

KBR LIMITED POLICY ON THE COLLECTION, USE AND DISCLOSURE OF PERSONAL INFORMATION ("PRIVACY POLICY")

Objective and scope of policy

KBR Limited is an Isle of Man company and is the distributor of Forecast 5 budgeting and forecasting software. The intellectual property rights to the software are owned by Forecast 5 Limited, of Auckland, New Zealand.

References in this Policy to "KBR" are to KBR Limited and to "F5Ltd" are to Forecast 5 Limited.

KBR is dedicated to maintaining high standards of confidentiality regarding the information provided to us. KBR adheres to certain privacy principles to help ensure the confidentiality of the Personal Information entrusted to us. This Privacy Policy has been prepared to inform you of our practices concerning the collection, use and disclosure of Personal Information.

Personal information

For this Privacy Policy, "Personal Information" means any information provided to or collected by KBR, recorded in any form, about an identifiable individual, or an individual whose identity may be inferred or determined from the information.

This Privacy Policy does not cover any information, recorded in any form, about more than one individual where the identity of the individuals is not known and cannot be inferred from the information ("Aggregated Information"). KBR retains the right to use Aggregated Information in any way that it reasonably determines is appropriate.

Accountability

KBR takes the protection of Personal Information seriously. Our obligations are governed, in part, by rules of professional conduct which impose duties and obligations regarding the confidentiality of the information provided to KBR by its clients and prospective clients. We require staff and consultants who provide services in connection with our business to comply with these obligations.

KBR is subject to Isle of Man laws and as such, the Isle of Man's Data Protection Act (2002) as well as the EU's General Data Protection Regulations ("GDPR") which will come into law on 25 May 2018.

What information do we collect?

As a general rule, all information concerning the business and affairs of a person or organization is acquired: (1) for the purpose of determining whether KBR will enter into a business relationship; or (2) in the course of such relationship, will be held in strict confidence and not revealed to anyone unless expressly or implicitly authorized by the person or organization concerned or permitted or required by applicable law.

A business relationship develops when KBR supplies or agrees to provide software or related services or training to an individual or organization.

In the course of its relationship with you or your organisation, KBR will need to collect, use, and sometimes, disclose various types of Personal Information for various purposes associated with the scope of the software, services or training we provide you or your organization.

The Personal Information we collect may include:

- Your organisations full name, address, telephone number, e-mail address;
- your full name;
- contact information, such as your address, telephone number, e-mail address, or job titles;
- whether you have subscribed or unsubscribed from our mailing lists, or accepted any of our invitations, or attended any of our functions;
- your or your organisation's payment history; and
- any other Personal Information that you voluntarily choose to provide to us.

How do we use and disclose personal information?

KBR uses and discloses personal information for the purposes set out in this Privacy Policy.

Under no circumstances will KBR sell, trade, barter or exchange for consideration any Personal Information it has obtained.

KBR may use Personal Information for the following purposes:

- Establishing your identity and compliance with any "Know Your Client" regulations and other legal obligations which we may be required to meet;
- Billing: which may include the collection of names, addresses, and email addresses;
- Provision and development of software product, installation or related services, training or demonstrations: which will include any Personal Information necessary to provide services requested by you or your organization;
- Internal record keeping;
- Answering your queries, and/or providing you with information or materials you have asked to receive;
- Marketing our own products and services to you or your organisation by email or other means if you have subscribed to our mailing list or where we believe its within our legitimate interest to contact your organisation, as described in the GDPR at

[Recital 47](#) and [Article 6\(1\)f](#). (both of which, for convenience, are replicated at the foot of this policy) ;

- To keep your information and preferences accurate. For example, from time to time, we may ask you (by email or otherwise) to review your contact details and mailing list preferences and update them as necessary; and
- To carry out any other purpose which is disclosed to you and to which you consent.

The marketing email circulations, including newsletters, sent by KBR will give you the opportunity to unsubscribe from mailings from KBR altogether.

If you decide at any time that you no longer wish to receive marketing emails or newsletters from KBR, please follow the unsubscribe link in one of our marketing email messages. You may also contact KBR using the [contact information](#) provided below, to unsubscribe from any marketing we may send you.

KBR allows certain authorized third party providers to track and store certain information about visitors to our websites (including domain names, IP addresses and page views as described below). KBR may also disclose Personal Information to organizations that perform services for us. Personal Information will only be provided to such organizations if they agree by way of contract to provide appropriate protection for such information.

If a third party service provider to whom we disclose personal information in accordance with this Privacy Policy is located outside of the Isle of Man, in such cases, Personal Information may be subject to the local laws of the jurisdictions within which it is collected, used, disclosed and/or stored, and may be accessed by governmental authorities in those jurisdictions.

