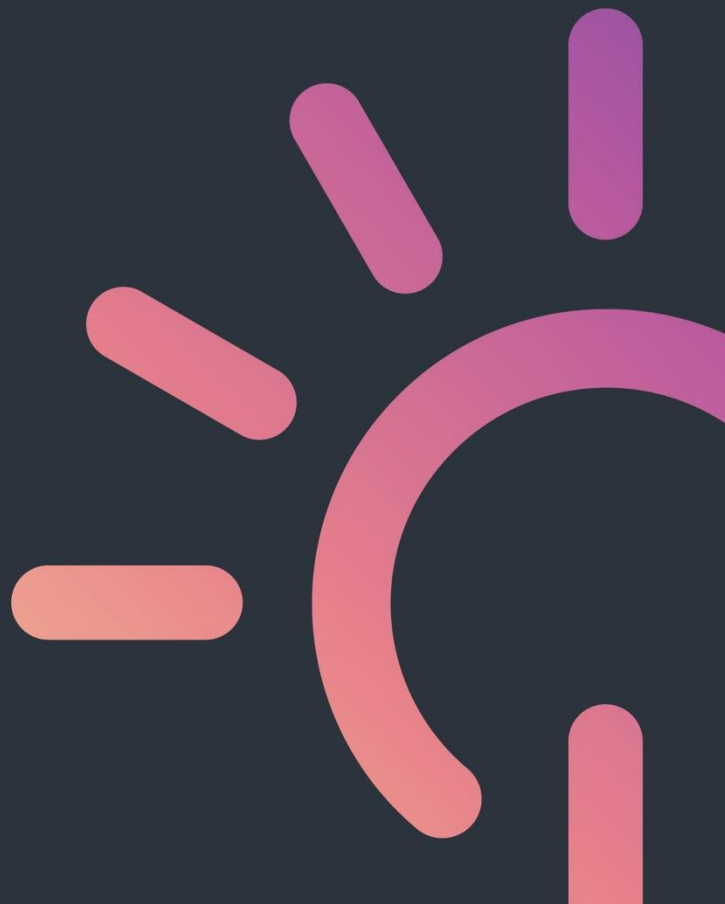


# Privacy Policy

March 2022



# Terms and Conditions

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# 1. Introduction

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Real life. Powered by Arcstream.

Q CELLS provides a total solar energy solution and service via the 'Arcstream' brand through the sales of solar system hardware and the provision and management of an electricity plan.

Arcstream has partnered with Electricity in a Box, who is the authorised electricity retailer for the Arcstream subscription electricity plan.

## 2. Privacy Policy – QCELLS Services

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### 2.1. Introduction

- a. Q CELLS Australia Pty Ltd and its subsidiaries ("**us**", "**our**" or "**we**") are committed to protecting your privacy. This privacy policy ("**Privacy Policy**") sets out how we handle your personal information that is disclosed, collected or otherwise handled in connection with our engagement with and provision of services to you. This includes personal information disclosed to, collected by or otherwise used by our website <https://arcstream.solutions/> or any linked or similar site available through this (the "**Website**"), in performing customer services, through communication exchanges with customers, through any online application that refers to or links to this Privacy Policy, or as may be processed through any other information technology platform we use to facilitate the provision of any or all of the foregoing services or technology, including from the Q.OMMAND software program or application (collectively, the "**Services**"). This Privacy Policy is to give you confidence as you visit and use the Website and use the Services, and to demonstrate our commitment to protect privacy in relation to your personal information provided to us.
- b. We recommend you read this Privacy Policy carefully, as it sets forth what personal information we collect, how and why we use it, and with whom we share it in relation to the Services. Additionally, this Privacy Policy sets out your rights in relation to your personal information and who to contact for more information or if you have queries.
- c. We regularly review our practices and procedures regarding how we collect, hold, use, disclose and otherwise manage personal information. As a result, this Privacy Policy may change from time to time and it is therefore important that you review it regularly. Any change to this Privacy Policy will become effective when we publish the revised Privacy Policy on our Website. You can check the effective date by viewing the date at the bottom to see when the Privacy Policy was last updated. If we make any material changes to this Privacy Policy we will use reasonable endeavours to bring this to your attention when we do.
- d. Your continued use of the Services, requesting our assistance or the provision of further personal information to us after this Privacy Policy has been revised, constitutes your acceptance of the revised Privacy Policy.

