

**We Smiles Pty Limited**  
**PRIVACY POLICY**

**1. Privacy Policy**

This Privacy Policy applies to the collection, storage, use and disclosure by We Smiles Pty Limited (ACN 624 331 611) (**We Smile, we, us, our**) of your personal information. It also provides information on how you can obtain access to or seek correction of your personal information. We Smile is committed to the protection of personal information and has developed this Privacy Policy in line with the 'Australian Privacy Principles' in the *Privacy Act 1988* (Cth).

You agree that providing us with your personal information when you contact us, use the [www.wesmile.com.com](http://www.wesmile.com.com) website (**Website**), or complete an assessment form in person or through the Website, or book an appointment in person or through the Website, implies your consent to the collection and use of your personal information in accordance with this Privacy Policy. We may change this Privacy Policy from time to time. Your completion of the assessment form, the booking form and use of the Website following any such change to the Privacy Policy will confirm your acceptance of the changes.

**2. Types of Personal Information We Collect**

The type of personal information we may collect from you includes information such as your:

- a) full name;
- b) date of birth;
- c) email address;
- d) home / postal address;
- e) phone number(s);
- f) gender;
- g) occupation;
- h) credit card and / or bank account information;
- i) past and current medical history; and
- j) health practitioner details.

**3. Collection of Your Personal Information**

In most cases we will collect personal information directly from you. This may take place when you provide us with your personal information through the Website, in person, or by completing documents such as an assessment form or booking form. We only collect personal information that is reasonably necessary for us to provide you with the services you have requested.

In operating the Website, We Smile may collect:

- Information that does not personally identify you but tracks your use of the Website to learn about your preferences so that we can make our Website better; and / or
- Information that does personally identify you (including details such as name, email address, and telephone number) but only when you voluntarily give it to us.

If you complete an assessment form, booking form or provide your personal information once you become a patient, We Smile may collect:

- Information that does personally identify you (including details such as your email address) but only when you voluntarily give it to us; and / or
- Sensitive information including health information (such as any health conditions you suffer from, health care records, medical history, and health insurance fund memberships) but only when you voluntarily give it to us (for example if you complete an administrative form).

The collection of this personal information is required to enable We Smile to provide the services to you and to ensure the highest quality of service provision. Individuals do not have to supply We Smile with their personal or health information, however, if the individual chooses not to do so We Smile may be unable to provide the services required or sought.

#### **4. Purpose of Collecting Your Personal Information**

The purpose of collecting your personal information is so we can offer services to you relating to teeth whitening and the manufacture of invisible dental aligners. These invisible dental aligners are designed to adjust or retain the position of your teeth based on a dental practitioner's prescription.

We also collect, hold, use and disclose your personal information to:

- a) offer and provide you with our services on the Website;
- b) manage and administer those goods and services, including account keeping procedures;
- c) share with dental laboratories in order to manufacture your invisible aligners
- d) communicate with you, including (but not limited to) emailing you tax invoices;
- e) comply with our legal and regulatory obligations; and
- f) otherwise to manage our business.

#### **5. Use and Disclosure of Your Personal Information**

We Smile will use and disclose your personal and health information in order to provide you with the services requested. Services include ongoing use of the website, booking in a scan, accepting our terms and conditions

By accepting the patient consent form you have consented to We Smile:

- Contacting you by telephone, post, email and / or SMS to tell you about our products, services and promotions;
- Contacting you by telephone, fax, post, email and / or SMS to ask you to provide feedback about the services and the Website;
- Contacting you via our APP messaging service
- Using your personal and / or health information to contact you for advertising, promotional and direct marketing purposes in order to inform you about our activities and to improve the Website;
- Using your personal and / or health information to perform administrative functions and activities in relation to our services and the Website;
- Using your personal information to send to laboratories for the purpose of manufacturing your invisible aligners
- Disclosing your personal and / or health information to health professionals involved in your case;
- Using your personal and / or health information to improve our services or Website to develop new products or services which may involve performing analytics on information that we collect automatically including, but not limited to, through your IP address, browser type and operating system information;
- Disclosing the personal information it collects to third parties we engage to perform functions or provide products and services on our behalf such as processing credit card information, mail outs, debt collection, event management, marketing, research and advertising;
- Using your personal and / or health information to respond to enquiries you make regarding the services or the Website; and / or
- Using your personal and / or health information to comply with any applicable laws.

