

PRIVACY POLICY

1 PRIVACY POLICY

1.1 Better Scenes (ABN 20 203 907 360) is a business registered in Australia (**Better Scenes**) and is committed to keeping your information safe and secure in accordance with the *Privacy Act 1988* (Cth) (the **Privacy Act**) and the Australian Privacy Principles contained therein. By using and accessing Better Scenes' website (the **Website**) or using Better Scenes' "add-on" (the **Services**), you are giving consent to Better Scenes for the use of your personal information in the manner set out in this Privacy Policy. This policy sets out how we collect and treat your personal information.

1.2 "Personal information" is information we hold which is identifiable as being about you.

2 COLLECTION OF PERSONAL INFORMATION

2.1 Better Scenes may collect and use the following kinds of information:

(a) Information about your use of the Website or Services, including:

- (i) your location;
- (ii) your IP address;
- (iii) Your device's MAC address;
- (iv) browser type;
- (v) version and language;
- (vi) operating system;
- (vii) "cookies";
- (viii) the website visited immediately before visiting Better Scenes' Website; and
- (ix) your URL, Port and Password for connecting to your streaming software.

(b) Information about your personal details when you create an account, including:

- (i) your name;
- (ii) phone contact details;
- (iii) address information;
- (iv) email;
- (v) information about your current subscription;
- (vi) information provided to Better Scenes by Twitch if you create an account on the Website using a Twitch account, including your Twitch username or display name, site ID, email address, description, broadcaster type, profile image and offline image URL and Channel Point Redemptions.

- (c) Information about your behaviour and activities when you use the Services or Website, including:
 - (i) when certain Twitch events occur;
 - (ii) when you create a redemption event; and
 - (iii) your view count;

3 HOW WE COLLECT YOUR PERSONAL INFORMATION

3.1 Information about your personal information may be collected from you in a variety of ways, including but not limited to:

- (a) when you register and create an account on the Website or log in using Twitch;
- (b) when you download and/ install the “add-on”;
- (c) when you interact with Better Scenes electronically or in person;
- (d) when you access the Website or Services; and
- (e) when you provide feedback, respond to surveys and promotions, change your details, provide financial or credit card information, or communicate with our customer support.

3.2 If Better Scenes receives any information from third parties, Better Scenes will protect such personal information in accordance with this Privacy Policy.

4 USE OF YOUR PERSONAL INFORMATION

4.1 Better Scenes may use personal information collected from you to:

- (a) enable your access to the Website and the Services;
- (b) track usage and measure traffic statistics of the Services and Website;
- (c) supply to you access to the web browser extension to use during your Twitch streams;
- (d) provide you with information and updates and make you aware of new and additional products, services and opportunities available to you;
- (e) enhance your experience on the Services or Website by providing a personalised and curated content tailored to you;
- (f) notify you of any changes to the Services or Website and to our related documentation, including our Terms and Conditions and this Privacy Policy;
- (g) collect payments from you; and
- (h) send you marketing communications such as offers, promotions, or advertisements offered by Better Scenes.

4.2 Better Scenes may contact you by a variety of measures including, but not limited to telephone, email, SMS or mail.

5 DISLCOSURE OF YOUR PERSONAL INFORMATION

- 5.1** Better Scenes may disclose your personal information to its employees, affiliates, and third party business partners in order to provide to you the Website and Services.
- 5.2** Better Scenes, in its sole discretion, may disclose your personal information if it is required to do so by law or legal process, including:
- (a)** in order to establish, exercise or defend its legal rights;
 - (b)** as required or authorised by law; or
 - (c)** to the extent required to permit Better Scenes to investigate suspected fraud, harassment or other violations of any law, rule or regulation, our policies, or the rights of third parties or any other suspected conduct Better Scenes deem improper.
- 5.3** You will be notified by an email to your email address if your personal information is being disclosed due to law or legal process.
- 5.4** We may also use your personal information to protect the copyright, trademarks, legal rights, property or safety of Better Scenes, the Services, the Website, its customers or third parties.
- 5.5** If there is a change of control in our business or a sale or transfer of business assets, we reserve the right to transfer to the extent permissible at law our user databases, together with any personal information and non-personal information contained in those databases. This information may be disclosed to a potential purchaser under an agreement to maintain confidentiality. Better Scenes only discloses personal information in good faith and where required by any of the above circumstances.
- 5.6** By providing Better Scenes with personal information, you consent to the terms of this Privacy Policy and the types of disclosure covered by this Privacy Policy. Where Better Scenes disclose your personal information to third parties, Better Scenes will request that the third party follow this Privacy Policy regarding handling your personal information.