Personal information may also be disclosed to F5Ltd in New Zealand in the course of our business of marketing and distribution of their software.

Lastly, we may disclose your Personal Information for any other purpose to which you consent.

Limiting collection, use, disclosure and retention of personal information

KBR may collect your Personal Information in many forms (hard/soft copy, electronically, facsimile, telephone conversations/recordings, etc.), but will only do so by lawful means and only for necessary purposes that have been disclosed to you.

Personal Information collected in any form will only be retained by KBR so long as it is required: a) for the purpose for which it was collected; b) to be retained by law; or c) to address any issues that may arise at a later date.

When your Personal Information is no longer required for these purposes, KBR will destroy, delete, erase or convert the Personal Information into an anonymous form.

Our website and cookies

In general, you can use our websites without giving KBR any Personal Information. If you are one of our anonymous visitors, please bear in mind that we may still record certain analytical information and as further set out in this section.

KBR may use cookies, web beacons/pixel tags, log files and other technologies to collect certain information about visitors to our websites, and recipients of our newsletters, invitations and other communications.

Consent

Your provision of Personal Information to KBR means that you agree and consent that we may collect, use and disclose your Personal Information under this Privacy Policy. If you do not agree with these terms, you are requested not to provide any Personal Information to KBR.

Consent may be given in different ways such as: a) expressly by signing a document, agreeing through electronic means or verbally; or b) implicitly by providing the Personal Information voluntarily.

Please note that there are circumstances where the use and/or disclosure of Personal Information may be justified or permitted or where KBR may or must disclose information without consent, in accordance with the applicable law.

Where obliged or permitted to disclose information without consent, KBR will not disclose more information than is required for the purpose that obligates or permits us to disclose such information.

You have the right to revoke your consent to the collection, use and disclosure of your Personal Information at any time. However, revocation of your consent may result in our inability to provide services to you. We will discuss with you the reason we need your Personal Information and why the revocation of your consent affects our ability to provide the service or product to you.

Storage and security

KBR has taken steps to maintain physical, procedural and technical security for Personal Information.

KBR holds Personal Information principally in the Isle of Man where it has its office and in Cloud electronic backup facilities. Personal Information is backed up via "Cloud" back up services, for example such as Microsoft's OneDrive or other service providers such as DropBox, MailChimp or ZOHOCrm.

Accuracy and access

KBR endeavours to ensure that any Personal Information provided and in its possession is as accurate, current and complete as necessary for the purposes for which we use that information.

You have a right to request access to your Personal Information and to request a correction to it if you believe it is inaccurate. In the event that you believe that your Personal Information is not accurate or you wish access to your Personal Information, you may make a request to KBR via the Contact details below.

We will always endeavour to provide timely access to your Personal Information. However, we may verify your identity to our satisfaction prior to doing so.

Amendment of our practices and this privacy policy

This Privacy Policy is in effect as of February 11, 2018. KBR will from time to time review and revise its privacy practices and this Privacy Policy.

Please periodically review this Privacy Policy so that you know what Personal Information we collect, how we use it, and with whom we may share it.

Contact us

If you ever have any questions, complaints or concerns regarding this Privacy Policy, any Personal Information you have submitted to a KBR entity, or if you would like to:

- access Personal Information that you have already provided so that you can correct or update it, or request that it be deleted, or
- report any violation of this Privacy Policy

you may contact KBR, or the KBR professionals with whom you have a relationship.

You may also contact the KBR Data Protection Officer by mail at:

The Data Protection Controller
KBR Limited
18 Bowling Green Road
Castletown
Isle of Man, IM9 1EB

Or via Email to:

DataProtection@Forecast5.co.uk

KBR's competent authority for Data Protection matters is the

**Isle of Man Information Commissioner,
P.O. Box 69, Douglas, Isle of Man, IM99 1EQ**

General Data Protection Regulations:

Recital 47:

The legitimate interests of a controller, including those of a controller to which the personal data may be disclosed [ie KBR], or of a third party, may provide a legal basis for processing, provided that the interests or the fundamental rights and freedoms of the data subject [ie you] are not overriding, taking into consideration the reasonable expectations of data subjects based on their relationship with the controller.

Such legitimate interest could exist for example where there is a relevant and appropriate relationship between the data subject and the controller in situations such as where the data subject is a client or in the service of the controller.

At any rate the existence of a legitimate interest would need careful assessment including whether a data subject can reasonably expect at the time and in the context of the collection of the personal data that processing for that purpose may take place.

The interests and fundamental rights of the data subject could in particular override the interest of the data controller where personal data are processed in circumstances where data subjects do not reasonably expect further processing.

Article 6

Lawfulness of processing

1. Processing shall be lawful only if and to the extent that at least one of the following applies:

(f) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.