

Privacy policy

Effective 1 June 2014

This Privacy Policy helps you to make informed decisions about your relationship with us, so please read it carefully.

Introduction

Thanks for choosing Logmate as your Electronic Work Diary system. To provide you with the Logmate System (or “**System**”, “**Application**”, “**Service**”, “**Platform**”), Tierra Technologies Limited (“**Logmate**”, “**Tierra Technologies**”, “**we**”, “**us**”, “**our**”) needs to collect some information about you and/or the Company for which you are acting on behalf, and this Privacy Policy is where we describe the information we collect, what we do with it, and how you can manage and control the use of your information. By using or interacting with Logmate, you are entering into a binding contract with us and consenting to the use of your information as explained in this Privacy Policy. If you don't agree with these terms, then please don't use the System.

The information we collect

Registration data

When you sign up (“signup”, “register”, “create an account”, “join”) to be a User of the System, we may collect information we ask you for, like your full legal name, e-mail address, date of birth, password, drivers license and/or transport service license number/version/expiry and mobile phone number. We may store this information so that it can be used for the purposes explained throughout this policy document.

Usage & Logbook data

When you use the System, we automatically collect certain information, including:

1. Information about your type of subscription and your interactions with the System including the Work Activity (e.g. Driving, Other Duty, Rest Break, etc), Location information, Date & Time, Vehicle details and data related to records that you create in your Logbook, e.g. Notes, Comments & changes you made to the records stored.
2. Technical data, which may include your device or computer make/model/type/version, operating system make/model/type/version, network connection, IP address, application version, browser version/make/model/type.
3. We will record geographical location data to assist with the recording of work-time and vehicle data. We may track your location regularly; sending latitude and longitude details to the system when driving a vehicle operated by your employer (the TSL holder for the Vehicle being driven), and sends latitude and longitude details to the system with each work activity when submitted.

We may use cookies and similar technologies to collect this information and you can learn more about such use at the bottom of this Privacy Policy. We may store this information so that it can be used for the purposes explained throughout this policy document.

Other services

You may integrate your Logmate account with third party services (“Other Integrated Services”). If you do, we may receive, use and share the categories of information described above, including information made publicly available on or through your account of such Other Integrated Services, in accordance with this Privacy Policy.

Payment data

When you sign up for a Trial or any of our Paid Subscriptions (as defined in the [Terms and Conditions of Use](#)), or make other purchases through the Service, your credit card information and other financial data that we need to process your payment are collected and stored by a Third Party Payment Processors. We may collect some limited information, such as your postal code, mobile number and details of your transaction history.

In addition, the third party payment processors generally provide us with some limited information related to you, such as a unique token that enables you to make additional purchases using the information they’ve stored, and your card’s type, expiration date, and last four digits. If you choose to pay by invoice, Logmate may need to collect and transfer additional information, like your name, date of birth and phone number, to our invoicing service provider to enable credit checks and send you invoices. The use of your data by our invoicing service provider is subject to its privacy policies.

Sweepstakes, contests, & surveys

From time to time, we may offer you the chance to participate in sweepstakes, contests, rewards programs, and surveys (“**Special Promotions**”) through the Service. A Special Promotion may be governed by a Privacy Policy and/or Terms and Conditions that are separate from this Privacy Policy and the Terms and Conditions of Use). If the provisions of the Special Promotion’s privacy policy or terms and conditions conflict with this Privacy Policy or the Terms and Conditions of Use, those separate Terms and Conditions or Privacy Policy shall prevail. If you participate in a Special Promotion, we may ask you for certain personal information in addition to what is stated in this Privacy Policy. That additional information may be combined with other account information and may be used and shared as described in this Privacy Policy.

How we use the information we collect

We may use the information we collect, including your personal information, to:

1. provide, personalise, and improve your experience using the System and any other Products or Services made available through the System, for example by providing customised or localised content and advertising;
2. ensure technical functioning of the Service and products and services made available through the Service, develop new products and services, and analyse your use of the Service, including the interaction with applications, advertising, products and services that are made available, including promotional e-mails or messages;
3. enable and promote the Service, including features and content of the Service and products and services made available through the Service, such notifications and suggestions, and integration with third party services;
4. enforce this Privacy Policy, the Terms and Conditions of Use, and Mobile Terms, including to protect the rights, property or safety of Logmate, users or any other person; and
5. as otherwise stated in this Privacy Policy.

