

Privacy Policy

At ClubsNSW, we are committed to protecting your privacy and handling your personal information in an open and transparent way that complies with Australian privacy laws. This Privacy Policy applies to The Registered Clubs Association of New South Wales ("**ClubsNSW**") and all of its related entities. It explains our approach to how we handle and secure your personal information in accordance with the *Privacy Act 1988* (Cth) ("**Privacy Act**") and also how you can contact us.

Respecting your privacy

Australian Privacy Principle 1—open and transparent management of personal information

ClubsNSW is bound by the *Privacy Act 1988* (Cth) ("**Privacy Act**").

We are committed to protecting your privacy and handling your personal information in an open and transparent way that complies with Australian privacy laws.

Personal information is information that identifies you or from which you may be reasonably identified. (See the Glossary below for the definition of "personal information" under the Privacy Act).

This Privacy Policy explains our practices, and your choices and rights, in relation to how we collect, use, disclose, deal with and protect your information, including personal information, in accordance with the Privacy Act and the *Australian Privacy Principles* ("**APPs**") made under the Act. Specifically:

- the kinds of information we collect and hold about you;
- the ways we collect your personal information, including unsolicited personal information;
- the purposes for which we collect, use and share your personal information;
- how we maintain the integrity and security of your personal information;
- your right to request access to, and the correction of, your personal information; and
- how you can lodge a complaint about our management of your personal information.

Australian Privacy Principle 2—anonymity and pseudonymity

When using our website(s), service or membership portals, apps, or communicating with us, we may request that you identify yourself. If you choose to deal with us anonymously or by using a pseudonym, this may limit your access to our products and services, and/or how we are able to interact with you and respond to your requests.

What kinds of information do we collect and hold about you?

Australian Privacy Principle 3—collection of solicited personal information

We only collect **personal information (other than sensitive information)** if it is reasonably necessary for one or more of ClubsNSW's functions or activities.

We will only collect **sensitive information** about you with your consent and if it is reasonably necessary for one or more of ClubsNSW's functions or activities, or otherwise in accordance with applicable law. Sensitive information includes information about a person's race, ethnic origin, political opinions, health, religious or philosophical beliefs and criminal history.

Our main functions and activities include but are not limited to:

- developing and offering products, services and programs to our Member Clubs (including for the benefit of members and patrons of those Member Clubs and the communities in which they operate);
- advocating the interests of our Member Clubs and the registered club industry;
- advertising and promotional campaigns, including competitions, to encourage patronage of our Member Clubs;
- providing advisory services to our Member Clubs;
- conducting industry events;

collecting and analysing industry, community and patron data to provide insights to our Member Clubs about their financial performance, legal compliance and patron demographics.

The types of personal information we may collect and hold about you include:

- (a) **Identification information:** such as your name, date of birth, age, gender, signature, driver licence number, Club membership number;
- (b) **Contact details:** such as your residential and business addresses, email addresses and telephone numbers;
- (c) **Subscriptions and Preferences information:** details of which of our product and service offerings you have purchased or registered for (for example, our membership programs, mobile applications such as ClubPASS, or as a user of one of our portals including ClubGRANTS and Manage My Membership), and your stated or likely preferences regarding receiving communications from us, our Member Clubs and/or our Business Partners (for example, whether you may be interested in being contacted about particular products, services, offers or competitions and promotions);
- (d) **Digital information:** such as cookies, pixels, software versions used, device identifiers (eg. IP address), location data (where available and not disabled by you), dates, times, file metadata, referring websites, data entered, and user activity such as website views, links clicked, apps installed, app launches, adding items to a cart for purchase, and making payments;
- (e) **Financial and Credit information:** (where you make a purchase from us or enter into a payment plan with us) your bank account and credit card details, and payment history;
- (f) **Education and Employment information:** (where you apply for employment with us) your level of education, qualifications, employment history and references.

How do we collect your personal information?

