

Data Request Policy

Last Updated: 11th March 2019

MachShip receives requests from users and government agencies to disclose data other than in the ordinary operation and provision of the Services. This Data Request Policy outlines MachShip's policies and procedures for responding to such requests for Customer Data. Any capitalized terms used in this Data Request Policy that are not defined will have the meaning set forth in the Customer Terms of Service. In the event of any inconsistency between the provisions of this Data Request Policy and the Customer Terms of Service or written agreement with Customer, as the case may be, the Customer Terms of Service or written agreement will control.

Requests for Customer Data by Individuals

Third parties seeking access to Customer Data should contact the Customer regarding such requests. The Customer controls the Customer Data and generally gets to decide what to do with all Customer Data.

Requests for Customer Data by Legal Authority

Except as expressly permitted by the Contract or in cases of emergency to avoid death or physical harm to individuals, MachShip will only disclose Customer Data in response to valid and binding compulsory legal process. MachShip requires a search warrant issued by a court of competent jurisdiction (a federal court or a court of general criminal jurisdiction of a State authorized by the law of that State to issue search warrants) to disclose Customer Data.

All requests by courts, government agencies, or parties involved in litigation for Customer Data disclosures should be sent to legal@machship.com and include the following information: (a) the requesting party, (b) the relevant criminal or civil matter, and (c) a description of the specific Customer Data being requested, including the relevant Customer's name and relevant Authorized User's name (if applicable), MachShip tenant url, and type of data sought.

Requests should be prepared and served in accordance with applicable law. All requests should be narrow and focused on the specific Customer Data sought. All requests will be construed narrowly by MachShip, so please do not submit unnecessarily broad requests. If legally permitted, Customer will be responsible for any costs arising from MachShip's response to such requests.

MachShip is committed to the importance of trust and transparency for the benefit of our Customers and does not voluntarily provide governments with access to any data about users for surveillance purposes.

Customer Notice

MachShip will notify Customer before disclosing any of Customer's Customer Data so that the Customer may seek protection from such disclosure, unless MachShip is prohibited from doing so or there is a clear indication of illegal conduct or risk of harm to people or property associated with the use of such Customer Data. If MachShip is legally prohibited from notifying Customer prior to disclosure, MachShip will take reasonable steps to notify Customer of the demand after the nondisclosure requirement expires.

Domestication and International Requests

MachShip requires that any individual issuing legal process or legal information requests (e.g., discovery requests, warrants, or subpoenas) to MachShip properly domesticate the process or request and serve MachShip in a jurisdiction where it is resident or has a registered agent to accept service on its behalf. MachShip does not accept legal process or requests directly from law enforcement entities outside Australia. Foreign law enforcement agencies should proceed through a Mutual Legal Assistance Treaty or other diplomatic or legal means to obtain data through a court where MachShip is located.

Contacting MachShip

Please also feel free to contact us if you have any questions about MachShip's Acceptable Use Policy. You may contact us at support@machship.com or at our mailing address below:

MachShip

**c/- Techrep Services PTY LTD
Level 1, 554 Church Street
Cremorne, VIC 3121
Australia**