

# Privacy Policy

This privacy policy applies to the collection, storage, use and disclosure of personal information by or on behalf of The Club Group Pty Ltd (ABN 44 106 378 947), The Club Group Trust Pty Ltd (ABN 12 729 195 122 ), The Club Group Management Pty Ltd (ABN 98 677 849 462) Club MMM! Pty Ltd (ABN 94 133 915 036) (referred to in this policy as “**Club Group**”, “our”, “we” or “us”). Please read it carefully.

We are committed to protecting your personal information, and ensuring its privacy, accuracy and security. We handle your personal information in a responsible manner in accordance with the Privacy Act 1988 (**Act**) and the Australian Privacy Principles (**APPs**).

You do not have to provide us with your personal information. However, if you do not, we may not be able to conduct business with you.

By using any of our products or services, visiting our website ([www.clubgroup.com.au](http://www.clubgroup.com.au)) or giving us your personal information, you agree to your information being collected, stored, used and disclosed as set out in this Privacy Policy.

## 1. What do we mean by ‘personal information’?

References to ‘personal information’ or ‘sensitive information’ in this Privacy Policy have the same meaning as in the Act. In summary:

**Personal information** means information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether true or not, and whether or not recorded in a material form.

**Sensitive information** (a type of personal information), means information or an opinion about an individual’s race or ethnic origins, political opinions and associations, religious beliefs or affiliations, philosophical beliefs, sexual preferences or practices, trade or professional associations and memberships, union membership, criminal record, health or genetic information or biometric information.

## 2. Collection of personal information

### (a) Whose personal information do we collect?

We may collect your personal information from a range of sources, including from you, recruitment agencies, contractors, business partners and government agencies. For example, we may collect your personal information when you:

- (i) request or acquire a product or service from us;
- (ii) provide a service or product to us;
- (iii) apply for employment with us; or
- (iv) communicate with us via our website, by e-mail, telephone or in writing.

Wherever reasonable and practicable, we collect personal information from the individual to whom the information relates. If you provide personal information

about someone other than yourself, you agree that you have that person's consent to provide the information for the purpose for which you provide it to us. You also agree that you have told the person about this Privacy Policy and where to find it.

(b) What types of personal information do we collect and hold?

The personal information we collect includes:

- (i) names, addresses, e-mail addresses, phone numbers, other contact details, payment details, occupation and other information to assist us in conducting our business, providing and marketing our products and services;
- (ii) information about your health and fitness;
- (iii) information about staff and directors, as required in the normal course of human resource management and the operation of a business; and
- (iv) information about current and previous Club Group suppliers and clients with whom The Club Group has dealings.

We will only collect your sensitive information:

- (v) if you have consented to us doing so – for example, as part of information collected about directors and employees for company and human resource management purposes; or
- (vi) where required or permitted by law.

(c) How do we collect personal information?

We only collect personal information by lawful and fair means. We usually collect personal information from:

- (i) you attending our fitness, health, swimming and aquatic, indoor sports, and day spa facilities;
- (ii) face-to-face meetings, interviews and telephone calls;
- (iii) business cards;
- (iv) electronic communications – for example, e-mails and attachments;
- (v) forms filled out by people, including as part of acquiring a product or service from us;
- (vi) third parties – for example, from recruitment agencies and your representatives or agents; and
- (vii) our website, including if you use it to contact us.

(d) Why do we collect personal information?

We collect the personal information:

- (i) necessary for us to provide you with the products and services you have requested from us;
- (ii) for marketing purposes and to provide you with information about products and services that may be of interest to you;
- (iii) to improve the products and services we provide; and
- (iv) to enable us to conduct our business, including meeting our legal and regulatory obligations.

If you do not provide your personal information, we may not be able to supply the requested product or service, employ you or otherwise deal with you.

(e) How we deal with unsolicited personal information?

If we receive personal information about you that we have not requested, and we determine that we could not have lawfully collected that information under the APPs had we asked for it, we will destroy or de-identify the information if it is lawful and reasonable to do so.

(f) Do you have to disclose your identity when dealing with us?

Where lawful and practicable, we will give you the option of interacting with us anonymously or using a pseudonym. However, this would usually only apply for general enquiries.

### **3. Use and disclosure of personal information**

(a) Use of personal information

We only use your personal information for the purpose for which it was provided to us, for related purposes or as required or permitted by law. Such purposes include:

- (i) in the ordinary course of conducting our business. For example, supplying or acquiring products and services, responding to your enquiries and feedback, and providing information about our events, news, publications and products and services that may be of interest to you;
- (ii) market research and product and service development, so that we are able to better understand our customers' needs and tailor our future products and services accordingly;
- (iii) performing general administration, reporting and management functions. For example, invoicing and account management, payment processing, risk management, training, quality assurance and managing suppliers;
- (iv) employment-related purposes, such as recruiting and providing services to staff;

- (v) as part of a sale (or proposed sale) of all or part of our business; and
- (vi) other purposes related to or in connection with our business, including meeting our legal and contractual obligations to third parties and for internal corporate governance purposes.