Information we collect from you directly

Most of the personal information we collect and hold about you we obtain from you directly, in the following ways:

- when you contact or interact with us (including by post, telephone, email, via our Member Enquiries Centre, or by completing an online submission form or engaging in an online chat), to make an enquiry regarding our products and services, to make a complaint, to provide feedback or to register for an event;

- when you register for an account, create a profile or apply for membership with us to use any of our services or join a loyalty program we offer;
- if you interact with ClubsNSW via social media (such as Facebook, Twitter);
- if you subscribe to any of our mailing lists, request us to send you information or set your account preferences;
- if you participate in any competition, promotion, testimonial, survey or focus group that we conduct;
- if you submit an employment application to us;
- when you attend one of our events; and
- when you communicate or deal with us in other ways involving a need for personal information to be provided by you directly.

Information we collect automatically:

Some of the information we collect about you is automatically provided to us whenever you view our websites, social media pages or use our apps, and when you visit other websites on which we advertise. We collect aggregated information which tells us about visitors to our sites, but not the identity of those visitors. This includes:

- (a) **Standard browser and web server log information** including the type and configuration of the browser and operating system you are using, connection information such as your Internet Service Provider and IP (Internet Protocol) address - which may tell us your general location, statistics on page views, referral websites, and other browser and standard web server log information. This information is used by ClubsNSW for aggregated statistical analyses, such as Google Analytics reporting, and for systems administration purposes to help us improve our websites. More information about how Google Analytics collects and processes data is available at www.google.com/policies/privacy/partners/;
- (b) **Information collected using cookies, web beacons and similar technologies (such as browser storage and plugins)** which store small data files on your device when you browse and use websites and online services.

Cookies allow our server to deliver a page tailored to you, or the page may contain script which is aware of the data in the cookie and so is able to carry over information from one visit you make to the website to the next.

Some cookies are essential for us to be able to provide you with access to our website or online services. For example, we use cookies to authenticate and identify our registered users so as to prevent fraud and maintain security of information.

We may also use non-essential cookies to improve the performance and functionality of our website (for example, to remember you so that you do not need to re-enter information you have already provided during your account registration), and to collect aggregated information about how people use our products (for example, by monitoring visitor traffic to our websites, the most popular pages accessed, click-through rates, the dates, times and duration of user visits, common search terms entered and other actions on our sites).

- (c) **Via a resettable device identifier (“advertising identifier”) on your mobile device or tablet** (for example, the “Identifier for Advertisers” or “IDFA” on Apple iOS devices and the “Google Advertising ID” on Android devices). Advertising identifiers are similar to cookies and are used by us to help identify your likely interests (based upon your use of websites and apps

and your responses to advertising, emails and push notifications) and to deliver online ads relevant to those interests (“interest-based advertising”).

You may be able to disable some of these technologies by configuring the appropriate setting(s) on your device (for example, with most internet browsers users can erase or block cookies, or receive a warning before a cookie is stored). However, doing so may limit the functionality of the website or app and/or impact your user experience with our online service.

Information from other sources:

We may sometimes collect your personal information from other sources, including:

- from other entities who, in common with us, have a relationship with you (this may include identity and fraud checking services, credit reporting bodies);
- payment service providers who provide us with payment information, or updates to that information;
- online and offline data providers from who we obtain marketing mailing lists and other commercially available aggregated demographic, interest-based and online advertising related data; and
- publicly available information sources, such as public archives, data and information repositories, publicly circulated news items and public posts on social media platforms (such as Facebook).

Information from our Member Clubs or Business Partners:

We may collect information about you from one of our Member Clubs if you are a member or patron of the Member Club and it is unreasonable or impracticable to collect that information from you directly, or if you have specifically consented to that information being provided to ClubsNSW.

Where we obtain your information from one of our Member Clubs or Business Partners, we use and protect that information as described in this Privacy Policy and in accordance with any additional restrictions imposed by the source of the data (including any permission or consent you have granted to the Member Club or Business Partner relating to disclosure of that information to a third party generally or to ClubsNSW specifically).

