PayBitoPro

General Data Privacy Policy

(AUSTRALIA)

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Introduction and Purpose

To help PayBitoPro comply with the Data and Information Privacy, and relevant laws and regulations in Australia, PayBitoPro's best practice of Data Protection Regulations[1] and the concurrence with Privacy Act, 1988 which is subject to relevant amendments as and when such amendment takes place is shown in this policy.

In this Policy "we", "us", "our" means PayBitoPro and the terms "user", "individuals", "non-individuals" means the residents of Australia and the business enterprises registered in Australia under the Corporations Act 2001.

The Privacy Policy is uniformly applicable to all Users intending to utilize the Services or gain advantages from the Online Platforms of PayBitoPro, constituting an integral element of the User Terms and Conditions. Before engaging with the Online Platforms or divulging any personal information, it's imperative to thoroughly examine this Privacy Policy. Your use of the Online Platforms implies your explicit acknowledgment and adherence to the User Terms and Conditions and, consequently, this Privacy Policy.

The purpose of PayBitoPro's Privacy Compliance policy is to ensure that the customers of PayBitoPro get their privacy protected invariably by protection of their personal data and information. Privacy Policy of PayBitoPro optimises and enhances transparency and accountability in processing of the valuable data and specifics

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[1] Sec 2A of the Privacy Act, 1988

provided by the customers, giving greater control of their personal data and sensitive information.

Scope

PayBitoPro's Privacy Policy applies both to the processing of personal data taking place within the territory of Australia and extraterritorially, in certain circumstances, to processing taking place outside Australia either for the purpose of the Australian Privacy Principles (APP) Entity's statutory functions or in other purposes provided for[2] in pursuance of proper discharge of the functions of the APP Entity[3] or for detection and prevention of serious crime or criminal proceedings, following the data protection principles and PayBitoPro makes sure that the information is used fairly, legally and transparently for specified and explicit purposes in a way that is adequate and accurate, notwithstanding that the information is relevant and limited to only what is necessary. Record retention techniques at PayBitoPro retains relevant information of the customers involved in a transaction for a maximum period of five years from the date of completion of the transaction and/or after off-boarding or when the records are prepared or obtained or the year when the event of Capital Gains Tax (CGT) takes place, whichever is later.[4] PayBitoPro also ascertains that there is a strong legal protection by its legal team for more sensitive information like race, ethnic background, political and religious opinions and beliefs, genetics, trade

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[2] Chapters 1 to 6 of Australian Privacy Principles Guidelines (APP)

[3] Section 16A of Privacy Act, 1988

[4] Australian Govt. Tax Office (ATO)- Keeping Crypto Records

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union membership and sex life or orientation, and most pertinently, setting separate safeguards and measures for personal data relating to criminal convictions and offences.

Principle of Privacy Policy

With the unerring adherence to Privacy Policy of Australia at PayBitoPro, the Compliance Team at PayBitoPro is responsible for compliance regarding the Personal data and Personally Identifiable Information of the customers of PayBitoPro in a manner if that is:

- processed legally, without prejudice and in a transparent manner,

- the said information and data is adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed,

- the information is collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;

- accurate and, where necessary, kept updated;

- every reasonable step is taken to ensure that personal data that are inaccurate in terms of the purpose for which that was collected are erased or rectified in an expeditious manner;

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- the data is kept in a form which permits identification of customers for no longer than is necessary for the purposes for which the relevant personal data are processed;

- The data is processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

Types of Data collected

While using the services provided by PayBitoPro, certain Personally Identifiable Information (PII) are collected which can be used to identify or contact the customers. The Personally Identifiable Information (PII) may include, but is not limited to:

1. Name
2. Address
3. Place and Date of birth
4. TFN (Tax File Number) or Passport number
5. Email

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6. Phone number

7. Account password

The Employment Information of the Customers is also collected in the subsequent steps like

1. Industry

2. Occupation

3. Source of Funds

4. Employment Category

5. Employment Type

6. Annual Income

7. Net Worth

8. Transaction Volume

9. If the Applicant is a Politically Exposed Person (PEP) or not

10. Purpose of the account

11. Current Banking Partner

12. How long the Applicant had that banking relationship

The applicant and/or customer shall have to also provide and upload the following documents and information via mobile applications or web browsers.

1. One of the government-issued identity documents bearing the individual's photograph, an identification number and date of birth:

2. Passport or TFN No.

3. Driver's License

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4. Proof of residence issued within the last three months.

