

PRIVACY POLICY

Your privacy is important to us.

In this privacy notice we explain our information practices, describe the way your information is collected and used by us and provide other information to show how we comply with the:

- Australian Privacy Principles (**APP**) contained in the *Privacy Act 1988* (Cth); and a copy is available at: http://www.austlii.edu.au/au/legis/cth/consol_act/pa1988108/
- European Union's General Data Protection Regulation (**GDPR**).

In this privacy notice, personal information and personal data are used interchangeably, unless otherwise specifically mentioned.

In this privacy notice, sensitive information and sensitive personal data are used interchangeably, unless otherwise specifically mentioned.

Consent

Consent is required for Mandanex Capital to process both types of personal data, but it must be explicitly given. Where we are asking you for sensitive personal data we will always tell you why and how the information will be used.

By consenting to this privacy notice you are giving us permission to process your personal and sensitive data specifically for the purposes identified.

You may withdraw consent at any time by contacting us directly using the contact details below.

Who are We?

Mandanex Capital Pty Ltd (ABN 76 610 847 400) (**Mandanex Capital**) is an Australian-based company, an advisory group focused on M&A, growth capital raising and valuation services to the middle market with operations across the region and alliances globally. We are one of the few advisors that can truly assist businesses to source investors and provide equity and debt capital solutions from the international market

Companies and websites within scope

The following companies and websites are within scope for this privacy notice:

Company Names:

Mandanex Capital Pty Ltd, Mandanex Capital Pte Ltd (Singapore), PTE Nexus Bisnis Indonesia, Nexus Business Sales Ltd (New Zealand)

Websites:

www.mandanex.com

www.mandanex.com.sg

www.nexusbiz.co.id

www.nexusbiz.co.nz

www.mandanex.co.za

www.unexacademy.com

Unless specifically stated, we consider Mandanex Capital and Unex Academy to be Australian-based websites.

It includes personal data that is collected through our websites, by telephone and through any related social media applications.

Children

If you are at least 16 years of age, we will presume that you have the capacity to consent to:

- providing your information and/or sensitive information to us; and
- use our websites and applications, unless we form the opinion there is something to suggest otherwise.

If you are under the age of 16 years, we require written parental consent in order for you to use our websites and applications.

Personal Data – GDPR

The GDPR defines personal data as:

"any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by

reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person".

Sensitive Personal Data – GDPR

The following personal data is considered 'sensitive' and is subject to specific processing conditions:

- personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs;
- trade-union membership;
- genetic data, biometric data processed solely to identify a human being;
- health-related data; and
- data concerning a person's sex life or sexual orientation.

Personal Information

We define personal information as any information that can be used to personally identify you. This may include (but is not limited to) your name, age, gender, postcode and contact details (including phone numbers and email addresses). If the information we collect personally identifies you, or you are reasonably identifiable from it, the information is taken to be personal information.

Sensitive Information

We define sensitive information as information relating to details about your race, ethnicity, politics, religious or philosophical beliefs, sexual preferences, health, genetics or criminal record.

Why does Mandanex Capital need to collect and store personal data?

We need to collect your personal data in order for us to provide you with a service, such as:

- providing you with information that you have requested or that we think may be relevant to a subject in which you have demonstrated an interest;
- entering into and performing our contractual obligations with you for the purchase of our products and/or services;
- your use any of our applications;
- ensuring the security and safe operation of our websites and underlying business infrastructure; and
- managing any communication between you and us.

Mandanex Capital may also collect and store your personal data for research, or for the compilation or analysis of statistics.

In any event, we are committed to ensuring that the information we collect and use is appropriate for this purpose, and does not constitute an invasion of your privacy.

Also, in order to ensure that anyone who accesses our websites or applications can use and navigate them effectively, we may collect the following website-related information:

- your Internet Protocol address;
- your login information, browser type and version, time zone setting, browser plug-in types and versions;
- operating system and platform;
- information about your visit to our websites or use of our applications, including the Uniform Resource Locators clickstream to, through, and from our site.

In terms of being contacted for marketing purposes, Mandanex Capital will contact you for additional consent.

Our [Cookies Policy](#) describes in detail how we use cookies.

Will Mandanex Capital share my personal data with anyone else?

We may share your personal data with third-party service providers contracted to Mandanex Capital for the purpose of assisting us to provide to you the services available through our websites and applications. We will make the information we collect from you available to third parties:

- safety, quality assurance and improvement activities;
- managing, monitoring, planning and evaluating our websites and applications;
- testing and maintenance of information technology systems;
- when it is reasonably necessary in order to enable us to make the websites and applications available to you;
- for the purposes of product development, research or statistical analysis;
- risk management activities (including liaising with our insurers and legal representatives);
- responding to complaints or inquiries about our activities and services;
- obtaining advice from consultants and professional advisers;
- when we are required by law; and
- as necessary to assert our rights.