Australian Privacy Principle 4—dealing with unsolicited personal information

If we receive personal information about you that we did not solicit from you and could not have collected from you or a public record, we will, as soon as practicable (if it is lawful and reasonable), destroy the information or ensure that the information is de-identified.

Otherwise, we will manage that personal information in accordance with this Privacy Policy and the APPs, as if we had solicited and collected the information from you.

Australian Privacy Principle 5—notification of the collection of personal information

At, or before, or as soon as practicable after the time we collect information from you, or we collect your personal information from someone other than you, we will notify you that your personal information will be or has been collected subject to this Privacy Policy.

Where you have provided us with personal information in the course of using one of our products or services (including but not limited to the ClubPASS App, ClubGRANTS website or any competition or survey conducted through our website or social media) we will be entitled to use or disclose that

information in accordance with any permissions you have granted, whether express or implied, by accepting the relevant Terms and Conditions of Use of those products or services.

How do we use your personal information?

Australian Privacy Principle 6—use or disclosure of personal information

We will only use or disclose personal information that we hold about you:

- (1) for the primary purpose for which it was collected;
- (2) for any other purpose for which you have provided us with your consent or that you would reasonably expect; or
- (3) where compelled or permitted by Australian law, by order of a court/tribunal, or at the direction of a law enforcement or other government agency.

The primary purposes for which we (or our related bodies corporate or contractors) collect, hold, use and disclose your personal information are in connection with carrying on our business activities and performing our functions. These purposes include:

- promoting and selling to you, and giving you access to, ClubsNSW products or services;
- developing a stronger relationship with you and facilitating interactions between us;
- processing and managing your registrations, memberships, profiles and accounts (including to assist you with operational requests such as resetting your password);
- enhancing and expanding our products and services;
- learning of your likely preferences so that we may personalise our services, send you news about ClubsNSW and notify you of new online services and content, special offers, surveys, competitions and other information and opportunities you may be interested in (including products and services of our Member Clubs and Business Partners);
- providing you with localised online content based upon your general geographic location;
- performing accounting and administrative functions (including invoicing and processing of payments);
- meeting regulatory, contractual and funding requirements;
- internal reporting;
- preventing, detecting and investigating or otherwise addressing any use of our products or services and/or your information for illegal or suspected illegal activities (including payment fraud or identity fraud);
- preventing, detecting and investigating or otherwise addressing any security or technical issues with our products and services;
- enforcing our terms and conditions of use;
- protecting our property and preserving or exercising our legal rights;

- protecting against harm to the rights, property or safety of ClubsNSW, its Member Clubs, users of its products and services, or the public, as required or permitted by law;
- as part of a ClubsNSW industry advertising or policy campaign;
- aggregated data analyses and trend reporting;
- responding to your enquiries and investigating your complaints;
- communicating with you (by various methods including email, push notifications, text message, online messaging channels and telephone) in relation to any of these matters and other topics; and
- if we have collected personal information from you, or from a third party, as a result of your participation in a self-exclusion scheme (such as the ClubsNSW Multi-Venue Self-Exclusion scheme), your personal information will only be used for the purposes for which it was collected and as has been notified to you.

Disclosure to third parties:

We may disclose your information to third parties as described below:

- (a) **Service Providers, Agents or Contractors** engaged by us to perform services on our behalf or to assist us to provide services to you (for example, advertising agencies, payment processors, IT developers and software providers/licensors, data analysts and industry consultants);
- (b) **Our Business Partners** with who you may have an existing relationship, or with who we collaboratively work to provide services to our Member Clubs and their patrons;
- (c) **Law Enforcement and Other Government Agencies** where we or that agency believes disclosure is reasonably necessary to satisfy any applicable law, regulation or legal process;
- (d) **Member Clubs** where there is an amalgamation or merger of Member Clubs or in other circumstances where disclosure is necessary to continue to provide you with a service;

provided that the receiving party agrees to respect and deal with your personal information in a manner that is consistent with this Privacy Policy.

