeHub (collectively, the “Services”), the kinds of information the Services may collect, how SmartCap uses or shares that information, and your rights with respect to that information.

Please see our [SmartCap - Life Application and Website - Privacy Policy](#) for information as to our privacy policies governing your use of our website.

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If you choose to use the Services, then you agree to the collection and use of information as set out in this Life App and LifeHub Privacy Policy.

Any Personal Data that SmartCap collects is used for providing and improving the Services. We will not use or share your information with anyone except as described below.

1. WHAT IS SMARTCAP?

Most people are aware of the dangers of driver fatigue but our ability to recognise the signs diminishes as we become more fatigued. The team at SmartCap is committed to safety and ensuring that everyone gets home safely each and every day. We believe that ultimately each and every person is responsible for managing their own fatigue, so our technology is designed to ensure that individuals are empowered to make this possible. Through alerts, reports and profiles each user will know when they are at risk and the times of the day that their risk is greatest. SmartCap helps to develop techniques to effectively manage fatigue and alarms to ensure your workforce is safe.

SmartCap is the data controller with respect to the Personal Data collected as discussed herein. The data controller is the natural or legal person who, alone or jointly with others, decides on the purposes and means of processing Personal Data. SmartCap's offices are located at Unit 1, 18 Finchley Street, Milton Queensland 4064, Australia.

2. DATA PROTECTION AT A GLANCE

This section provides a general overview of what is done with your Personal Data when you use the Services. "Personal Data" refers to any information relating to an identified or identifiable natural person that we maintain in an accessible form. More detailed information about our privacy practices is provided in the following sections.

Data collection: If the SmartCap Life app being used is not registered to a LifeHub, data collected is only stored on your device and not collected by SmartCap. Only if your SmartCap Life app is registered to a LifeHub is any data collected and stored. If your SmartCap Life app is registered, we collect Personal Data such as your location, fatigue level, and device information. Further information about the types of Personal Data that we collect is provided below.

What SmartCap does with your data? Some of the data is collected to ensure an optimum presentation of our Services and content. Other data can be used to analyse a user's activity.

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Which rights do you have regarding your data? SmartCap complies with various privacy laws such as the EU's General Data Protection Regulation and applicable United States' laws. More information about your rights is found below and in our [SmartCap - Life Application and Website - Privacy Policy](#) .

Analysis tools and third-party tools: When you use the Services, your activity can be evaluated statistically. This is done mainly with cookies and with analysis programs. You can object to this analysis or prevent it by not using certain tools as described more fully below.

Data security: Data or information collected by the Services is protected by encryption processes and access to the data and information is restricted to protect the data and information from misuse, interference and loss and from unauthorised access, modification or disclosure.

3. DATA COLLECTION ON OUR SERVICES

We collect the following types of information when you use the SmartCap Life app:

- LifeBand serial number;
- Fatigue level;
- Location;
- Timestamp for the above; and
- Device (Life Display/phone) serial number

The SmartCap Life app also collects data and information (through third party products) on your phone called Log Data. This Log Data may include information such as your device Internet Protocol address, device name, operating system version, the configuration of the app when utilizing SmartCap's service, the time and date of your use of the service, and other statistics.

Within LifeHub, the following is captured but none is mandatory:

- Operator first and last name;
- Operator employee id;
- Crew name for operator;

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- Assignment of LifeBand to operator; and
- Vehicle name

For LifeHub users (people who can log in to LifeHub) the following is captured but none is mandatory:

- First and last name;
- Mobile phone number;
- Email address; and
- Last login time

We also collect the following data when LifeHub pages are accessed:

- Location (country/city);
- Browser type & version;
- Screen resolution; and
- Operating system

Some of this information may be considered Personal Data under applicable privacy laws.

4. DATA USE AND SHARING

We use the information we collect to provide the Services, to improve our Services, and to protect our legal rights. In addition, we may use the information we collect to:

- Process your account registration;
- Communicate with you about our Services or to inform you of any changes to our Services;
- Provide support;
- Maintain and improve our Services;

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- Defend our legal rights and the rights of others;
- Efficiently maintain our business; and
- Comply with applicable law.

