PRIVACY POLICY

1. **Who we are**

1.1 We are eircom Limited of 1 Heuston South Quarter, St. John's Road, Dublin 8, trading as eMobile ("we/us/our/eMobile"). "eircom Group Company", as referred to herein, means eircom Limited or any company controlled by, or controlling, eircom Limited.

2. **Our privacy commitment and this Privacy Policy**

2.1 eMobile respects your right to privacy and we will at all times act in accordance with our obligations under the Data Protection Acts 1988 and 2003 (the "DPA") and the European Communities (Electronic Communications Networks and Services) (Data Protection and Privacy) Regulations 2003, as amended by the European Communities (Electronic Communications Networks And Services) (Data Protection And Privacy) (Amendment) Regulations 2008 (the "Regulations"). The purpose of this Privacy Policy is to explain to you what we do with your information and how we protect it.

2.2 This Privacy Policy, together with our Terms and Conditions of Service, your Application to us, our Fair Usage Policy, the terms and conditions of any applicable Price Plan, Promotion or service options and any other terms expressly stated to form part of this Agreement constitute a legally binding agreement (the "Agreement") between eMobile and the Customer ("you" or "Customer") for the provision of any services (the "Services") by eMobile to you. Any capitalised terms not defined herein shall have the same meaning as given to such terms in the Terms and Conditions of Service. By using our Services, you agree to all of the terms of this Privacy Policy, including how we may process your personal data ("Data").

2.3 For visitors to our website who are not Customers of the Services, by accessing or using the website, you agree to all of the terms of this Privacy Policy in respect of any Data you provide to us.

3. **How we obtain and process your Data**

3.1 We only collect Data in a lawful and fair manner and in full compliance with the DPA. When we are collecting Data, you will always be made aware of this fact and the purposes for which it is collected. We will process your Data only for the purpose for which it was originally provided to us. If we wish to use your Data for any other purpose, we will do so only if we have notified you in advance and subject always to the DPA and the Regulations.

3.2 We will ensure that your Data will be accurate and complete and, where necessary, kept up-to-date. Only Data that is adequate, relevant and not excessive in relation to the purposes for which it was obtained will be collected.

3.3 We collect and process personal data for legitimate business purposes undertaken by eircom Group Companies which are connected with the delivery of the Services to you. These may include processing your application, conducting credit and anti-money-laundering checks, supplying you with our products or the Services, administering your customer account, calculating usage and charges, invoicing, customer services, responding to customer enquiries, when you submit details voluntarily to us in respect of any other matters (including for example competitions, promotions or surveys) and the efficient management of call and Traffic Data. We may also process your personal data for the following purposes:

(a) to monitor or record calls to or from our customer services department for training and quality purposes and in order to track reported problems;

(b) to prevent, detect and investigate fraud or any other criminal activity;

(c) to investigate improper use of the Services or the Network; or

(d) assess and profile your network and billing history for Price Plans, statistical and customer service purposes.

3.4 If you are an existing eircom customer, by using our Service you consent to eMobile accessing your existing customer account details on eircom's systems (name, address, credit information, etc.) for the purposes of processing your eMobile application, administering your customer account and the provision of the Service to you.

4. Cookies

4.1 Where you use our website (www.emobile.ie), non-personal data may also be collected through the standard operation of our internet servers and logs as well as "cookies". "Cookies" are small text files that a website can use in order to recognise visitors who revisit a site so as to facilitate their ongoing access to and use of the site. It enables usage behaviour to be tracked and aggregate data to be compiled that facilitates more targeted and improved content. Typically, cookies involve the assigning of a unique number to the visitor. Please note that eMobile may be unable to control the use of cookies or the resulting information by other third parties such as advertisers or parties hosting data for eMobile. One simple way to prevent the use of cookies is to activate the facility that is available on most web browsers that enables the user to deny or accept cookies. However, certain

cookies may be necessary in order to provide you with certain features such as the customised delivery of certain information.

5. **How we may disclose Data**

5.1 Other than as set out herein, Data will not be disclosed in any manner incompatible with the purposes for which it was obtained without your consent.

