

# LD GRAPHICS Pty Ltd

## PRIVACY POLICY

ABN 56 414 286 537 | [www.ldgraphics.com.au](http://www.ldgraphics.com.au) | [hello@ldgraphics.com.au](mailto:hello@ldgraphics.com.au)  
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### INTRODUCTION

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LD Graphics (ABN 56 414 286 537) ('LD Graphics', 'we', 'us', 'our') is committed to protecting your personal information and your right to privacy. This Privacy Policy explains what personal information we collect, why we collect it, how we use and protect it, and what rights you have in relation to it.

This Policy applies to all personal information collected by LD Graphics through our website at [www.ldgraphics.com.au](http://www.ldgraphics.com.au) and in connection with our digital products (including 3D plant assets and vector graphics for landscape design and visualisation software).

We sell to customers worldwide. Depending on where you are located, different privacy laws may apply to you in addition to the Australian Privacy Act 1988 (Cth). This Policy explains your rights under:

- Australian law — Privacy Act 1988 (Cth) and the Australian Privacy Principles (APPs)
- EU law — EU General Data Protection Regulation (GDPR, Regulation 2016/679)
- UK law — UK GDPR and the Data Protection Act 2018
- US law — CAN-SPAM Act, California Consumer Privacy Act (CCPA/CPRA), and other applicable state privacy laws

Please read this Policy carefully. If you have any questions, contact our Privacy Officer at [hello@ldgraphics.com.au](mailto:hello@ldgraphics.com.au).

### 1. WHO WE ARE (DATA CONTROLLER)

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The data controller responsible for your personal information is:

**LD Graphics Pty Ltd** ABN 56 414 286 537; [www.ldgraphics.com.au](http://www.ldgraphics.com.au)  
[hello@ldgraphics.com.au](mailto:hello@ldgraphics.com.au); phone number: +61 420 761 202

For privacy-related queries, complaints or requests to exercise your rights, please contact our Privacy Officer at [hello@ldgraphics.com.au](mailto:hello@ldgraphics.com.au).

## 2. WHAT PERSONAL INFORMATION WE COLLECT

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The personal information we collect depends on how you interact with our website. We collect the following categories of information:

### Information you give us directly

- Name
- Email address
- Billing address (including country, state/province, postcode)
- Phone number (if provided)
- Payment information — we do not store your full card number; payment card details are handled directly by our third-party payment processor
- Any information you include in enquiries or messages to us

### Information collected automatically

- IP address and approximate geographic location (country/city level)
- Browser type and version
- Operating system
- Pages visited on our website and time spent on each page
- Referring website (how you found us)
- Download activity and order history
- Cookie and similar tracking data (see Section 10 — Cookies)

We do not collect sensitive personal information (such as health information, racial or ethnic origin, political opinions, religious beliefs, biometric data, or financial account details beyond what is necessary to process your payment).

## 3. HOW WE COLLECT YOUR INFORMATION

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We collect your personal information in the following ways:

- Directly from you — when you place an order, create an account, contact us for support, or subscribe to marketing communications
- Automatically — through cookies, log files and analytics tools when you browse our website (see Section 10)
- From third parties — our payment processor provides us with transaction confirmation and fraud-screening results; we do not receive your full card details from them

## 4. WHY WE USE YOUR INFORMATION AND OUR LEGAL BASES

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We use your personal information for the following purposes. Where GDPR or UK GDPR applies, we identify the legal basis for each purpose.

Purpose	What this means	Legal basis (GDPR/UK GDPR)
<b>Order fulfilment and delivery</b>	Processing your purchase, sending your Confirmation email, and making your digital products available for download.	<i>Performance of a contract (Art. 6(1)(b))</i>
<b>Payment processing and fraud prevention</b>	Verifying and processing your payment, detecting and preventing fraudulent transactions.	<i>Performance of a contract + Legal obligation (Art. 6(1)(b) and (c))</i>
<b>Customer support</b>	Responding to your questions, troubleshooting download issues, and resolving complaints.	<i>Legitimate interests (Art. 6(1)(f)) — to maintain a quality service relationship</i>
<b>Legal and regulatory compliance</b>	Maintaining transaction records for tax and accounting obligations, responding to lawful requests from authorities.	<i>Legal obligation (Art. 6(1)(c))</i>
<b>Direct marketing</b>	Sending you news, product updates and promotional offers about our digital products — only where you have given consent, or (for Australian customers) where we have a legitimate interest as an existing customer.	<i>Consent (Art. 6(1)(a)) for EU/UK/US customers; Legitimate interests (Art. 6(1)(f)) for Australian existing customers</i>
<b>Website analytics and improvement</b>	Understanding how visitors use our website in order to improve functionality, content and user experience.	<i>Legitimate interests (Art. 6(1)(f)) — to develop and improve our digital products and website</i>
<b>Security and fraud prevention</b>	Protecting the integrity of our website, detecting abuse, and preventing unauthorised access or licence misuse.	<i>Legitimate interests (Art. 6(1)(f)) — to protect our business and customers</i>