Direct Marketing

Australian Privacy Principle 7—direct marketing

ClubsNSW may use the personal information we collect from you to learn of your likely preferences and identify particular products, services and other information and opportunities you may be interested in (including products and services of our Member Clubs and Business Partners). We (or a third party we engage to assist us) may then use direct marketing communications to let you know about these products, services, events and news items (including special offers, surveys, competitions, policy announcements, industry news, campaigns).

Direct marketing includes ClubsNSW or third parties contacting you directly (eg. through newsletters) and providing targeted advertising content to you (including through third party websites and social media platforms such as Facebook).

We will provide direct marketing information to you where you have requested or consented to receiving it. Our direct marketing communications will provide you with an option to opt out or unsubscribe. You can also manage your preferences in digital platforms such as Google or Facebook if you do not wish to receive online targeted advertising.

If you withdraw any consent or permission for use of your personal information for direct marketing purposes which was granted by you at the time of accepting the Terms and Conditions of use of our products and services, this may result in ClubsNSW restricting or cancelling your access to those relevant products and services.

Disclosure of your personal information overseas

Australian Privacy Principle 8—cross-border disclosure of personal information

There may be circumstances in which ClubsNSW will disclose your personal information to an entity who is not in Australia or an external Territory, including but not limited to:

1. for the purposes of securely storing the data on a third party's remote server;
2. under a contractual obligation with a licensor or other third-party supplier or contractor;
3. as part of outsourcing technological or administrative projects;
4. by law; or
5. where you have provided your consent to such disclosure.

Such overseas recipients are likely to be located in the following countries: United States of America.

Before making any cross-border disclosure of your personal information without your consent or to a country outside of the European Economic Area and other regions with comprehensive data protection laws, we will take such steps as are reasonable in the circumstances to ensure that the overseas recipient does not breach this Privacy Policy.

Use of government related identifiers

Australian Privacy Principle 9—adoption, use or disclosure of government related identifiers

We will not use or disclose any government related identifier of you (such as your driver licence number) unless it is reasonably necessary for us to verify your identity for the purposes of our activities or functions.

Quality and accuracy of your personal information

Australian Privacy Principle 10—quality of personal information

If we have accurate personal information about you, it enables us to provide you with the best possible service.

We will take reasonable steps to ensure that the personal information about you that we collect, use and disclose is accurate, up-to-date and complete, and relevant to the purposes for which it is used or disclosed by us.

Security of your information

Australian Privacy Principle 11—security of personal information

We will take such steps as are reasonable in the circumstances to protect any personal information we hold about you (including both paper and electronic records) from:

- (a) misuse, interference and loss; and
- (b) from unauthorised access, modification or disclosure.

For example, ClubsNSW seeks to ensure that personal information held by or for us:

- in electronic form, is stored on secured servers in controlled facilities;
- as a hard copy document, is archived in secure filing systems; and
- is only accessible by authorised personnel.

Where we no longer need the personal information we hold about you, we will take reasonable steps to securely destroy that information or to ensure that the information is de-identified in accordance with legal requirements for retention and disposal.

We cannot warrant the security of any personal information you transmit to ClubsNSW over the internet.

It is your responsibility to maintain the security of your password or device, and to log out of your account or deactivate your device after use, to ensure that subsequent users are not able to access any of your ClubsNSW accounts containing your personal information.

Accessing and correcting your personal information

Australian Privacy Principle 12—access to personal information

You have the right to request access to, and correction of, personal information about you held by ClubsNSW.

We will respond to any request by you for access to your personal information within a reasonable period after the request is made (but in any event by no later than 30 days after the date you make the request) and will endeavour to give you access to your information in the manner which you have requested, if it is reasonable and practicable for us to do so.

