

PRIVACY POLICY

PURPOSE

Toukley R S L Sub-Branch Club Ltd ABN 61 000 990 269 ("**Club Toukley RSL**", "**Club**", "**we**", "**us**" or "**our**") is required to comply with the provisions of the *Privacy Act 1988* (Cth) ("**Privacy Act**") (including any amendments to the Privacy Act) and the Australian Privacy Principles ("**APP**"), which regulate, among other things, how APP entities must manage the collection, storage, use and disclosure of "personal information".

"Personal information" means information or an opinion about an individual (who can reasonably be identified), whether the information or opinion is true or not, and whether the information or opinion is recorded in a material form or not.

By visiting our website at <https://www.thearytoukley.com.au> (**Website**), attending our premises, using our goods and/or services or by otherwise providing your personal information to us, you confirm your acceptance of the terms of this policy and consent to the handling of your personal information as set out in this policy. If you do not agree with the terms of this policy, please do not attend Club Toukley RSL premises, use or products, services, Website or otherwise provide us with your personal information.

This policy sets out:

- how this policy applies to our members, guests and visitors;
- the types of information we may collect about you, how we collect it and how we might use it;
- how we may disclose that information;
- how you can access the information we hold about you;
- when we might use your information to contact you;
- how we protect your personal information;
- how we might use cookies, if any, to collect information on our Website; and
- how and why we collect additional information to improve our services.

CUSTOMER PRIVACY – OUR COMMITMENT

It is a part of Club Toukley RSL's core values that we will properly value and protect any information entrusted to us about our customers. This policy describes how we will safeguard personal and Club information, to ensure peace of mind when dealing with our Club.

We are committed to complying with our obligations under the *Privacy Act* by protecting the privacy and confidentiality of your personal information and the personal information of all our members, guests and visitors.

When we collect, use, disclose, store, access or correct your personal information, our actions will comply with the *Privacy Act* and the *APPs*.

Where appropriate, we will handle personal information relying on the employee records exemption and the related bodies corporate exemption in the *Privacy Act*.

WHAT KINDS OF PERSONAL INFORMATION DOES THE CLUB COLLECT AND HOLD?

As a registered club, we collect a wide range of personal information about you – that is, information that can identify you such as your name, street address, mailing address, email address, phone number, occupation, date of birth, gender, proof of age, photograph, affiliations, memberships of other organisations, live or recorded CCTV or video or audio, internet protocol address (IP address), other contact details and the extent of your use of (and preferences in relation to) products and services offered by, or available at or from Club Toukley RSL, and other information relevant to providing you with the services you are seeking.

From time to time, we may collect additional information related to surveys, specific promotions, services or activities. Wherever practicable, we will advise you of the information being collected and provide you with an opportunity to refuse the collection of information.

HOW DO WE COLLECT YOUR PERSONAL INFORMATION?

Where possible, we will collect your personal information from you in a number of ways.

Your personal information is typically collected as a result of your visits to (or dealings with) the Club. Information is collected by recording information that you provide to us, by electronic means and by the observations of our staff. We collect personal information when you:

- Enter, visit or deal with the Club;
- Apply for, or renew, membership of the Club or request to use our services;
- Purchase goods or services from us;
- Use your membership card or any other card issued by the Club;
- Access or use our on-premises Wi-Fi from any of your personal devices;
- Use our gaming machines or request to be excluded from using our gaming machines;
- Attend a function or show at the Club;
- Plan a function to be held at the Club;
- Participate in the activities offered by the Club including raffles, competitions and promotions;
- Visit our Website or one of the social media sites used by the Club;
- Are banned or removed from the Club or the gaming area;
- Use your Club membership card or another card issued by the Club in the Club;
- Receive or request sponsorship through programs such as ClubGRANTS;
- Are involved, witness or are connected to an incident at the Club or disciplinary proceedings of the Club; and/or
- Obtain, apply for, or renew membership of a sub-club of the Club or participate in the activities of a sub-club of the Club.

In general, if you contact us, we may keep a record of that correspondence.