(b) Disclosure of personal information

We may disclose, and you consent to us disclosing, your personal information to third parties:

- (i) engaged by us to provide products or services, or to undertake functions or activities, on our behalf. For example, processing payment information, managing databases, marketing, research and advertising. Our customers' online purchases are made securely via an e-commerce platform supplied by Bigcommerce Pty Ltd (**Bigcommerce**);
- (ii) that are authorised by you to receive information we hold;
- (iii) that are our business partners, joint venturers, partners or agents;
- (iv) as part of a sale (or proposed sale) of all or part of our business. For example, we may disclose information to our external advisers, to potential and actual bidders and to their external advisors;
- (v) such as our external advisers, and government agencies. For example, where disclosure is reasonably required to obtain advice, prepare legal proceedings or investigate suspected unlawful activity or serious misconduct; or
- (vi) as required or permitted by law.

We may disclose, and you consent to us disclosing, your personal information to any of our related bodies corporate whether located in Australia or overseas. If we disclose your personal information to a related body corporate, your information will be collected, stored, used and disclosed in accordance with this Privacy Policy and the APPs.

(c) Marketing use and disclosure

We may use and disclose your personal information (other than sensitive information) to provide you with information about our products and services that we consider may be of interest to you.

You may opt out at any time if you do not, or no longer, wish to receive marketing and promotional material. You may do this by:

- (i) contacting us via e-mail or in writing at the address below and requesting that we no longer send you marketing or promotional material; or
- (ii) where applicable, clicking the "Unsubscribe" button.

(d) Use or disclosure of sensitive information

We will only use or disclose your sensitive information for the purpose for which it was initially collected or for a directly related purpose, as required or permitted by law, or where you consent to the use or disclosure.

#### **4. Disclosure of personal information overseas**

We generally do not disclose personal information to third parties outside Australia, unless required or permitted by law. However, for customers who purchase our products online via an e-commerce platform supplied by Bigcommerce, Bigcommerce may store data (including online customer data personal information) on overseas servers. In making online purchases, you consent to the disclosure of your personal information to overseas recipients, and you agree that we will not be required to take reasonable steps to ensure overseas recipients' compliance with the APPs in relation to your information and we will not be liable to you for any breach of the APPs by those overseas recipients. On this basis, you consent to such disclosure.

#### **5. How is my personal information kept secure?**

##### **(a) Security**

We take reasonable steps to protect your personal information from misuse, interference, loss and unauthorised access, modification and disclosure. Such steps include:

- (i) physical security over paper-based and electronic data storage and premises;
- (ii) computer and network security measures, including use of firewalls, password access and secure servers;
- (iii) restricting access to your personal information to employees and those acting on our behalf who are authorised and on a 'need to know' basis;
- (iv) retaining your personal information for no longer than it is reasonably required, unless we are required by law to retain it for longer; and
- (v) entering into confidentiality agreements with staff and third parties.

##### **(b) Destruction and de-identification of personal information**

Where we no longer require your personal information, including where we are no longer required by law to keep records relating to you, we will ensure that it is de-identified or destroyed.

#### **6. Data quality, access and correction**

##### **(a) Quality**

We take reasonable steps to ensure that your personal information is accurate, complete and up-to-date. However, we rely on you to advise us of any changes or corrections to the information we hold about you.

If you consider that the information we hold about you is not accurate, complete or up-to-date, or if your information has changed, please let us know as soon as possible.

(b) Access to personal information

You may request access to the personal information we hold about you by contacting us. We will respond to your request within a reasonable time.

We will provide you with access to the information we hold about you unless otherwise permitted or required by law. If we deny you access to the information, we will notify you of the basis for the denial unless an exception applies.

Where reasonable and practicable, we will provide access to the information we hold about you in the manner you request.

No fee applies for requesting access to information we hold about you. However, we reserve the right to charge a reasonable fee where we do provide access.

(c) Correction of personal information

If you believe that personal information we hold about you is incorrect, incomplete or not current, you may request that we update or correct your information by contacting us. We will deal with your request within a reasonable time.

If we do not agree with the corrections you have requested (for example, because we consider that the information is already accurate, up-to-date, complete, relevant and not misleading), we are not required to make the corrections. However, where we refuse to do so, we will give you a written notice setting out the reasons.

**7. Identifiers**

We do not adopt, use or disclose government related identifiers except as required or permitted by law.

**8. Complaints**

If you have a complaint in relation to the collection, storage, use or disclosure of your personal information, please contact our Privacy Officer using the details below. You will need to provide us with details of your complaint, as well as any supporting evidence and information.

We will review all complaints received and our Privacy Officer will respond to you.

If you are not satisfied with our response, you may discuss your concerns with or complain to the Australian Privacy Commissioner via [www.oaic.gov.au](http://www.oaic.gov.au).

**9. Changes to this Privacy Policy**

We reserve the right to revise this Privacy Policy or any part of it from time to time. Please review this Policy periodically for changes. Any revised policy will be placed on our website at <http://www.clublime.com.au>

Your continued use of our website, products or services, requesting our assistance, or the provision of further personal information to us after this Privacy Policy has been revised, constitutes your acceptance of the revised Privacy Policy.

## **10. How to contact us**

If you have any questions about this Privacy Policy, please contact The Club Group's Privacy Officer:

- (a) by email to [exec@clubgroup.com.au](mailto:exec@clubgroup.com.au)
- (b) by writing to:
  - Privacy Officer
  - The Club Group
  - PO Box 1
  - Mitchell ACT 2911
- (c) by telephone: (02) 6163 8011; or
- (d) by fax: (02) 6251 7666.

Effective date: 7 April 2014