5. Real-time live selfie of themselves

6. Industry and occupation.

When the customer uses the services provided by PayBitoPro by or through a mobile device or web in regards to crypto exchange, PayBitoPro collects, retains, uses, or stores data or information automatically, including, but not limited to, device verification, gathering the IP address of the device used by the customers, accessing the photo gallery/media/files/camera and user's other apps and services including messaging through SMS and usage data, tracking the location from where the customer has logged in, the type of browser used by the customer and the device ID, browser type, browser version, unique device identifiers, and the time and date of visit during login using local storage. User's device information is also collected including but not limited to IMEI or equipment identification number, IMSI or subscriber identification, MAC address, Android version, device details, network operator, contact list information, Wifi / Data Network connectivity.

PayBitoPro also collects information that the browser sends whenever the customer visits the PayBitoPro site to login or when the customer accesses the services provided by PayBitoPro through a mobile device.

In terms of website handling, PayBitoPro uses cookies and tracking technologies like Google Analytics. In terms of cookies, PayBitoPro uses cookies like:

● Necessary/Essential cookies which provide the customers with services available through the Website and to enable the customers to use some of the

features of PayBitoPro. These cookies help to authenticate users and prevent fraudulent use of user accounts.

- Notice acceptance cookies identify if users have accepted the use of cookies on the PayBitoPro Website.
- Functionality cookies which allow PayBitoPro to remember choices the customer makes when the customers use the PayBitoPro website, such as remembering the login details or language preference.
- Tracking and performance cookies which are used to track information about traffic to the PayBitoPro website and how users use the PayBitoPro website.

Processing of data relating to Criminal Conviction and Offences

PayBitoPro carries out security measures relating to processing of personal data pertaining to criminal convictions and offences under the control of official authority or when the processing is authorised by Union or State law providing for appropriate safeguards for the rights and freedoms of customers. Any comprehensive register of criminal convictions are kept under the control of official authority only.

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Use of Personal Data

PayBitoPro uses Personal Data of its customers for the following purposes:

● To provide and maintain the Service in addition to monitoring the usage of the service.

● To manage the Account of the customers in terms of the registration and login as a user of the service provided by PayBitoPro so that the personal data provided can give the customers access to different functionalities of the service that are available to them as a registered user.

● For the performance of a contract encompassing the development, compliance and undertaking of the contract for the services the customer has obtained or of any other contract with PayBitoPro.

● To contact the customers by email, telephone calls, SMS, or other equivalent forms of electronic communication, such as a mobile application's push notifications regarding updates or informative communications related to the functionalities or contracted services, including the security updates, when necessary or reasonable for their implementation.

● To provide the customer with news, special offers and general information about other services and events which are offered by PayBitoPro unless the customer has opted not to receive such information.

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● To manage the requests of the customers to PayBitoPro.

● PayBitoPro may use the customer information for other purposes like data analysis, identifying usage trends, determining the effectiveness of the promotional campaigns and to evaluate and improve the Service, products, services and marketing.

● It is to be noted that the personal information of the customers for any relevant purpose whatsoever are always disclosed with the consent of the customers.

Retention of Personal Data

PayBitoPro shall retain the Personal and Professional Data of the customers for as long as the account of the customers is active or as needed to provide services in accordance with Taxation Administration Act 1953, to which the Australian Taxation Office complies and is controlled by. The personal and professional data obtained by PayBitoPro for verification purposes before using and/or availing the services of PayBitoPro are kept throughout the continuance of business relationship with the customer and are retained for a tenure of at least seven years after the conclusion of business relationship, or after preparation or obtaining the records or

after the year the Capital Gains Tax (CGT) event happens[5]. PayBitoPro shall retain and use the Personal Data of the customers to the extent necessary to comply with the legal obligations, and for the purpose of enforcing the legal agreements and policies.

PayBitoPro keeps a copy of the data and information as well as sufficient supporting records of the transactions provided by the customers of PayBitoPro for fulfilment of its CDD obligations for a period of seven years[6] following the completion of the transaction or the end of the business relationship. After the completion of the seven-year tenure, the information and personal data of the customers is retained only either under an enactment or for the purposes of court proceedings, or the data of customers can also be retained by PayBitoPro if the concerned customer consents to such retention of data.

PayBitoPro keeps employment records for at least seven years in accordance with applicable laws and regulations. [7]

The retention period may extend beyond the termination of business relationship with a customer only as long as it is necessary for PayBitoPro to have sufficient information to respond to any issues that may arise later, including but not limited to the purpose of investigations or ongoing prosecutions or in case of Suspicious transactions or if PayBitoPro requires the information for its records or to support legal proceedings, or if PayBitoPro believes in good faith that a law, regulation, rule

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[5] Keeping crypto records- Australian Govt. ATO (ato.gov.au)

[6] Part 10, Division 2, Section 107 of AML/CTF Act, 2006

[7] Section 535 of Fair Work Act, 2009

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or guideline requires it. However, the Retention period of personal data of customers can last for a maximum period of seven years[8] in circumstances when the business relationship with such a customer has come to an end for any data relating to any transaction which occurs as a part of such business relationship. Nevertheless, there is no obligation to do so in all instances. PayBitoPro shall not be liable or responsible for the non-availability of information beyond the termination of business relationship with their clients.