Whilst we strive to only collect your personal information from you, there may be circumstances where it is unreasonable or impractical to do so. For example, it may be unreasonable or impractical to collect information from you when the information is provided by:

- another organisation of which you are a member, such as a local sporting club using our facilities or community organisation;
- a related body corporate of Club Toukley RSL;
- the Police, a regulatory authority, a local liquor accord or another club industry organisation;
- another member of the Club; or
- your representative(s).

WILL I BE NOTIFIED THAT MY PERSONAL INFORMATION IS BEING COLLECTED?

When we collect information from you we will take reasonable steps to notify you (or otherwise ensure that you are aware) of the following:

- Our identity and contact details;
- The facts and circumstances of the collection;
- Details of any law that require or authorise the collection;
- The purposes of collection;
- The consequences if we do not collect the information;
- That this policy contains information about how you can access or correct your information or make a complaint about the Club; and
- Whether we are likely to disclose the information overseas (and if so, to which countries).

One way we notify you of the above is by making you aware of this policy.

If you give us personal information about others, we ask that you tell them about this policy.

IS THE CLUB REQUIRED BY LAW TO COLLECT PERSONAL INFORMATION?

As a registered club, we have a legal responsibility to collect certain information about our members and guests pursuant to state and federal legislation including without limitation the *Registered Clubs Act 1976* (NSW) ("**Registered Clubs Act**"), *Corporations Act 2001* (Cth) ("**Corporations Act**"), *Gaming Machines Act 2001* (NSW), *Liquor Act 2007* (NSW), *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (Cth) and *Work Health and Safety Act 2011* (Cth).

For example, when a person applies for membership of the Club we must collect details including their name and address. We must display this information on the Club's notice board before the Board is able to consider the application for membership. We may also need to provide this information to other members if a due request is made under the *Corporations Act*.

Temporary members, guests of members and other visitors to the Club may be required to produce a recognised form of identification (such as a driver's license or passport) to gain entry into the licensed premises. If you elect to use our electronic ID scanner, we collect information from your ID at the time you enter the Club. More information about our electronic ID scanners appears below.

FOR WHAT PURPOSES DOES THE CLUB COLLECT, HOLD, USE AND DISCLOSE YOUR PERSONAL INFORMATION?

We collect, hold, use and disclose personal information to operate the Club, carry out certain activities, provide products and services to members and guests and other members of the public to comply with our legal obligations. The purpose of collecting personal information is to undertake one or more of the following functions:

- Consider applications and renewals of membership;
- Identify who comes into the Club and verify their age, address and other relevant details;
- Create registers as required by the Corporations Act and the Registered Clubs Act;
- Provide a safe environment for you, other members and guests and our staff;
- Provide services to members and their guests;
- Carry out accounting and finance requirements and legal and administrative reporting requirements;
- Operate functions at the Club;
- Carry out competitions and promotions;
- Perform gaming operations;
- Publish and distribute newsletters;
- Carry out marketing (including direct marketing);
- Offer and manage sponsorships including by supporting community sports and social events;
- Operate and support sub-clubs of the Club including publishing contact details of committee members;
- Offer dining options and other entertainment;
- Conduct elections of the Board;
- Investigate and incident and/or conduct disciplinary proceedings;
- Resolve a complaint;
- Access an applicant's suitability for employment;
- Improve our services and increase membership of the Club; or
- for any other purposes that would be reasonably expected by you.

WHAT HAPPENS IF YOU DON'T PROVIDE YOUR PERSONAL INFORMATION?

If you don't give us your personal information you may not be able to become a member of the Club or use the Club's services or facilities.

You have the option of not identifying yourself or using a pseudonym when dealing with us. However, this will be limited to enquiries of a very general nature and usually only over the telephone or by email. You may also be able to visit our Website anonymously.

In most circumstances, you will be unable to deal with the Club anonymously or with a pseudonym because of our obligations under the *Registered Clubs Act*.

HOW DO WE USE YOUR PERSONAL INFORMATION

We use your personal information primarily to allow us to carry out the activities and functions listed above. We also use your personal information for secondary purposes related to those activities or when permitted under the *Privacy Act*.

