

Personal Information Collection Statement: HONG KONG

I. Introduction

Your privacy is important to us. This Personal Information Collection Statement has been prepared to inform you how Eco Malibu International Limited (“**Earth Yoga**”), collects, uses and processes your Personal Data in accordance with Hong Kong S.A.R.’s Personal Data (Privacy) Ordinance (“**PDPO**”).

The purpose of this Personal Information Collection Statement is to, *inter alia*, comply with the notification requirements under Data Protection Principle 1(3) of the PDPO.

This Personal Information Collection Statement should be read, and is intended to operate, together with our [Privacy Policy Statement](#).

II. Personal Data Collection

1. “**Personal Data**”: means any data relating directly or indirectly to a living individual from which it is practicable for the identity of the individual to be directly or indirectly ascertained and in a form in which access to or processing of the data is practicable. The definition of Personal Data excludes any anonymized data or data that cannot identify you in any way.
2. Personal Data may be collected from you in one or more of the following ways:
 - a. when you visit and use our web site www.earthyogaclothing.com (“**Website**”), information about you may be collected via the use of Cookies;
 - b. through your own submissions, including via the Website;
 - c. through your ongoing business relationship with Earth Yoga; and
 - d. from other sources including our associated companies.
3. The provision of your Personal Data by you is voluntary. Please note, however that, you choose to withhold your Personal Data, then depending on the circumstances, it may not be possible for us to provide our services and products to you.

III. Form of Personal Data Collected

We aim to only collect such Personal Data which is reasonably necessary for the purpose in question. Such Personal Data may include identification information (name, job title), contact details (postal or e-mail address and telephone number), financial details, preferences (language settings), and other information collected by Cookies.

IV. Purpose

1. The Personal Data provided by you shall only be used by us for the following purposes:
 - a. the provision of Earth Yoga’s products and services;
 - b. the fulfilment of a contract to which Earth Yoga is a party or has an interest;
 - c. Earth Yoga’s administrative purposes including, without limitation, payment processing, account management, and order processing;
 - d. the direct marketing of Earth Yoga’s products and services, as further described below;

- e. to respond to any enquiry submitted by you, or on your behalf, including, without limitation, redirecting your enquiry to the relevant internal or external person or department, and as necessary to investigate and formulate such a response;
 - f. as required to enable Earth Yoga to comply with its obligations under any law, regulation, guideline, code of practice, or contract including, without limitation, pursuant to the requirements of any bank or other finance institution, court, arbitral tribunal or government authority;
 - g. for the collection of monies owed to Earth Yoga;
 - h. to prevent, detect, investigate and respond to activities which may be illegal or in breach of our policies including, without limitation, the Website Terms of Use;
 - i. Website management including, without limitation, access facilitation, content improvement and usage statistics;
 - j. as permitted or required by law;
 - k. any other purpose for which you give your consent; and
 - l. any purpose directly related to those purposes set out above.
2. We shall obtain your consent before using your Personal Data for a purpose materially different to those listed above.

V. Direct Marketing

From time to time we may use your name and contact details to send you marketing materials concerning the Earth Yoga's products, services and business activities within the apparel industry.

VI. Withdrawal of Consent

You may withdraw your consent to the use of your Personal Data at any time by notifying us of your decision via the Contact Details herein. Please note that upon such withdrawal of consent it may not be possible for us to continue to provide our services and products to you or any entity you represent.

VII. Transferees and Cross Border Transfers

1. Generally, your Personal Data will be kept confidential. We may, however, disclose your Personal Data as follows:
 - a. as required to fulfil the purposes set out herein;
 - b. to our associated companies, including, but not limited to, their employees officers, advisers, consultants, agents, and representatives;
 - c. to agents, contractors or third-party service providers who provide operational services to Earth Yoga including, without limitation, financial institutions and insurance providers;
 - d. to professional advisors of Earth Yoga including, without limitation, legal, accounting and finance advisers;
 - e. to such persons or entities as required to protect the rights and property of Earth Yoga, its employees, officers and shareholders including, without limitation, as required to recover monies owed to Earth Yoga, to respond to any potential breach of our policies, or to defend or pursue any civil or criminal claim, demand or complaint made by or against you or any third party;
 - f. to satisfy the requirements or request of any governmental authorities, legal bodies or other persons or entities as required or permitted by law;
 - g. to third parties as a result of the sale, acquisition, transfer, change of control, re-structuring, liquidation or sale of our business or assets;

- h. as required or permitted by law; and
 - i. any other party to whom you authorise us to disclose your Personal Data.
2. Your Personal Data may be transferred **into or out of** Hong Kong S.A.R. by Earth Yoga or third parties for the purposes describe herein.
3. The risks of transferring Personal Data into and out of Hong Kong S.A.R. include the possibility of data breaches and loss. Further, the jurisdiction to which your Personal Data may be transferred may not have in place data protection laws which are substantially similar to, or serve the same purposes as, the PDPO, as such your Personal Data may not be protected to the same or similar level as in Hong Kong S.A.R..
4. Whilst security measures are taken to protect your personal data, as described in our Privacy Policy Statements, it cannot be guaranteed that no unauthorised use, disclosure interception of, or access to, your Personal Data, accidental or intentional, will occur. To the extent permitted by law Earth Yoga disclaims any and all liability for any direct or indirect loss, damage or other consequences you or any third person may suffer as a result of such unauthorised use, disclosure, interception or access.

VII. Access to and Correction of Your Data

Pursuant to the PDPO you have the right to enquire as to whether we hold any of your Personal Data and request a copy of the same. If any of the held Personal Data is incorrect or out of date you have the right to require us to amend the same, and we shall refrain from using the relevant Personal Data until the amendments are made. Data access and correction requests should be addressed to our Legal Department via the Contact Details herein. Under the PDPO we are entitled to charge a reasonable fee to process such access and correction requests.

IX. Contact Details

All correspondence regarding your Personal Data should be addressed to our Legal Department by email at grouplegal@epichk.com or by post at 6/F, EGL Tower, 83 Hung To Road, Kwun Tong, Hong Kong S.A.R. Please indicate in the subject header the nature of your correspondence.

X. Changes to Personal Information Collection Statement

This Personal Information Collection Statement may be amended, supplemented or otherwise modified (“**Changes**”) by Earth Yoga at its discretion and without prior notice. These Changes will be effective immediately upon publication on the Website. You are encouraged to visit the Website from time to time to ensure that you are well informed of Earth Yoga’s latest privacy policies.

XI. Miscellaneous

1. This Personal Information Collection Statement has been prepared in English. In the event that this Personal Information Collection Statement is translated into any other language the English language version shall prevail.
2. If any provision, or part thereof, within this Personal Information Collection Statement is found or deemed to be illegal, invalid or unenforceable, they shall be treated as having been deleted from this Personal Information Collection Statement, and such illegality, invalidity or unenforceability shall in no way affect any remaining provision, or part thereof.