6 SECURITY OF YOUR PERSONAL INFORMATION

- 6.1** Better Scenes is committed to ensuring that the information you provide to us is secure. In order to prevent unauthorised access or disclosure, Better Scenes has put in place suitable physical, electronic and managerial procedures to safeguard and secure information and protect it from misuse, interference, loss and unauthorised access, modification and disclosure. Better Scenes is not liable for any unauthorised access to your personal information.
- 6.2** The transmission and exchange of information is carried out at your own risk. Better Scenes cannot guarantee the security of any information that you transmit to Better Scenes, or receive from Better Scenes. Although Better Scenes takes measures to safeguard against unauthorised disclosures of information, Better Scenes cannot assure you that personal information that we collect will not be disclosed in a manner that is inconsistent with this Privacy Policy.
- 6.3** Better Scenes will take commercially reasonable steps to destroy or permanently de-identify personal information if it is no longer needed for the purposes of providing our Services to you and where Better Scenes is not required to retain that information by law.

7 ACCESS TO YOUR PERSONAL INFORMATION

- 7.1** You are responsible to ensure that the information you provide to Better Scenes is accurate, complete and up to-date.

- 7.2** It is important that you advise Better Scenes of changes to your personal information that you have provided to Better Scenes as it is essential that your personal information is accurate, complete and up-to date in order for Better Scenes to provide the Services to you. If you discover that the personal information you have provided to Better Scenes is incorrect or changes, you can contact Better Scenes at info@quartermoondesigns.com.
- 7.3** You may request to know what sort of personal information is held about you, for what purposes, and how it is collected, held and used and disclosed by contacting Better Scenes at info@quartermoondesigns.com.
- 7.4** You may request to access your personal information by contacting Better Scenes at info@quartermoondesigns.com. Better Scenes reserves the right to charge a reasonable administration fee for access to your personal information.
- 7.5** Better Scenes in its sole discretion, may consider that there is a sound reason under the Privacy Act, Freedom of Information Act or other relevant law to withhold personal information, or not make the requested changes.

8 IDENTIFIERS AND ANONYMITY

- 8.1** You acknowledge that Better Scenes retains, collects and maintains your personal information for statistical analysis purposes (whether for commercial or non-commercial purposes). You agree that Better Scenes may share, distribute and/or transfer information which you have provided to Better Scenes to third parties, after that information has been de-identified.

9 TRANS-BORDER DATA FLOWS

- 9.1** Better Scenes may use cloud services, and as such, its servers may be located in Australia or overseas and you acknowledge, agree and understand that your personal information may be transferred and stored in Australia and other foreign jurisdictions which the cloud services may direct the data to be stored. You agree for us to transfer your information into foreign jurisdictions for the purposes of providing you with the Services.
- 9.2** In addition to the above, Better Scenes will transfer personal information to someone who is in a foreign country where:
- (a)** Better Scenes reasonably believes that the recipient of the information is subject to a law, binding scheme or contract which effectively upholds principles for fair handling of the information that are substantially similar to the Australian Privacy Principles;
 - (b)** the individual consents to the transfer;
 - (c)** the transfer is necessary for the performance of a contract between you and Better Scenes, or for the implementation of pre-contractual measures taken in response to your request;
 - (d)** the transfer is necessary for the conclusion or performance of a contract concluded in your interest between Better Scenes and a third party;
 - (e)** all of the following apply:
 - (i)** the transfer is for your benefit;
 - (ii)** it is impracticable to obtain your consent to that transfer; and

- (iii) if it were practicable to obtain such consent, you would be likely to give it; or
- (f) Better Scenes has taken reasonable steps to ensure that the information which it has transferred will not be held, used or disclosed by the recipient of the information inconsistently with the Australian Privacy Principles.