### 2.2. What personal information do we collect?

- a. Personal information includes any information or an opinion about you and from which you can be identified or can reasonably be identified, whether true or not and whether recorded in a material form or not. As we need to use certain categories of personal information to perform our Services and for you to be able to benefit from those Services, we collect your personal information to the extent that is reasonably

necessary and relevant to the performance of these Services. More specifically, information we may collect includes:

- i. Contact information: your name, phone number, email address and/or your residential or other address for both identification and registration purposes;
  - ii. Technical information: username and passwords, internet protocol (“IP”) address, your login data, browser type, time zone setting, location and other technology on the devices you use to access the Website and Services;
  - iii. Usage information: information about the performance of the Website and Services and how you use the Website and Services;
  - iv. Statistical information: information collected to provide statistics about the use of our Website and Services;
  - v. Marketing information: your preferences in receiving marketing communications from us;
  - vi. Required information: other personal information required to satisfy our obligations under relevant legislation; and
  - vii. any other personal information that you provide to us either directly or indirectly when using the Website or Services.
- b. The precise types of personal information we collect from or about you will depend on the nature of your interactions with us.
  - c. We do not collect any sensitive personal information about you (this includes details about your race or ethnic origin, political opinions or associations, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association or union, sexual orientation or practices, criminal record information). Nor do we collect any information about your health, genetic background or biometric personal information.
  - d. Our Website and Services are not intended for use by children and should only be accessed by individuals of at least 18 years old (the “Age Limit”). If you are under the Age Limit, please do not use the Website or Services and do not provide us your personal information. We will upon notice or discovery take all reasonable efforts to erase or destroy any personal information that may have been collected or stored by us about those under the Age Limit without our knowledge.

## 2.3. How do we collect your personal information?

- a. We may collect your personal information when you:
  - i. register with us, including when you create a user account and insert personal information to log into and become a member of this Website;
  - ii. communicate with us and our staff;
  - iii. access and use the Website or Services;
  - iv. respond to any surveys or marketing materials we send out; and
  - v. deal with us in other ways involving your personal information such as when you contact us or when we otherwise perform the Services.
- b. We may also collect your personal information from third parties including:
  - i. other third parties who provide you services via the Website or in connection with the Services; and
  - ii. third parties who provide services to us.
- c. The types of personal information we may collect from third parties about you include:
  - i. **Contact information:** your name, e-mail, phone number and address; and
  - ii. **Claim information:** your product’s serial number, claim details and requested service date.

## 2.4. Why do we collect and use your personal information?

- a. We collect, hold and use your personal information for a variety of reasons including, in the most common circumstances, those listed below:
  - i. to verify your identity;
  - ii. to process your requests through the Website;
  - iii. to provide you additional information about our information, products and services;
  - iv. to comply with any applicable laws or legal procedures;
  - v. to assess the performance of the Website and Services, including for data analysis, developing new products and services, managing the provision of our customer service, and analysing the Services and our customer base;
  - vi. to maintain system security and stability;
  - vii. to communicate with you and provide you with troubleshooting support and customer service in general;
  - viii. to process and respond to a complaint or request you may make;
  - ix. to allow third parties you have authorised to contact you if you have granted permission;
  - x. for statistical purposes in connection with the Website and Services as permitted by law;
  - xi. to improve our Website and Service offering;
  - xii. for the provision of Services or the administration of our business (including fulfilling and exercising any of our obligations and rights, exercising or defending legal claims and managing the relationship with you); or
  - xiii. any other uses identified at the time of collecting your personal information from the Website or in relation to the Services.
- b. We will only collect, hold and use personal information for the purpose for which it was provided (which will normally be obvious at the time of collection), a related purpose, or as authorised, permitted or required by law.