5.2 We may disclose Data to our employees or the employees of other eircom Group Companies in relation to the provision by us of the Service.

5.3 We will only disclose Data to third parties who are our agents or servants acting under our instructions and in accordance always with this Privacy Policy and all applicable laws. In certain circumstances, this may include the transfer of Data to other jurisdictions for processing, including in certain circumstances to third parties located outside the European Economic Area (the "EEA"). This may occur, for example, where you avail of our Service outside of the EEA or where our service providers are based outside of the EEA. In any such case we will comply with the DPA in ensuring that adequate contractual and technical safeguards are in place to protect your Data.

5.4 We may disclose Data where we are required to do so by law.

6. **Retention**

6.1 Data will be kept for no longer than is necessary for the primary purpose for which it was obtained.

6.2 Data will be retained for any period required by law.

6.3 Some Data that is not otherwise subject to retention for normal reasons may need to be retained because of circumstances such as litigation or government investigation.

6.4 Please note that the retention details set out below are subject to change but that any change will be in accordance the then current law.

Type of Record or Information	**Retention Period**
Personal Call Traffic Details (actual record of call, i.e. time of call, caller, number called, duration of call, etc.)	6 months plus current month (max.) for our purposes detailed above. For legal purposes call traffic records will be retained for a period of 3 years to comply with State requirements. This retention will

	take place in a restricted access secure system and will not be used for eMobile's commercial purposes.
Business Call Traffic Details (actual record of call, i.e. time of call, caller, number called, duration of call, etc)	6 months plus current month (max.) for our purposes (as described above). For legal purposes call records will be retained for a period of 3 years to comply with State requirements. This retention will take place in a restricted access secure system and will not be used for eMobile's commercial purposes.
Data Service Usage Details (WAP site visits, text alert subscriptions)	6 months plus current month (max.) for our purposes (as described above). This data does not include content. For legal purposes usage records will be retained for a period of 3 years to comply with State requirements. This retention will take place in a restricted access secure system and will not be used for eMobile's commercial purposes.
Cookies	Cookies are stored on a per session basis only to aid your navigation of our web sites. eMobile will not store this data but your browser may be set to store these.
Invoices & Statements	6 years plus current year for invoices and statements. The call detail element of your standard bill will be severed and deleted after 6 months, as described above.

7. Access to our Data

7.1 You have a right to request a copy of your Data. Requests should be in writing and should be addressed to the Data Protection Officer, eMobile, 1 Heuston South Quarter, St. John's Road, Dublin 8. We will charge you an administrative fee in respect of any such request, as provided for in the DPA.

7.2 If requesting a copy of your Data, please provide your name, address, your eMobile phone number and your account number and any other details that may be relevant to your request.

8. Direct Marketing

8.1 From time to time your Data may also be used to provide you with details of products, services or promotions being provided or run by eMobile or any other eircom Group Company or any third party which we may select and which we may think may be of interest to you, unless you have communicated to us a preference not receive such information.

8.2 Please contact us if you are dissatisfied in any way with our use of the Data for the purpose of direct marketing and we shall act promptly to remove you from any direct marketing campaigns.

9. Security

9.1 Whilst eMobile is constantly reviewing and enhancing its technical and physical infrastructures and managerial procedures to protect your Data, unfortunately, no data transmission over the Internet or via mobile phone communications can be guaranteed to be 100% secure. As a result, while eMobile will take all reasonable steps to protect your Data, the nature of these media is such that eMobile cannot guarantee or warrant the security of any information you transmit.

10. Sale of the Business

10.1 eMobile reserves the right to transfer information (including your Data) to a third party in the event of a sale, merger, liquidation, receivership or transfer of all or substantially all of the assets of eMobile or a part of the eircom Group Company provided that the third party agrees to adhere to the terms of the Privacy Policy.

11. Changes to this Privacy Policy

11.1 Any changes to this Privacy Policy will be posted on this website and the date on which they come into effect will appear at the top of the page.

12. Questions

12.1 Any queries about this Privacy Policy should be addressed to the Data Protection Officer, eMobile, 1 Heuston South Quarter, St. John's Road, Dublin 8.