10 SENSITIVE INFORMATION

10.1 Sensitive information is defined in the Privacy Act to include information or opinion about such things regarding an individual's racial or ethnic origin, political opinions, membership of a political association, religious or philosophical beliefs, membership of a trade union or other professional body, criminal record or health information.

10.2 Sensitive information will be used by Better Scenes only:

- (a) for the primary purpose for which it was obtained;
- (b) for a secondary purpose that is directly related to the primary purpose;
- (c) with your consent; or
- (d) where required or authorised by law.

11 COMPLAINTS ABOUT PRIVACY

11.1 If you have any complaints about Better Scenes' privacy practices, please feel free to send in details of your complaints to info@quartermoondesigns.com.

11.2 A complaint should identify whether it is about:

- (a) the collection of personal information;
- (b) the use of personal information;
- (c) the disclosure of personal information;
- (d) the security or storage of personal information;
- (e) the accuracy of personal information;
- (f) a refusal to give access to or provide about their personal information; or
- (g) a refusal to change or delete personal information.

11.3 Better Scenes takes complaints very seriously and will respond shortly after receiving written notice of your complaint to advise you of the outcome following Better Scenes' enquiry into the same. You will also be invited to respond to its outcome. If a response is received, Better Scenes will assess your response and advise if it has changed its view. If you are unsatisfied with the final outcome, Better Scenes will advise further options including, if appropriate, making a complaint with the Office of the Australian Information Commissioner.

12 OPTING-OUT OF DIRECT MARKETING

12.1 Better Scenes aims to give you a highly personalised experience when using the Website and the Services. In order to do so, Better Scenes may use your personal information to send you advertisements to your email address. If you decide you do not

want to receive these emails containing advertisements, you can request to unsubscribe from the mailing list by clicking 'Unsubscribe' at the bottom of the email.

13 CHANGES TO PRIVACY POLICY

13.1 This Privacy Policy is available online via the Website.

13.2 Better Scenes reserves the right to modify this Privacy Policy at any time, for any reason in our sole discretion and without any notice, by posting a revised version on the Website. Any changes will be effective immediately upon our posting of the revised version on the Website. Please check back from time to time to review our Privacy Policy. Your use of the Website and Services following these change means that you accept the revised Privacy Policy.

13.3 Please be aware that we may change the Privacy Policy in the future.

14 MISCELLANEOUS

14.1 Waivers

In limited circumstances, Better Scenes may allow you to waive application of this Privacy Policy. A waiver of this Privacy Policy must be in writing and signed by Better Scenes. Better Scenes anticipates that the waiver of this Privacy Policy would only be in exceptional circumstances, and Better Scenes encourages that you consider the circumstances leading to the waiver request prior to submitting such a request.

14.2 Governing Law & Jurisdiction

This Privacy Policy is governed by the laws of Brisbane, Australia. In the event of any dispute arising out of or in connection with this Privacy Policy, you agree that the exclusive venue for resolving any dispute shall be Queensland, Australia.

15 COOKIES

15.1 Better Scenes uses cookies, web beacons and measurement software (the **Cookies**) on the Website and the Services to:

- (a)** store details about your use of the Website to provide you with a personalised experience tailored to you, for example remembering your preferences and greeting you by name;
- (b)** analyse website traffic, trends and reporting statics to improve the Website and Services;
- (c)** provide you with targeted marketing communications; and
- (d)** provide you with relevant advertisements when you visit the Website, through third party service such as Google Ad.

16 THIRD PARTY SITES

16.1 The Website or Services may from time to time have links to other websites not owned or controlled by Better Scenes. These links are meant for your convenience only. Links to third party websites do not constitute sponsorship or endorsement or approval of these websites. Please be aware that Better Scenes is not responsible for the privacy practises of other such websites. We encourage our users to be aware, when they leave our website, to read the privacy statements of each and every website that collects personal identifiable information.

17 CONTACT

- 17.1** Please contact Better Scenes at info@quartermoondesigns.com if you have any questions regarding this Privacy Policy.