

## EU Directive on Data Protection

These recommendations are founded on seven principles, since enshrined in EU Directive 94/46/EC:

- Notice: subjects whose data is being collected should be given notice of such collection.
- Purpose: data collected should be used only for stated purpose(s) and for no other purposes.
- Consent: personal data should not be disclosed or shared with third parties without consent from its subject(s).
- Security: once collected, personal data should be kept safe and secure from potential abuse, theft, or loss.
- Disclosure: subjects whose personal data is being collected should be informed as to the party or parties collecting such data.
- Access: subjects should be granted access to their personal data and allowed to correct any inaccuracies.
- Accountability: subjects should be able to hold personal data collectors accountable for adhering to all seven of these principles.

In the context of the Directive, personal data means "any information relating to an identified or identifiable natural person ('data subject'); an identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identification number or to one or more factors specific to his physical, physiological, mental, economic, cultural or social identity" (Article 2a). Data is considered personal when it enables anyone to link information to a specific person, even if the person or entity holding that data cannot make that link. Examples of such data include address, bank statements, credit card numbers, and so forth. Processing is also broadly defined and involves any manual or automatic operation on personal data, including its collection, recording, organization, storage, modification, retrieval, use, transmission, dissemination or publication, and even blocking, erasure or destruction (paraphrased from Article 2b).

These data protection rules apply not only when the responsible party (called the controller in this EU directive) is established or operates within the EU, but whenever the controller uses equipment located inside the EU to process personal data. Thus, controllers from outside the EU who process personal data inside the EU must nevertheless comply with this directive. EU member states set up supervisory authorities whose job is to monitor data protection levels in that state, and to advise the government about related rules and regulations, and to initiate legal proceedings when data protection regulations are broken. All controllers must notify their governing authority before commencing any processing of personal information, and such notification prescribes in detail what kinds of notice is expected, including name and address of the controller or representative, purpose(s) of the processing, descriptions of the categories of data subjects and the data or categories of data to be collected, recipients to whom such data might be disclosed, any proposed transfers of data to third countries, and general description of protective measures taken to ensure safety and security of processing and related data.

## Our Privacy Policy

Breato complies with the EU Directive on Data Protection framework regarding the collection, use and retention of data from the European Union. Breato will comply with a request to change or delete personal information within 30 days. To delete personal information, please contact us at [security@breato.com](mailto:security@breato.com).

The following sections disclose the information gathering and dissemination practices for the services offered by Breato (the "Services") and for this website. Breato reserves the right to amend this Privacy Policy at any time. Breato will notify the Account Administrator of material changes to its privacy practices. Breato will contact the Account Administrator via an email 30 days prior to implementing the change. Only the current Privacy Policy is deemed effective, so please review this Privacy Policy periodically.

**1. We do not reveal any personal information that we collect about users, nor any information or data that is stored in user accounts, to anyone else**

During the registration process, Breato collects personally identifiable information about the organisation that is taking out the subscription to Breato (the “Subscribing Organisation”) and the User carrying out the registration (the “Account Administrator”).

Each individual within the Subscribing Organisation who will use the Service (“User”) will have a login account created on their behalf by the Account Administrator. Breato uses the login details of the Account Administrator to communicate with the Subscribing Organisation via email to provide support as quickly and efficiently as possible. In addition, Breato may send a newsletter to the Account Administrator and all other users who have not opted out of receiving email correspondence from Breato. Breato may also collect personally identifiable information at other times, such as when responding to product support enquiries. This information is only used to contact the User to help resolve support enquiries. Breato may also contact the Account Administrator via email to announce improvements to the Breato service. In addition, Breato allows Users' to store data and information that is personally identifiable, private, or sensitive. Breato may use such information in the aggregate only for its own internal purposes.

The Account Administrator may enter the details of the Subscribing Organisation's purchase order that will be used by Breato to invoice the Subscribing Organisation for the use of the Service. Account Administrators may also input their credit or debit card information when signing up for an account that is settled by credit card. Credit card numbers are passed directly to our Payment Service Provider, CreditCall, and are not stored on any server operated by Breato. No Breato employee can see credit card numbers. We will not sell, rent or release a Subscribing Organisation's or User's personally identifiable information, application data, or stored information to any other party, except at the request of the Subscribing Organisation or under certain rare special circumstances such as a court order.