How we share the information we collect

We may share the information we collect, including your personal information, as follows:

Sharing with other services

If you connect your Logmate account to any Other Integrated Service, the default setting is generally that Logmate automatically shares your activity and activity-related stories with that service, including your Location. You understand that such information may be attributed to your account on the Other Integrated Service and may be published on such service. See section *Sharing with Third Party Services* below to learn how you can disable sharing of information on Other Integrated Services.

In order to connect to a third party service, you will be prompted to enter your access credentials for that third party service. Logmate may store your username and an access token or similar credentials obtained from the third party service, so that you are able to share particular items of content, on that third party service, on an individual basis, without entering your access credentials again.

You understand and agree that other third parties' use of information they collect from you is governed by their privacy policies, and Logmate's use of such information is governed by this Privacy Policy.

Sharing with Third Party Applications

To personalise your experience, we may share some information we have collected about you with providers of Third Party Applications, such as high-level geographic information, your work-time habits including vehicle types driven and technical data. However, we take precautions to prohibit Third Party Application providers from attempting to identify you by using the information we provide to them or by collection additional information without your consent.

Please note that if you:

1. Actively choose to provide Third Party Applications with additional information, such as by visiting a Third Party Application (which enables collection of your IP address); or
2. Consent to collection of additional information about you by a Third Party Application provider when you for example register with or log in to the Third Party Application,

The Third Party Application may be able to identify you and associate the information perviously provided by Logmate with you. You agree and understand that a Third Party Application provider's privacy policy governs its use of your information that we provide to it or that it collects from you.

Service providers and others

We may, from time to time, share your information with other companies in the Tierra Technologies group, as well as certain trusted business partners and third party service providers to enable them to perform functions and process user data on our behalf, consistent with the "How we Use the Information we Collect" section above. Such third parties' processing of user data will always be subject to security and confidentiality obligations consistent with this Privacy Policy and applicable law.

Other sharing

In addition to the above, we may also share your information to third parties for these limited purposes:

1. To allow a merger, acquisition, or sale of all or a portion of our assets;
2. To respond to legal process (e.g. a court order or subpoena), if we believe in good faith that it is necessary to do so; to comply with requirements of mandatory applicable law; to protect the safety of any person; to protect the rights and property of Logmate, including to enforce the Terms and Conditions of Use and Mobile Terms; and to address fraud, security or technical issues;
3. To allow other companies in the Tierra Technologies Group to use your information as specified in this Privacy Policy;
4. To inform business partners about use of the Service and products and services made available through the Service, in the form of aggregated statistics or otherwise in a format which does not reveal your identity; and
5. If you expressly opt in to such sharing.

You understand and agree that the Privacy Policies of third parties will govern all use of information that we provide to them under this section.

General Duty of Proof

Logmate will keep a Drivers Work history private, however, there are obligations under [The Land Transport Act 1998 \("The Act"\)](#) to provide records to enforcement officers when demanded, as outlined in [section 30ZD](#) of The Act.

The provision of a Drivers Work-Time history is the responsibility of the Operator of the Vehicles driven. At no time will Logmate provide access to your Work-Time records without your written permission to do so. However, we may disclose personal information, in response to properly made requests, for the purpose of the prevention and detection of crime, and the apprehension or prosecution of offenders. We also disclose information when required to do so by law, for example under a Court Order, or in response to properly made demands under powers contained in the applicable legislation.

Links

We may display advertisements from third parties and other content which links to third party websites. We cannot control or be held responsible for third parties' privacy practices and content. Please read their Privacy Policies to find out how they collect and process your personal information.

Security

We are committed to protecting our users' information. Your passwords protect your user account, so you should use a unique and strong password, limit access to your mobile device, computer and browser, and sign off after having used the Logmate Service. While we take reasonable data protection precautions, no security measures are completely secure, and we do not guarantee the security of user information at any time.

We have employed a number of steps to ensure that all 'sensitive data' is encrypted when stored, so that in the event of a breach, your identity is not jeopardised.

Accessing and updating user information

You can access and amend some of the information we keep on you through your settings. To learn more about the information we store about you, e-mail privacy@logmate.co.nz. We will respond within a reasonable period of time upon verification of your identity.

Contact us

If you have any questions or comments about this Privacy Policy, please contact us at privacy@logmate.co.nz.

Changes to the Privacy Policy

We may make changes to this Privacy Policy from time to time, so please visit this Privacy Policy regularly. If we make changes which we believe are material, we will inform you through the Service. Your continued use of the Service thereafter constitutes acceptance of the changes.