Disclosure of Personal Data[9]

Law enforcement

Under certain exceptional circumstances, PayBitoPro shall disclose the Personal Data of the customers if required to do so by law or in response to valid requests by public authorities like Courts or Government Agencies.

Other legal requirements

PayBitoPro shall disclose the personal data and information of the customers in good faith that such action is necessary to either abide by a legal obligation, or for

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[8] Record Retention- AUSTRAC

[9] Section 96(3) of Privacy Act, 1988

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protection against legal liability and defence of PayBitoPro however deemed applicable by the Compliance team at PaybitoPro.

For the purposes of disclosure of sensitive information, the disclosure shall be made by PayBitoPro only if the disclosure was made with the consent of the customer himself or by the legal representative of the customer carrying on the business of the customer for the time being, or the information which was obtained by or provided to the APP entity (PayBitoPro) in the course or purposes of discharge of the Information Commissioner's[10] functions or for the purpose of making the data or information available to the public in relevant and respective manner or where the disclosure of information was made for the purposes of criminal or civil proceedings, or such disclosure was necessary in the public interest.

Transfer of Personal Data

The information of the customers, including Personal Data, is processed at the operating offices of PayBitoPro and in any other places where the customer and PayBitoPro involved in the processing are located. It implies that the relevant information may be transferred to and maintained on computers located outside of the state, province, country or other governmental jurisdiction where the data

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[10] Section 3A of Australian Information Commissioner Act, 2010

protection laws may differ from those from the territorial jurisdiction of Australia and the same shall be done after complying with PayBitoPro, including for onward transfers of personal data from the country located outside the aforementioned jurisdictional borders or an international organisation to another country or international organisation. The consent of the customers followed by submission of such information represents the agreement and consent to such transfer. PayBitoPro takes all reasonable steps necessary to guarantee that the data of the customers is treated securely and in accordance with this Policy and no transfer of Personal Data shall take place to an organisation or in the vicinity of any jurisdiction unless there are adequate controls in place including the security of the data and other personal information of the customers.

The transfer of personal data of customers shall be so applied that the level of protection of customers which is guaranteed by PayBitoPro is not undermined.[11]

Security of Personal Data[12]

Taking into account the purposes of processing personal data as well as the risk of deviating likelihood and severity for the rights and freedoms of customers of PayBitoPro, PayBitoPro implements appropriate technical and organisational measures to ensure a level of security appropriate to the risk, including the

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[11] Chapter 8 of Australian Privacy Principles (APP)

[12] Principle 4 of Privacy Act, 1988

pseudonymisation[13] and encryption of personal data, the ability to ensure the ongoing confidentiality, integrity, and resilience of processing systems and services, the ability to restore the availability and access to personal data in an expeditious manner in the event of a physical or technical incident and incorporates a process for regularly testing, assessing and evaluating the effectiveness of technical and organisational measures for ensuring the security of processing of personal data and information of the customers.

The security of personal data of customers of PayBitoPro is held in highest regard and all kinds of chamber-tight security protocols are implemented and always in place, but it has to be borne in mind that no method of transmission or transfer of information over the internet, or method of electronic storage is 100% secure and are susceptible to malicious cyber attacks. Although PayBitoPro strives to use the prime means to protect the Personal Data of the customers, its absolute security is not guaranteed.

Legal Basis for Processing Personal Data under Privacy

PayBitoPro processes personal data of customers under the following conditions:

- **Consent**: Where the customer has given his consent for processing personal data for one or more specific purposes.

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[13] Pseudonymisation and other encryptions shall be performed at the discretion of PayBitoPro, subject to the applicable and existing laws and regulations of the land.

- **Performance of a contract**: Processing of Personal Data is necessary for the performance of an agreement with the customer or for any pre-contractual obligations thereof.
- **Legal obligations**: Processing Personal Data is necessary for compliance with legal obligations to which PayBitoPro is subject.
- **Legitimate interests**: When processing of personal data becomes necessary for the purposes of the legitimate interests pursued by PayBitoPro.

In any of the aforementioned scenarios, PayBitoPro undertakes to clarify the specific legal basis which applies to the processing of personal data and information, and in particular whether the provision of Personal Data is a statutory or contractual requirement.

Rights of the Customer[14]

Under the Privacy Policy framed and implemented strictly by PayBitoPro being a Centralised Crypto Trading Platform, the Customers have the right to find out what information PayBitoPro stores about them, including the right to:

- be informed about how the relevant data of the customers is being used

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[14] Australian Privacy Principles, Chapter 11.