In addition, access data is used by SmartCap only for the purpose of operating, protecting, and optimizing of the SmartCap Life app contents. However, SmartCap retains the right to check such access data subsequently, if there are specific indications to suspect illegal use.

We may share the information that we collect about you in the following ways:

- With our clients to provide the services for which the information is collected;
- With service providers who perform data services on our behalf. Any such service providers will be under an obligation to us to maintain the confidentiality of your Personal Data;
- To the extent that we are required to do so by law;
- In connection with any legal proceedings or prospective legal proceedings;
- To establish, exercise, or defend our legal rights, including providing information to others for the purposes of fraud prevention;
- To any person who we reasonably believe may apply to a court or other competent authority for disclosure of that information where, in our reasonable opinion, such court or authority would be reasonably likely to order disclosure of that information;
- To any other person or entity as part of any business or asset sale; and
- To any other person or entity where you consent to the disclosure.

5. COOKIES

Cookies are small text files containing specific information about your access device (e.g., PC, laptop, smartphone) and are stored on the device by your browser. We use Cookies to:

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- Estimate audience size and usage patterns;
- Understand and save your preferences for future visits;
- Compile aggregate data about site traffic and site interactions to resolve issues and offer better site experiences and tools in the future; and
- Recognize when you return.

We set some Cookies ourselves and others are set by service providers. We use Cookies set by service providers to provide us with useful information to help us improve our services.

What type of cookies do we use and why?

These are the different types of Cookies that we and our service providers use on the Services:

- *Essential Cookies.* These Cookies are required for the operation of the Services and enable you to move around the Services and use their features. Disabling these Cookies can negatively impact the Services' performance.
- *Analytics, Performance and Research Cookies.* These Cookies allow us to analyze activities on the Services. They can be used to improve the functioning of the Services. For example, these Cookies recognize and count the number of visitors and see how they move around the Services.
- *Functionality Cookies.* These Cookies are used to recognize you when you return to the Services. This enables us to personalize content for you and remember your preferences.

How long do cookies stay on my device?

Some Cookies operate from the time you visit the Services until the end of that particular browsing session. These Cookies, which are called "session cookies," expire and are automatically deleted when you close your Internet browser.

Some Cookies will stay on your device between browsing sessions and will not expire or automatically delete when you close your Internet browser. These Cookies are called "persistent cookies" and the length of time they will remain on your device will

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vary from Cookie to Cookie. Persistent Cookies are used for a number of purposes, such as storing your preferences so that they are available for your next visit and to keep a more accurate account of how often you visit the Services and how your use of the Services may change over time.

6. Your Personal Data and Your Rights

For a discussion of your privacy rights, please click on the following links:

[Personal Data and Your Rights – United States Only](#)

[Your Personal Data and Your Rights – Europe and the United Kingdom](#)

7. PRIVACY PROTECTION OF CHILDREN

SmartCap does not knowingly collect information from children (under 13 years) or use it in any way. As a rule, we are not aware of the age of users of any SmartCap app, however, we have not taken any specific steps to protect such data in a particular manner.

Without the express permission of parents or a custodian, persons under the age of 13 years may not submit any Personal Data. Where we discover that a child under 13 has provided personal information, we immediately delete this information. If you are a parent or guardian and you are aware that your child has provided us with personal information, please contact SmartCap so that we can take the necessary actions.

8. DO NOT TRACK SIGNALS

The Services do not currently interpret, respond to or alter their practices when they receive “Do Not Track” signals.

9. SECURITY

We maintain commercially reasonable security measures to protect the Personal Data we collect and store from loss, misuse, destruction, or unauthorized access. However, no security measure or modality of data transmission over the Internet is 100% secure. Although we strive to use commercially acceptable means to protect your Personal Data, we cannot guarantee absolute security.

Data or information collected by the SmartCap app or in LifeHub is protected by encryption processes and access to the data and information is restricted to protect the data and information from misuse, interference and loss and from unauthorised access, modification or disclosure.

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10. UPDATES

We may update our SmartCap Life App and LifeHub Privacy Policy from time to time. Thus, you are advised to review this page periodically for any changes. SmartCap will notify app users of any changes by posting the new App Privacy Policy on this page. These changes are effective immediately after they are posted.

11. How to Contact Us

For questions or concerns about our privacy policies or practices, please contact us at:

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