Where we rely on legitimate interests as our legal basis, we have balanced our interests against your rights and are satisfied that our use of your information is proportionate, that you would reasonably expect it, and that it does not override your fundamental rights. You have the right to object to processing based on legitimate interests — see Section 8.

## 5. WHO WE SHARE YOUR INFORMATION WITH

We share your personal information only with third parties who help us deliver our services. We do not sell your personal information. The categories of recipients are:

- Payment processors — we use third-party payment services (such as Stripe or PayPal) to process transactions securely. Your payment card details are transmitted directly to and handled by these processors and are not stored by us.
- Website hosting and e-commerce platform — our website and order management system are hosted by Wix\ Stripe. They process data on our behalf under a data processing agreement.
- Email delivery service — we use Wix and related services to send order confirmations and, where you have consented, marketing emails.
- Analytics providers — we use Google Analytics to analyse website usage. This service may use cookies to collect anonymised usage data (see Section 10 — Cookies).
- Legal, accounting and professional advisers — we may disclose personal information to our lawyers, accountants or other professional advisers where necessary to protect our legal rights or comply with our obligations.

- Regulatory and law enforcement authorities — we may disclose personal information where required by law, court order, or to protect the rights, property or safety of LD Graphics, our customers, or others.

All third-party service providers are required to handle your personal information securely, to use it only for the specific purposes for which it is disclosed, and (where applicable) to enter into a data processing agreement with us that meets GDPR requirements.

## **6. INTERNATIONAL TRANSFERS OF PERSONAL INFORMATION**

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LD Graphics is based in Sydney, Australia. Your personal information is primarily stored and processed in Australia. However, some of our service providers are located in other countries, which means your personal information may be transferred internationally.

### **For customers in the European Economic Area (EEA) or United Kingdom**

When we transfer your personal data outside the EEA or UK, we rely on the following safeguards:

- EEA to Australia — Australia does not currently hold a European Commission adequacy decision. For transfers of personal data from the EEA to LD Graphics in Australia, we rely on Standard Contractual Clauses (SCCs) approved by the European Commission, which contractually require us to protect your data to EEA standards.
- UK to Australia — The United Kingdom has issued adequacy regulations covering Australia, meaning transfers of personal data from the UK to LD Graphics in Australia are permitted without additional safeguards under UK GDPR.
- United States and other countries — some of our service providers (including analytics and email platforms) are based in or store data in the United States or other countries that do not have an EU or UK adequacy decision. For these transfers, we rely on Standard Contractual Clauses (SCCs) approved by the European Commission, or equivalent UK International Data Transfer Agreements (IDTAs), which contractually require our service providers to protect your data to EEA/UK standards.
- You may request a copy of the relevant transfer safeguards by contacting us at [hello@ldgraphics.com.au](mailto:hello@ldgraphics.com.au).

### **For all customers**

In accordance with Australian Privacy Principle 8, when we transfer your personal information overseas, we take reasonable steps to ensure that the recipient handles it in accordance with the Australian Privacy Principles. Where the recipient is in a country with comparable data protection laws, we rely on those laws; where it is not, we seek contractual commitments from the recipient.