- have incorrect data replaced and updated with the correct information
- have data erased
- stop or restrict the processing of data
- object to how your data is processed in certain circumstances.

The Information Commissioner,[15] being the independent data collection regulator under the Office of the Australian Information Commissioner has the authority to delegate PayBitoPro with the responsibility for monitoring and enforcing their provisions relating to Privacy. The various rights enforceable by the customer as per the Privacy policy of PayBitoPro are as follows:

- **Rights of access** by the customer pertaining to the personal data concerning him or her whether being processed, and, where that is the case, access to the personal data and the relevant information.
- **Right to be informed** of personal data where PayBitoPro is liable to provide information to the customer like the identity and the relevant contact details and information of PayBitoPro, the legal foundation and purposes for which the personal data of the customer is processed by PayBitoPro, the categories of personal data of the customer which is being processed, the categories of recipients of the personal data (if any) and any other information needed to secure that the personal data of customer is processed fairly and transparently.

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[15] Section 10 of AUSTRALIAN INFORMATION COMMISSIONER ACT 2010

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- **Right of Rectification** by the customer who has the right to rectify the inaccurate personal data concerning him or her from the database of PayBitoPro. The customer also has the right to complete the incomplete personal data, including providing a supplementary statement conditional to the purpose of processing the data of the customers.

- **Right to erasure** by the customer to obtain the erasure of personal data concerning him or her where either the personal data of the customer is no longer necessary in relation to the purposes for which they were collected or otherwise processed, or the customer withdraws consent on to the processing of his or her personal data for one or more specific purposes. Data deletion involves the secure and irreversible removal of data from all relevant storage locations involving the procedure of identification of data to be deleted, Verifying the deletion request and obtaining necessary approvals and using appropriate methods to securely delete data. PayBitoPro ensures documenting the deletion process of data for audit and compliance purposes. Customers may request complete deletion of their data by using the "Delete my data" button in the Settings of the PayBitoPro interface. Upon using this feature, the customer's data goes immediately to the deletion queue from where it is automatically and permanently deleted at the end of the retention period, wherever applicable.

- **Right of Objection** where the customers of PayBitoPro can make a request to PayBitoPro to avoid to use or disclose their personal information for the purpose of direct marketing or for the purpose of facilitating direct marketing

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by other relevant companies to which PayBitoPro shall respond within seven days without levying any incidental charges or costs.[16]

Exercising Privacy Data Protection Rights

The customers of PayBitoPro may exercise the rights of access, rectification, cancellation and opposition by contacting PayBitoPro. It must be noted that PayBitoPro may ask its customers to verify their identity before responding to such requests, but PayBitoPro shall strive to respond and reciprocate to any of such requests of its customers instantaneously. The customer shall have the right to complain to a Supervisory Authority[17] which in the case of collection and use of personal data is the Office of the Australian Information Commissioner.

Children's Privacy

In relation to the processing of the personal data of a child[18], the applicable laws of the land do not set a different or special regulation in terms of data privacy. The Privacy Act, 1988 does not specify an age of consent but protects personal and

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[16] Australian Privacy Principles, Chapter 7.6

[17] The Information Commissioner under the Office of the Australian Information Commissioner is the Supervisory Authority as the National Data Protection Regulator.

[18] "Child" defined in Part VII of Family Law Act, 1975

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sensitive data of all individuals irrespective of their age. But in practice, and according to the guidelines set by Australian Privacy Principles (APP)[19], processing of data shall be lawful where the child is presumed to reach the age of giving consent being at least 18 years old. Where the child is below the age of 15 years, such processing shall be accepted only if that consent is given or authorised by the parent, or the legal guardian of the child.

PayBitoPro does not address anyone under the age of 18. Personally Identifiable Information from anyone under the age of 18 is collected if and to the extent that consent is given or authorised by the parent or the legal guardian of the child.

If a parent or legal guardian of a child is aware that his/her child has provided PayBitoPro with Personal Data without consent and/or approval, such parent or guardian is requested to contact the customer service executive of PayBitoPro at the first instance. If Personal Data from anyone under the age of 18 without verification of parental consent is collected, required steps are taken to remove that information from the servers of PayBitioPro.

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[19] Chapter B.28 of Australian Privacy Principles

Changes to Policy

PayBitoPro updates its privacy policy from time to time. Any changes whatsoever shall be notified to the customers of PayBitoPro by posting the new Privacy Policy on this page.

The customers are advised to review this Privacy Policy periodically for any changes. Changes to this Privacy Policy are effective when they are posted on this page on the PayBitoPro Website.

Contact

For any query about this Policy, the contact information is given below:

● By visiting this page on the PayBitoPro website: [*www.paybitopro.com*]

● By sending an email: [*compliance@paybitopro.com*]

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