When is the Data Gathered?	Data to be Gathered	Must Data be Entered?	Is Data Permanently Stored?
When any visitor to the Breato web site registers to use the Demonstrator	Name of the Subscribing Organisation	✓	✓
	Description of the Subscribing Organisation's business	x	✓
	Address of the Subscribing Organisation	x	✓
	Name of the Account Administrator	✓	✓
	Email address of the Account Administrator	✓	✓
	Phone number for the Account Administrator	x	✓
When the Account Administrator registers to sign-up for the Breato service	Name of the Subscribing Organisation	✓	✓
	Description of the Subscribing Organisation's business	x	✓
	Address of the Subscribing Organisation	x	✓
	Name of the Account Administrator	✓	✓
	Email address of the Account Administrator	✓	✓
	Phone number for the Account Administrator	x	✓
	Purchase order details (date and number)	✓	✓
Credit card information (card type, name on card, card number, expiry date and security code)	✓	x	
When the Account Administrator creates a user account	Name of the User	✓	✓
	Email address of the User	✓	✓
	Password for the User	✓	✓
	Receive information emails from Breato	x	✓

## **2. Breato analyses information about users without personally identifying them**

In order to improve our Service, provide content and develop applications and additional services that are useful to our Subscribing Organisations and Users, Breato may automatically gather information on an aggregate basis about the applications, services and pages of the Breato application that Users visit. A Subscribing Organisation's or its Users' personally identifiable information cannot be linked to or discerned from any of this information. Breato may also use demographic information and profile data about the Subscribing Organisation and Users for these purposes.

## **3. Breato does not use personally identifiable information to track Users**

Once a login account has been created for a User, the only personally identifiable information held in a cookie is their user name. This allows Breato to enable certain application features and functionality. Cookies are also used to hold the position of forms on the Breato worktop when requested by the User. This information is only used internally to improve our website and applications.

## **4. We restrict access to information to employees who need it to do their jobs**

Only employees engaged in customer support activities or those providing custom services purchased by Subscribing Organisations have access to the Subscribing Organisation's information. These employees are limited in number and are committed to our privacy and security policies. Any employee who violates our privacy and/or security policies is subject to possible termination of employment and civil and/or criminal prosecution.

## **5. Newsletters**

Newsletters are sent via email to the User's registered email address. The User can opt out of email newsletters by deselecting the "Receive Newsletter" check box on the Personal Details form in Breato. All Users who opt out are automatically removed from future email distribution lists. Newsletters will always be sent to the Account Administrator, irrespective of whether that User has opted out of receiving emails.

## **6. Legal Disclaimer**

We reserve the right to disclose a User's personally identifiable information as required by law and when we believe that disclosure is necessary to protect our rights and/or comply with a judicial proceeding, court order, or legal process served on our website or company.

## **7. Use of Service Providers**

Breato uses a variety of service providers to deliver its services: WebHosting and Hetzner provide the secure data centre; web analysis is performed through Google Analytics; and CreditCall act as the Payment Service Provider for credit and debit card billing.

## **8. Updating Your Personal Information**

Users may log into their Breato account and update their personal information by selecting the Personal Details form in Breato. After making the necessary updates, corrections or deletions, press the Save button to update the information. The User information will be updated immediately.

The Account Administrator may also change the billing information within the account by selecting the Registration Details form in Breato. After updating the billing information as required, press the Save button to update the information. All changes will be made immediately when the Save button is pressed.

## **9. Data Transmission**

Unfortunately, no data transmission over the Internet can be guaranteed to be totally secure, and there is a risk that data could be intercepted or interrupted during Internet transmission. Breato cannot warrant the security of any information that the Subscribing Organisation or users transmit to or from our online service, and the Subscribing Organisation and Users do so at their own risk.

The Breato website uses SSL encryption to transmit sensitive information. All billing information is transmitted over the Internet via SSL Encryption. Breato's SSL certificates are provided by RapidSSL and verification is carried out by Equifax.

## **10. Testimonials**

We post testimonials from Subscribing Organisation's on our website which may contain personally identifiable information such as the organisation's name. We always obtain the Subscribing Organisation's consent prior to posting the testimonial along with their name.

## **11. Blogs**

If a User uses a bulletin board, blog or chat room on this website, they should be aware that any personally identifiable information submitted there can be read, collected, or used by other users of these forums, and could be used to send unsolicited messages to the User. We are not responsible for the personally identifiable information Users choose to submit in these forums.

## **12. Changes in Privacy Policy**

We reserve the right to modify this Privacy Policy at any time, so please review it frequently. If we make material changes to this policy, we will notify the Account Administrator of the Subscribing Organisation.

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Effective Date: 1st January 2011