## **7. HOW LONG WE KEEP YOUR INFORMATION**

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We retain your personal information only for as long as necessary to fulfil the purposes set out in this Policy and to comply with our legal obligations. The following retention periods apply:

Category of data	Retention period	Reason
Order and transaction records (name, address, purchase details)	7 years from date of transaction	<i>Australian tax and accounting legal obligations (Tax Administration Act 1953)</i>
Customer account and contact details	Duration of relationship + 3 years after your last purchase	<i>Customer service, warranty and dispute resolution</i>
Payment transaction data	Retained by our payment processor per their terms; we retain only order reference numbers	<i>Fraud prevention and financial records</i>
Marketing consent records	Until you withdraw consent, or 3 years after last engagement, whichever is earlier	<i>Demonstrating compliance with consent obligations</i>
Customer support communications	3 years from date of communication	<i>Dispute resolution and service improvement</i>
Website analytics data (anonymised)	26 months	<i>Industry standard for analytics platforms</i>
Cookies	Varies by cookie type — see Section 10	<i>See Cookie Policy</i>

After the relevant retention period, we will securely delete or irreversibly anonymise your personal information. We may retain anonymised, aggregated data (from which you cannot be identified) indefinitely for statistical and business analysis purposes.

## 8. YOUR PRIVACY RIGHTS

Your privacy rights depend on where you are located. The table below summarises the rights available to you and how to exercise them. To exercise any of these rights, please contact us at [hello@ldgraphics.com.au](mailto:hello@ldgraphics.com.au). We will respond within 30 days (or within the timeframe required by applicable law).

Right	Who has it	How to exercise
Right to access your data	All customers	Email <a href="mailto:hello@ldgraphics.com.au">hello@ldgraphics.com.au</a> with your name and the information you wish to access
Right to correct inaccurate data	All customers	Email <a href="mailto:hello@ldgraphics.com.au">hello@ldgraphics.com.au</a> identifying what is incorrect and what the correct information is
Right to erasure ('right to be forgotten')	EU/UK customers (GDPR Art. 17); California residents (CCPA)	Email <a href="mailto:hello@ldgraphics.com.au">hello@ldgraphics.com.au</a> . Note: we may be required to retain certain data for legal obligations (e.g., tax records)
Right to restrict processing	EU/UK customers (GDPR Art. 18)	Email <a href="mailto:hello@ldgraphics.com.au">hello@ldgraphics.com.au</a> explaining why you want processing restricted
Right to data portability	EU/UK customers where processing is based on consent or contract (GDPR Art. 20)	Email <a href="mailto:hello@ldgraphics.com.au">hello@ldgraphics.com.au</a> — we will provide your data in a

Right	Who has it	How to exercise
		structured, machine-readable format
Right to object to processing	EU/UK customers (GDPR Art. 21); all customers for direct marketing	Email hello@ldgraphics.com.au or click 'Unsubscribe' in any marketing email. We will stop processing for direct marketing immediately
Right to withdraw consent	All customers who gave consent (e.g., for marketing)	Click 'Unsubscribe' in any marketing email, or email hello@ldgraphics.com.au. Withdrawal does not affect prior lawful processing
Right to opt out of the 'sale' or 'sharing' of personal data	California residents (CCPA/CPRA)	We do not sell or share personal information for cross-context behavioural advertising. No action required, but email us if you have concerns
Right to know what data we hold	California residents (CCPA) and all customers	Email hello@ldgraphics.com.au
Right to non-discrimination	California residents (CCPA)	We will not discriminate against you for exercising your privacy rights
Right to lodge a complaint	All customers — see Section 12	Contact our Privacy Officer first, then your local regulator

We will not charge you for exercising your rights unless your request is manifestly unfounded or excessive, in which case we may charge a reasonable fee or decline to respond (we will explain why if so).

We may need to verify your identity before processing certain requests to protect against fraudulent access to personal data. We will ask for reasonable information to confirm who you are.

## 9. DIRECT MARKETING

We may send you marketing communications (such as new product announcements, promotions, and tips for using our digital assets) in the following circumstances:

- EU, UK and US customers — only where you have given your explicit consent at the time of purchase or via a separate sign-up. You can withdraw your consent at any time.
- Australian customers — where you are an existing customer and we are marketing our own similar products, we may send you marketing under the legitimate interests basis, unless you have opted out.