## 2.5. Marketing Communications

- a. In addition to the purposes set out above, we may collect, use and disclose your personal information to inform you of products, services or our other offers and promotions or those of our related companies or commercial partners which may be of interest to you, either by notification via our user application, emails or post (“Marketing Communications”), but only in circumstances where we have collected the information directly from you and you would reasonably expect that your personal information would be used or disclosed for this purpose.
- b. You may receive Marketing Communications if:
  - i. you subscribe to our Marketing Communications. Our Marketing Communications will keep you informed of the latest products, and current offers and promotions as contemplated above.
  - ii. you request information about our services when you choose to contact us. You will not be added to a mailing list of any kind and will only receive e-mails in relation to the matter you have contacted us about; or
  - iii. there are relevant reasons for us to do so. This only applies where the Marketing Communications are otherwise relevant to the reason why we hold your email address, and then only where we are permitted to do so by law.
- c. If you no longer wish to receive such material, you can opt out at any time by clicking the “unsubscribe” link at the bottom of any email Marketing Communication you receive or by contacting us at [hqaupm@q-cells.com](mailto:hqaupm@q-cells.com). or through any other opt-out mechanism contained in a Marketing Communication to you.
- d. We will collect, hold and use personal information where:

- i. it is reasonably necessary for our business and where you have given consent for our use of the personal information for one or more purposes;
- ii. it is necessary for the performance of a contract to which you are party; or
- iii. we are otherwise permitted to do so by law.

## 2.6. Sharing of personal information

- a. In order to provide you with operational services (including, but not limited to, processing and fulfilling requests, providing product or solution information, providing customer service, maintaining website, analysing data, and communicating with customers), we may share personal information with service providers, agents or independent contractors (collectively "third parties").
- b. We will use our best efforts to prevent any third parties from using your personal information for purposes other than the permitted purpose.
- c. The third parties we may share your personal information with may include:
  - i. technology partners in connection with the services performed by us by these third parties; and third party partners that provide certain services to you on behalf of us in your area, including distributors, installers and after sales services support companies;
  - ii. our lawyers, accountants and professional advisors;
  - iii. affiliated companies that are either directly owned or controlled by us;
  - iv. law enforcement authorities or where we are required to do so by law or pursuant to a legal process; and
  - v. any entity in the event that we sell or transfer all or a portion of our business or assets.
- d. We do not disclose your personal information outside of Australia with the exception of our data-hosting provider HubSpot and our internal Q.OMMAND software, which may host your personal information in their servers located in the United States of America and in the Republic of Korea.

## 2.7. What if we can't collect your personal information?

- a. If you do not provide us with or we do not otherwise have access to the personal information we need, some or all of the following may occur:
  - i. you may not be able to use some functions of the Website and Services; and
  - ii. we may not be able to provide you with other services, targeted content and relevant information.

## 2.8. Data security

- a. We have put in place reasonably appropriate security measures which are intended to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition we endeavour to limit access to your personal data to employees, agents, contractors and other third parties who have a business need for access. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.
- b. We have put in place procedures to deal with any suspected personal information breach and will notify you and any applicable regulator of a breach where we are legally required to do so.
- c. Ultimately, data protection measures are never completely secure and, despite the measures we have put in place, we cannot guarantee the security of your personal information. You must take care to protect your personal information (for example, by protecting your usernames and passwords). You should notify us as soon as possible if you become aware of any security breaches.

## 2.9. Access and correction of personal information

- a. We take reasonable steps to ensure that the personal information we handle is accurate, complete and up-to-date. If you become aware of any errors in your personal information you may request that this information be corrected by contacting us below.