Any third parties that we may share your data with are obliged to keep your details securely, and to use them only to fulfil the service they provide to you on our behalf or to us. When they no longer need your data to fulfil this service, they will dispose of your personal data in line with Mandanex Capital's procedures.

How will Mandanex Capital use the personal data it collects about me?

Mandanex Capital will process (collect, store and use) the information you provide in a manner compatible with the GDPR and APP. We will endeavour to keep your information accurate and up-to-date, and not keep it for longer than is necessary. Mandanex Capital is required to retain information in accordance with the law, such as information needed for

income tax and audit purposes. How long certain kinds of personal data should be kept may also be governed by specific business-sector requirements and agreed practices. Personal data may be held in addition to these periods depending on individual business needs.

Under what circumstances will Mandanex Capital contact me?

Our aim is not to be intrusive, and we undertake not to ask irrelevant or unnecessary questions. Moreover, the information you provide will be subject to rigorous measures and procedures to minimise the risk of unauthorised access or disclosure.

What is the lawful basis for the processing of my personal data?

The table below describes the various forms of personal data we collect and the lawful basis for processing this data. We have processes in place to make sure that only those people in our organisation who need to access your data can do so. A number of data elements are collected for multiple purposes, as the table below shows. Some data may be shared with third parties and, where this happens, this is also identified below.

Purpose of collection	Information category	Data collected	Purpose for collection	Lawful basis for processing	Data shared with?
To provide you with information	Subject matter information	Name, geographic location, email address, postal address.	To provide appropriate online or email information about products and services that you have requested.	Contractual fulfilment	Internally only
			To provide further, related, online or email information and ongoing news updates in relation to the identified area of interest.	Legitimate interest	Internally only
		Telephone number	Follow-up to ensure requested information meets needs and identify further requirements	Legitimate interest	Internally only
		Personal contact information as provided through website forms or any other means.	General mailing list subscription	Consent	Internally only
Use of our website	Subject matter information	Profile information, such as your username and password, picture/avatar,	To provide you with our services	Legitimate interest	Internally only

		industry, interests and preferences.		Consent	
Transactional information	Transaction details	Name, physical or registered address, email address, telephone number, bank account details (for credit accounts), other medium of content delivery	To process purchase transactions for products and services with customers, and to ensure any transaction issues can be dealt with.	Contractual performance	Internally only
			Documentation should any contractual legal claim arise For accounting and taxation purposes	Legitimate Interest Statutory obligation	Internally and professional advisers Internally and professional advisers
Fulfilment information	Fulfilment data	Name, address(es), email address, contact details	Actual delivery of products or services, in physical or digital form, that you may have purchased from us.	Contractual performance	Internally and any third party logistics or supplier companies with whom we contract in order to fulfil these requirements.
Security	Security information	Website-related information, as described above, plus any other information that may be required for this purpose	To protect our websites and infrastructure from cyberattack or other threats and to report and deal with any illegal acts.	Legitimate interest	Internally, forensic and other organisations with whom we might contract for this purpose.

Communications	Contact information	Name, contact details, identification details	To communicate with you about any issue that you raise with us or that follows from an interaction between us.	Legitimate interest	Internally and, as necessary, with professional advisers.
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Storage of personal data

All of our websites and applications are hosted and accessed by our staff. In all these instances, we have appropriate contractual and security measures in place to ensure that personal and sensitive data is protected.

We use a wide range of Cloud Service Providers (CSP) as part of our processing environment. Unless we specifically state otherwise, we are, in respect of all the CSPs, the data controller. Unless we specifically state otherwise, all of the CSPs that we use utilise various global processing facilities.

Our payment processors and banking arrangements are based in Australia.

We operate a data retention policy in respect of all data, whether paper-based or digital and those aspects of it relating to personal data are contained in the table above.

How long we keep your personal data

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting or statutory reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means and the applicable legal requirements.

We may retain certain information subsequent to the closing of your account, for example if it is necessary to fulfil our legal obligations or to exercise, to maintain security, to prevent fraud and abuse and to defend or enforce our rights.

Security measures

We will take reasonable steps to protect your information from loss, misuse, unauthorised disclosure or destruction, including by means of firewalls, password access, secure servers and encryption of your information.

In order to enable us to meet our obligations under the APP and GDPR and to ensure the operation of the websites and applications, we may need to allow our authorised staff and contractors access to your information. The staff and contractors are required by contract and policies to maintain the confidentiality of your information.

If you suspect any misuse or loss of, or unauthorised access to, your information, please let us know immediately.