Every marketing email we send will:

- Clearly identify LD Graphics as the sender

- Include our physical postal address: 152 Darvall Road, West Ryde, New South Wales, Australia
- Include a clear and easy unsubscribe link or opt-out instruction
- Not use deceptive subject lines or headers

You can opt out of marketing at any time by clicking the 'Unsubscribe' link in any email, or by contacting us at [hello@ldgraphics.com.au](mailto:hello@ldgraphics.com.au). We will process your opt-out within 5 business days. Opting out of marketing does not affect transactional emails such as order confirmations and download links, which we send as part of our contract with you.

We do not send unsolicited bulk email (spam). Our email marketing complies with the Australian Spam Act 2003, the US CAN-SPAM Act, and applicable EU and UK rules on electronic direct marketing.

## 10. COOKIES AND TRACKING TECHNOLOGIES

Our website uses cookies and similar technologies. A cookie is a small text file placed on your device when you visit a website. We use the following categories of cookies:

Cookie type	Purpose	Consent required?	Duration
<b>Strictly necessary</b>	Essential for the website to function — shopping cart, secure checkout session, login state. Cannot be disabled without breaking the site.	No — exempt	Session / up to 1 year
<b>Functional / preferences</b>	Remember your preferences such as language or currency settings.	Yes (EU/UK)	Up to 1 year
<b>Analytics</b>	Collect anonymised data about how visitors use the website (e.g., Google Analytics). Help us improve our products and site experience.	Yes (EU/UK/US)	Up to 26 months

### Your cookie choices

When you first visit our website from the EU, UK or another jurisdiction where cookie consent is required, a cookie consent banner will ask for your permission before non-essential cookies are set. You can change your cookie preferences at any time by clicking the 'Cookie Settings' link in our website footer.

You can also control or delete cookies through your browser settings. Please note that disabling certain cookies may affect website functionality. For more information about managing cookies, visit [www.allaboutcookies.org](http://www.allaboutcookies.org).

## 11. DATA SECURITY AND BREACH NOTIFICATION

We implement appropriate technical and organisational security measures to protect your personal information against unauthorised access, loss, alteration, disclosure or destruction.

These measures include encrypted data transmission (HTTPS/TLS), access controls, and secure payment processing via PCI DSS-compliant payment processors.

No method of data transmission or storage is 100% secure. While we take all reasonable steps to protect your personal information, we cannot guarantee absolute security. If you believe your information has been compromised, please contact us immediately at [hello@ldgraphics.com.au](mailto:hello@ldgraphics.com.au).

#### **Notifiable Data Breaches (Australia)**

We are subject to the Notifiable Data Breaches (NDB) scheme under the Privacy Act 1988 (Cth). In the event of an eligible data breach — that is, unauthorised access to, disclosure of, or loss of personal information that is likely to result in serious harm — we will:

- Notify the Office of the Australian Information Commissioner (OAIC) as soon as practicable; and
- Notify affected individuals directly, or publish a statement on our website if direct notification is not practicable.

#### **Data Breach Notification (EU and UK — GDPR)**

If we become aware of a personal data breach affecting the personal data of EU or UK residents, we will:

- Notify the relevant supervisory authority (e.g., the relevant EU national data protection authority or, for UK residents, the Information Commissioner's Office) within 72 hours of becoming aware of the breach, where the breach is likely to result in a risk to the rights and freedoms of individuals; and
- Notify affected EU or UK individuals directly without undue delay where the breach is likely to result in a high risk to their rights and freedoms, unless an exemption applies (e.g., the data was encrypted).

## **12. COMPLAINTS AND REGULATORY CONTACTS**

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If you have a concern about how we handle your personal information, we ask that you contact us first so that we have the opportunity to resolve it:

#### **Privacy Officer — LD Graphics**

Email: [hello@ldgraphics.com.au](mailto:hello@ldgraphics.com.au)

Telephone: +61 420 761 202

Hours: Monday – Friday, 9:00am – 5:00pm (AEDT)

We aim to acknowledge your complaint within 5 business days and resolve it within 30 days. If we are unable to resolve your complaint to your satisfaction, or if you prefer, you may contact the relevant regulator for your location:

## **Australia**

- Office of the Australian Information Commissioner (OAIC): [www.oaic.gov.au](http://www.oaic.gov.au) | 1300 363 992

## **European Union**

- Your national data protection authority — a full list of EU supervisory authorities is available at: [https://edpb.europa.eu/about-edpb/about-edpb/members\\_en](https://edpb.europa.eu/about-edpb/about-edpb/members_en)