### Access to your personal information

- b. You can request access to any personal information we hold about you at any time. From time to time, we may need to reject your request to access personal information we hold about you, if we believe it to be necessary and to the extent allowed by law. To request access to any personal information that we may hold about you, please contact us using the contact details at the bottom of this Privacy Policy. Depending on your request and where permitted by law, we may charge a small fee for complying with your request.

### Amending your information

- c. You may request us to amend any personal information we hold about you which you believe to be inaccurate, incomplete or out of date. To request an amendment to any personal information that we hold about you, please contact us using the contact details at the bottom of this Privacy Policy. If we do not agree to amend your personal information, you may request that we make a note of your requested correction with the information we hold about you.
- d. If we are unable to, or if we are unwilling to provide you with access to any of your personal information, or to correct any of your personal information, we will provide you with our reasons.
- e. If you wish to obtain further information regarding our privacy practices and the way we handle personal information you may contact us using the details set out at the bottom of this Privacy Policy.

## 2.10. Information retention

- a. We will retain your personal information for the period necessary to fulfil the purposes outlined in this Privacy Policy and in each case in accordance with applicable legal and regulatory requirements in respect of permitted or required retention periods and limitation periods for taking legal action.

## 2.11. Additional Services and Links to Other Sites

- a. From time to time, we may provide links or mechanics to interface with other websites for your information or convenience or offer additional services through separate websites linked to the Website. These websites operate independently from our Website and may be subject to alternative terms of use, including terms concerning use of your personal information. We have not reviewed these third party sites and do not control and are not responsible for any of these websites, their content or their privacy policies. If you decide to access or interact with any of the third party sites listed on our Website, you do so at your own risk.

## 2.12. Complaints

- a. We take your privacy concerns seriously. If you have a complaint regarding our handling of your personal information or concerning our privacy practices, you may file a complaint with us using the contact details set out at the bottom of this Privacy Policy. Our team will confirm receipt of your complaint and if our team believes an



investigation is necessary, we will open an investigation into your complaint. We may need to contact you to request further details of your complaint.

- b. If an investigation has been opened following a complaint made by you, our team will contact you with the result of that complaint as soon as possible. In the unlikely circumstances we are unable to resolve your complaint to your satisfaction, you may raise a complaint with the Office of the Australian Information Commissioner at [www.oaic.gov.au](http://www.oaic.gov.au).
- c. For more information regarding privacy practices or if you have any concerns about the way your personal information is being handled, you may contact the Office of the Australian Information Commissioner at [www.oaic.gov.au](http://www.oaic.gov.au).

## 2.13. Cookies

- a. Our Website may use ‘cookies’ from time to time. Cookies could be used to collect personal information. A cookie is a small file that is stored on your device by a website. Cookies contain information which is readable by the website that issued the cookie to you and is commonly used to remember your details and preferences when you return to that website. Your web browser can be configured to reject cookies. If you set up your web browser to reject cookies certain functions of our Website or Services may become unavailable to you.
- b. We do not use browsing information to identify you personally. However, we may record information on how you use our Website or Services, including which pages you viewed, when you viewed them, whether you reached them via a search engine, and your computer’s assigned IP address.

## 3. Contacts and Version Control

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### 3.1. Contact Information

If you have any questions about this Privacy Policy, our privacy practices or if you would like to request access to or correction of any personal information we may hold about you, please contact us at the details below.

|                 |  |
|-----------------|--|
| <b>Email:</b>   | <a href="mailto:customer@arcstream.solutions">customer@arcstream.solutions</a> |
| <b>Phone:</b>   | 1800 170 150   |
| <b>Address:</b> | 15 Blue St, North Sydney NSW 2060  |

### 3.2. Version Control

|                   |                   |
|-------------------|-------------------|
| <b>Version:</b>   | ARCROPV1March2022 |
| <b>Effective:</b> | March 2022        |