

Earth Yoga Privacy Policy Statement

I. Introduction

Your privacy is important to us. The purpose of this Earth Yoga Privacy Policy Statement is to notify and inform you how Eco Malibu International Limited (“**Earth Yoga**”), protects your privacy.

If any part of this Policy conflicts with any applicable data privacy legislation, the former shall prevail.

This Policy shall apply unless there is a specific policy for your location.

II. Personal Data Collection

1. “**Personal Data**”: means, unless otherwise defined by the applicable data privacy legislation, any information relating to an identified or identifiable natural person. An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
2. Personal Data may be collected from you in one or more of the following ways:
 - a. when you visit and use our website 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. If you provide us with any Personal Data relating to a third party, (e.g. information of employees and/or authorised representatives), by submitting such information, you represent and warrant that you have a lawful basis for providing their Personal Data to us, and have obtained any applicable approvals, permits and/or consent.
4. The provision of your Personal Data by you is voluntary. Please note, however that, if you choose to withhold your Personal Data, then depending on the circumstances, it may not be possible for us to provide or continue to provide our services and products to you or any entity you represent.

III. Type 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. Cookies

1. When you visit and use the Website information about you may be collected via the use of Cookies.
2. “Cookies” are text files which hold small pieces of data regarding your browsing activities. Cookies are used to optimise your Website experience and compile user statistics. These Cookies do not collect or store your personal data.
3. Earth Yoga recognises that not everyone is comfortable with the use of Cookies, and as such you can choose to disable Cookies at any time by changing the settings in your internet browser. If you choose to disable Cookies then some functions of the Website may no longer be fully operational.

V. Use and Disclosure of Personal Data

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;
 - 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 for products and services provided;
 - 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.

VI. Legal Basis for Our Use of Your Personal Data

In order to use your Personal Data we must have a valid legal basis. This legal basis will vary depending upon what purpose your Personal Data is being used for at the applicable time, and may include:

1. **Contract Performance:** This would apply when our use of your Personal Data relates to the provision to you or by you, or your company, of products or services, or communications regarding the same including, without limitation, when we use your Personal Data to take and handle orders, deliver products and services, and process payments.

2. **The legitimate business interests of Earth Yoga and our customers:** This would include, without limitation, when your Personal Data is used for administrative purposes, for the provision of our products and services to third parties, or for direct marketing.
3. **Your consent:** This applies when we process your Personal Data for a specific purpose for which we have obtained your prior consent. This consent may be withdrawn by you at any time via sending a notification to the Contact Details herein. Upon such withdrawal, however, it may no longer be possible for us to provide our products or services to you or any entity you represent.
4. **Compliance with a legal obligation:** This applies when we use your Personal Data in order to exercise our legal rights or to comply with our 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.
5. **Other legal bases** permitted by law.

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, agents, consultants, 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 your place of residency by Earth Yoga or third parties for the purposes describe herein.
3. The risks of transferring Personal Data into and out of your place of residency 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 Regulations, as such your Personal Data may not be protected to the same or similar level as in your place of residency.

VIII. Direct Marketing

From time to time we would like to share information with you regarding our projects, services and products by using your name and contact details to send you marketing materials. If you wish to opt out of any or all direct marketing communications please let us know via the Contact Details herein.

IX. Security

1. We take the security and protection of your Personal Data very seriously. As such, we:
 - a. store your Personal Data on secure servers with appropriate security arrangements, such as encrypted cloud drive, to prevent unauthorised access, collection, use, disclosure, copying, modification, disposal of your Personal Data;
 - b. shall, as far as reasonably possible, restrict the disclosure of your personal data to those employees directly involved in the purposes detailed herein; and
 - c. have provided employee training on Personal Data handling.
2. We cannot, however, guarantee 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.

X. Retention of Personal Data

We will only retain your Personal Data for as long as it is necessary to fulfil the purpose for which it is collected, or as may be required or permitted by law. Thereafter commercially reasonable and technically feasible measures shall be taken to irrecoverable or irreproducible delete your Personal Data.

XI. Access to and Correction of Your Data

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 incomplete or incorrect 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. Personal Data access and correction requests should be addressed to the Contact Details herein.

XII. Deletion of your Data

You can ask us to delete any of your Personal Data which we hold by notifying us of your decision via the Contact Details set out herein. Please note that:

- a. we reserve the right to retain Personal Data as may be required or permitted by law; and
- b. upon such deletion it may not be possible for us to provide our services and products to you or any entity you represent.

XIII. Third Party Sites

1. The Website may contain links and references to external websites, including plugins to social media sites such as Facebook, Instagram and LinkedIn, and equally external websites may contain links or references to the Website or Earth Yoga (“**External Websites**”).
2. We are not responsible for the privacy practices of the External Websites. You should therefore check the applicable terms, conditions and policies of the External Websites to determine how they will handle your Personal Data or other information collected from you.

XIV. Contact Details

All correspondence regarding your Personal Data should be addressed to our Group Legal Counsel by email at grouplegal@epichk.com, or by telephone at Tel: +852 3512 0800, or by post at 6/F, EGL Tower, 83 Hung To Road, Kwun Tong, Hong Kong SAR. Please indicate in the subject header the nature of your correspondence.

XV. Changes to Privacy Policy Statement

This Privacy Policy 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 our latest privacy policies.

XVI. Miscellaneous

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