## **United Kingdom**

- Information Commissioner's Office (ICO): [www.ico.org.uk](http://www.ico.org.uk) | 0303 123 1113

## **United States — California**

- California Privacy Protection Agency (CPPA): <https://cppa.ca.gov>
- California Attorney General: <https://oag.ca.gov/privacy>

## **13. CHILDREN'S PRIVACY**

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Our website and products are not directed at children under the age of 13 (or under 16 for EU/UK residents, where a higher age threshold applies under applicable law). We do not knowingly collect personal information from children below these ages. If you are a parent or guardian and believe that your child has provided us with personal information, please contact us at [hello@ldgraphics.com.au](mailto:hello@ldgraphics.com.au) and we will delete that information promptly.

## **14. ADDITIONAL RIGHTS — UNITED STATES RESIDENTS**

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### **CAN-SPAM Act compliance**

All commercial emails we send to US recipients comply with the US CAN-SPAM Act. Every marketing email will identify LD Graphics as the sender, include our physical postal address (152 Darvall Road, West Ryde, NSW, Australia), and provide a clear mechanism to opt out of future emails. We honour all opt-out requests within 10 business days.

### **California residents — CCPA/CPRA**

If you are a California resident, the California Consumer Privacy Act (CCPA) as amended by the California Privacy Rights Act (CPRA) may give you the following additional rights:

- Right to know — the right to request disclosure of the categories and specific pieces of personal information we have collected about you, the categories of sources, the business or commercial purpose, and the categories of third parties with whom we share it
- Right to delete — the right to request deletion of personal information we hold about you (subject to certain exceptions)
- Right to correct — the right to request correction of inaccurate personal information

- Right to opt out of sale or sharing — we do not sell or share your personal information for cross-context behavioural advertising, so this right is not currently applicable; however, if this changes we will update this Policy and provide an opt-out mechanism
- Right to limit use of sensitive personal information — we do not collect sensitive personal information (as defined by the CPRA) beyond what is necessary to fulfil your order
- Right to non-discrimination — we will not discriminate against you for exercising any of these rights

To exercise your California privacy rights, please contact us at [hello@ldgraphics.com.au](mailto:hello@ldgraphics.com.au) with the subject line 'California Privacy Request'. We will verify your identity before processing your request and will respond within 45 days as required by the CCPA (extendable by a further 45 days with notice).

Note: The CCPA's full business obligations apply to companies that meet one or more of the following thresholds: (a) annual gross revenues exceeding US\$25 million; (b) annually buying, selling, or sharing the personal information of 100,000 or more consumers or households; or (c) deriving 50% or more of annual revenues from selling consumers' personal information. We include California rights in this Policy as a matter of best practice and to provide transparency to all our customers.

#### **Other US state residents**

A growing number of US states have enacted privacy laws that may give you similar rights to access, correct, delete, and opt out of certain uses of your personal information. These include (among others) Virginia, Colorado, Connecticut, Texas, Montana, and Oregon. If you are a resident of one of these states and wish to exercise your privacy rights, please contact us at [hello@ldgraphics.com.au](mailto:hello@ldgraphics.com.au). We will respond in accordance with applicable law.

## **15. CHANGES TO THIS PRIVACY POLICY**

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We may update this Privacy Policy from time to time to reflect changes in our practices, the services we offer, or applicable law. Where we make a material change, we will provide notice by posting the updated Policy on our website and, where practicable, notifying you by email to the address you provided at purchase. We will indicate the effective date of any update at the top of this Policy.

We encourage you to review this Policy periodically. Your continued use of our website after the effective date of an updated Policy constitutes your acceptance of the changes, to the extent permitted by applicable law.

## 16. CONTACT US

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If you have any questions, concerns or requests relating to this Privacy Policy or the way we handle your personal information, please contact our Privacy Officer:

**Privacy Officer - LD Graphics (ABN 56 414 286 537)**

Email: [hello@ldgraphics.com.au](mailto:hello@ldgraphics.com.au)

Telephone: +61 420 761 202

Website: [www.ldgraphics.com.au](http://www.ldgraphics.com.au)

Hours: Monday – Friday, 9:00am – 5:00pm AEDT