We have what we believe are appropriate security controls in place to protect personal and sensitive personal data. Risk assessment, including assessing risks to the rights and freedoms of data subjects, is at the heart of our ISMS. We do not, however, have any control over what happens between your device and the boundary of our information infrastructure. You should be aware of the many information security risks that exist and take appropriate steps to safeguard your own information. We accept no liability in respect of breaches that occur beyond our sphere of control.

Your rights as a data subject

- Right of access – you have the right to request a copy of the information that we hold about you.
- Right of rectification – you have a right to correct data that we hold about you that is inaccurate or incomplete.
- Right to be forgotten – in certain circumstances you can ask for the data we hold about you to be erased from our records.
- Right to restriction of processing – where certain conditions apply to have a right to restrict the processing.
- Right of portability – you have the right to have the data we hold about you transferred to another organisation.
- Right to object – you have the right to object to certain types of processing such as direct marketing.
- Right to object to automated processing, including profiling – you also have the right to be subject to the legal effects of automated processing or profiling.
- Right to judicial review: in the event that Mandanex Capital refuses your request under rights of access, we will provide you with a reason as to why. You have the right to complain as outlined below.

All of the above requests will be forwarded on should there be a third-party involved (as stated above) in the processing of your personal data.

Can I find out the personal data that the organisation holds about me?

Mandanex Capital at your request, can confirm what information we hold about you and how it is processed. If Mandanex Capital does hold personal data about you, you can request the following information:

- identity and the contact details of the person or organisation that has determined how and why to process your data. In some cases, this will be a representative in the EU.
- contact details of the Data Protection Officer, where applicable.
- the purpose of the processing as well as the legal basis for processing.
- if the processing is based on the legitimate interests of Mandanex Capital or a third party, information about those interests.
- the categories of personal and/or sensitive personal data collected, stored and processed.
- recipient(s) or categories of recipients that the data is/will be disclosed to.
- if we intend to transfer the personal data to a third-country or international organisation, information about how we ensure this is done securely. The EU has approved sending personal data to some countries because they meet a minimum standard of data protection. In other cases, we will ensure there are specific measures in place to secure your information.
- how long the data will be stored.
- details of your rights to correct, erase, restrict or object to such processing.
- information about your right to withdraw consent at any time.
- how to lodge a complaint with the supervisory authority.
- whether the provision of personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether you are obliged to provide the personal data and the possible consequences of failing to provide such data.
- the source of personal data if it wasn't collected directly from you.
- any details and information of automated decision making, such as profiling, and any meaningful information about the logic involved, as well as the significance and expected consequences of such processing.

Will my personal data be disclosed overseas?

We will not disclose your personal data to overseas recipients outside the company without first obtaining your written consent.

How may I update my information?

You may access and update or correct the information we hold about you whenever you choose to do so by using our contact details below.

Where we hold information that you are entitled to access, we will try to provide you with suitable means of accessing it (for example, by mailing or emailing it to you). We will not charge for simply making a request and will not charge for making any corrections to your personal information. If you make an access request, we will ask you to verify your identity.

There may be instances where we cannot grant you access to the personal information we hold. For example, we may need to refuse access if granting access would interfere with the privacy of others, or if it would result in a breach of confidentiality. If that happens, we will give you written reasons for any refusal.

If you believe that personal information we hold about you is incorrect, incomplete or inaccurate, then you may request us to amend it. We will consider if the information requires amendment. If we do not agree that there are grounds for amendment, then we will add a note to the personal information stating that you disagree with it.

Users will generally be able to access and update their account details online. We request that you keep your information as current as possible so that we may continue to improve our services to you.

How may I contact Mandanex Capital?

You may want to contact us about the information we hold about you (including to correct any information) or to ask a question about our privacy notice or to make a complaint related to a breach by us of the APP or GDPR.

We will treat your requests or complaints confidentially. Our representative will contact you within a reasonable time after receipt of your complaint to discuss your concerns and outline options regarding how they may be resolved. We will aim to ensure that your complaint is resolved in a timely and appropriate manner.

You may do so by:

- email: info@mandanex.com
- writing to us at:
Suite 107 | 283 Alfred Street, North Sydney NSW 2060

Complaints

Should you wish to discuss a complaint, please feel free to contact us using the details provided above. All complaints will be treated in a confidential manner.

Should you feel unsatisfied with our handling of your data, or about any complaint that you have made to us about our handling of your data, you are entitled to escalate your complaint.

If you are in the EU, you may contact the European Data Protection Supervisor (<https://edps.europa.eu/>) or your National Data Protection Authority.

If you are in Australia, you may contact the Office of the Australian Information Commissioner (<http://www.oaic.gov.au/>).

Last Updated: 28 April 2020