If you decide that you do not wish to receive information from us please contact us with your request to be removed from our mailing list. We will remove your name within a reasonable period of receipt of notice.

Where practicable we will endeavour to collect, hold, use and disclose personal information for the purposes described above on a de-identified basis.

## **6. Storage and Security of Your Personal Information**

From time to time we may hold personal information in any combination of data storage facilities, cloud computing facilities (which may be located overseas) or secure paper based files which may be operated or held by us or by third party service providers under a contractual arrangement.

We will use all reasonable endeavours to maintain the security of your personal information from unauthorised access, modification, or disclosure.

We cannot ensure or warrant that your personal information will always be secure during transmission or protected from unauthorised access during storage therefore you provide your personal information to us at your own risk.

Please contact us immediately if you become aware or have reason to believe there has been any unauthorised use of your personal information in connection with the Website.

We will take all reasonable steps to destroy or de-identify personal information once it is no longer needed for a valid purpose or required to be kept by law.

## **7. Access, Amendment and Deletion of Your Personal Information**

We will use all reasonable endeavours to keep your personal information accurate, complete, up-to-date, relevant and not misleading. Please contact us to examine your personal information if required and we will provide a complete list of your personal information within a reasonable period of receipt of your request.

You may contact us to amend any of your personal information that is inaccurate, incomplete or out-of-date or request that your personal information be deleted. It is your sole responsibility to ensure that your personal information is accurate and kept up to date. We will amend or delete your records as requested within a reasonable period of receipt of notice. If applicable, any legal requirement on us to maintain certain records of your personal information shall prevail over any of your requests. We Smile may require identification to be provided before releasing copies of personal information.

## **8. Anonymity**

You may seek to remain anonymous or use a pseudonym when you deal with us. However, this may mean that we will be unable to provide our services to you.

## **9. Disclaimer - Further Disclosure**

We will only collect, use or disclose information that personally identifies you in accordance with this Privacy Policy, unless we are required to disclose it by law, or in our opinion we are required by disclose it to protect the rights or property of us or any third party or to avoid injury to any person.

## **10. Links**

If you use a Link to access a third party website, you do so entirely at your own risk. You should always read the applicable privacy policies on the other websites.

## **11. Cross Border Disclosures**

We currently only operate in Australia.

From time to time, we may engage an overseas recipient to provide services to us, such as cloud-based storage solutions. Please note that the use of overseas service providers to store personal information will not always involve a disclosure of personal information to that overseas provider. However, by providing us with your personal information, you consent to the storage of such information on overseas servers and acknowledge that APP 8.1 will not apply to such disclosures. For the avoidance of doubt, in the event that an overseas recipient breaches the Australian Privacy Principles, that entity will not be bound by, and you will not be able to seek redress under, the *Privacy Act 1988* (Cth).

## **12. Mandatory Data Breach Notifications**

Pursuant to the *Privacy Act 1988* (Cth), we will be required to notify you and the Australian Information Commissioner if an eligible data breach (relating to your personal and / or health information) has occurred.

## **13. Applicable Law**

The Website is controlled from our offices in Australia. This Privacy Policy will be governed by and construed in accordance with the laws of Australia. You irrevocably and unconditionally submit to the exclusive jurisdiction of the courts of New South Wales, Australia.

If any provision of this Privacy Policy is found to be invalid or unenforceable by a court of law, such invalidity or unenforceability will not affect the remainder of this Privacy Policy which will continue in full force and effect.

## **14. Contact us**

You may contact us in relation to your personal information by email at [info@wesmile.com.au](mailto:info@wesmile.com.au).

## **15. Making a Complaint**

If you have any concerns about how we manage your personal information, you may write to our Privacy Officer at [info@wesmile.com.au](mailto:info@wesmile.com.au). We will reasonably endeavour to provide a response within 30 days of receipt of your complaint.

If you are not satisfied with our response, you may lodge a complaint with the Office of the Australian Information Commissioner (**OAIC**) by writing to the OAIC at GPO Box 5218, Sydney NSW 2001. For further information about the OAIC, please visit [www.oaic.gov.au](http://www.oaic.gov.au).