We will not charge you any fee for making a request to access your personal information. However, we may charge you for reasonable expenses incurred by us to provide you with access to your personal information.

Requests for access to or correction of your personal information must be made in writing to the ClubsNSW Privacy Officer (see "*How to contact the ClubsNSW Privacy Officer*" below).

We will give you access to any personal information we hold about you, upon your request, except to the extent that:

- (a) we reasonably believe that giving you access would pose a serious threat to the life, health or safety of any individual, or to public health or public safety; or
- (b) giving access would have an unreasonable impact on the privacy of other individuals; or
- (c) the request for access is frivolous or vexatious; or
- (d) the information relates to existing or anticipated legal proceedings between us and you and would not be accessible by the process of discovery in those proceedings; or

- (e) giving access would reveal our intention in relation to negotiations with you in such a way as to prejudice those negotiations; or
- (f) giving access would be unlawful; or
- (g) denying access is required or authorised by or under an Australian law or a court/tribunal order; or
- (h) we have reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to our functions or activities (including use of our products or services) has been, is being or may be engaged in and giving access would be likely to prejudice the taking of appropriate action in relation to the matter; or
- (i) giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or
- (j) giving access would reveal evaluative information generated within ClubsNSW in connection with a commercially sensitive decision-making process.

If we refuse to give you access to your personal information for one of the reasons listed above, or to give you access to your information in the manner which you have requested, we will issue you a written notice setting out:

- i. the reasons for our refusal (except to the extent that, having regard to the grounds for the refusal, it would be unreasonable for us to do so); and
- ii. the mechanisms available to you to complain about our refusal; and
- iii. any other relevant matter prescribed by Privacy Law.

If you object to our refusal, you may make a complaint (see "*Questions and complaints*" below).

Australian Privacy Principle 13—correction of personal information

If we hold personal information about you which we are satisfied that, having regard to the purpose for which it is held, is inaccurate, out-of-date, incomplete, irrelevant or misleading, or which you request us to correct, we will take reasonable steps to correct that information and, if requested by you, to provide notification of that correction to any other entity that we have previously disclosed your information to, unless it is impracticable or unlawful to do so.

Changes to this Privacy Policy

ClubsNSW may update this Privacy Policy from time to time in response to changing legal, regulatory or operational requirements. The current version of the Privacy Policy will always be available on our website [include hyperlink to: <https://www.clubsnsw.com.au/privacy-policy>].

This version of the ClubsNSW Privacy Policy came into effect as of 1 March 2022. Your continued use of any of our services on or after that date constitutes acknowledgment and acceptance of this Privacy Policy.

Glossary

Business Partner means any ClubsNSW corporate partner, community partner, industry supporter or other organisation or entity with which we have a commercial agreement or collaboratively work to carry out our functions and activities.

Member Club means a registered club in the State of New South Wales who is also a member of ClubsNSW.

Personal information has the meaning given under the Privacy Act, being *"information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion"*;

Questions and Complaints

If you:

- want to request access to your personal information;
- want to request correction of your personal information; or
- have a question, a complaint or wish to provide feedback about this Privacy Policy or the way that we collect or use your personal information,

please contact the ClubsNSW Privacy Officer in writing, using the contact details set out below.

We will respond to your query or investigate your complaint promptly.

Privacy law is regulated by the Australian Information Commissioner. If you are not satisfied with our response to your query or complaint, or if we do not respond to you within 30 days of the date you lodge your request or make your complaint, then you may contact the Office of the Australian Information Commissioner:

Website: www.oaic.gov.au

Phone: 1300 363 992

How to contact the ClubsNSW Privacy Officer

You may contact the ClubsNSW Privacy Officer in writing:

By email to: privacy@clubsnsw.com.au

By post to: ClubsNSW Privacy Officer
Level 8, 51 Druitt Street
SYDNEY NSW 2000