To the extent that Club Toukley RSL collects health information from you, the Club will treat that information as confidential and only ever handle your health information in accordance with the Club's policies, the *Privacy Act* and the *Health Records and Information Privacy Act 2002* (NSW).

The Club may also use the personal information we collect from you for direct marketing (e.g. via direct mail, telephone, email or SMS) of products and services to you including from third party suppliers. Such products and services may include the provision of newsletters, competitions, announcements, campaigns or information about entertainment at the Club or services offered by the Club.

You always have the option of opting out of receiving any direct marketing by contacting the Club.

DOES THE CLUB DISCLOSE MY PERSONAL INFORMATION TO OTHERS?

The Club will only disclose your personal information (which may include sensitive information, where necessary) about you to third parties on the basis that they agree with us to keep your personal information confidential (except where we are authorised or required by law to disclose the information). These third parties may include (but are not limited to):

- our related companies, companies in which the Club has an ownership interest, or our agents, in order to provide products and/or services to you;
- employees, third party service and content providers, dealers and agents, contractors and advisors, in order to provide products and/or services to you or to market their products and/or services to you;
- law enforcement bodies to assist in their functions, courts of law or as otherwise required or authorised by law; and
- regulatory or government bodies for the purposes of resolving customer complaints or conducting investigations.

You consent to us disclosing your personal information to the third parties listed above, and similar organisations who may in turn provide your information to other third parties. You can withdraw your consent at any time by informing us in writing (except where we are permitted or required by law to disclose the information).

There is certain information that we must send members of the Club, such as a notice of general meeting. You cannot opt out of receiving this information.

FREQUENTLY ASKED QUESTIONS

Is there surveillance at the Club? The venue operated by the Club is subject to video and audio surveillance for security reasons including to monitor the safety of members, guests and employees and to protect our assets. The footage and audio recordings may be used in disciplinary proceedings and/or to investigate incidents and may be disclosed to our legal representatives, our insurers and law enforcement agencies.

Do I have to use the electronic ID scanner to enter the Club? No. You are not obliged to scan your identification to enter the Club's premises. If you prefer you can manually enter your name, address and

signature (as required by the *Registered Clubs Act*) into the terminal and present your identification to staff who will confirm your details.

What information is collected by the electronic ID scanners? Our electronic scanner used by the Club retains a full copy of your ID which means that the Club collects all the information recorded on your ID (which may include sensitive information). This information is retained for seven (7) year.

Our electronic ID scanners store data in a password protected encrypted database.

Why does the Club use ID scanners? Under the *Registered Clubs Act*, we are required to maintain records of the name, address and signature of temporary members and guests over the age of 18. Previously, we provided paper registers that needed to be filled out by hand which was slow, cumbersome and wasted paper.

The Club now offers scanning terminals which are quicker and more efficient for temporary members and guests who want to enjoy the facilities of the Club but do not want to manually write in their details.

Scanners are a secure way of holding information and also help provide a safe environment for you, other patrons and our staff. The information collected may be passed onto the Police or a regulatory authority to assist in any investigation.

Scanners are also environmentally friendly in that they have helped the Club reduce its paper usage and storage.

The collection of personal and sensitive information of the individuals who choose to scan their identification is reasonably necessary for the activities and functions of the Club.

How do we hold and protect your personal information?

Club Toukley RSL is committed to keeping your personal information secure, and we will take reasonable precautions to protect your personal information from unauthorised access, loss, release, misuse or alteration.

Your personal information is held securely in our servers and, where your personal information has been provided in hard copy format, this personal information is either destroyed, or is held securely by the Club on site or in off-site storage

Information that is stored electronically or on our servers is restricted, password protected and only accessible to relevant employees and third-party IT service providers.

Video surveillance is stored on our digital recorders which are maintained in a restricted access area and password protected.

We are required by law to keep some types of information for certain periods of time, with personal information stored and archived for a period of seven (7) years. This includes information about non-

members and internet site transmission logs. If we no longer require your personal information, we will generally destroy or de-identify it.

If we receive personal information about someone that we did not solicit (either directly or by facilitating the provision of that information to us) then within a reasonable period after receiving the information we aim to destroy the information, or if destruction is not possible in the circumstances, to ensure the information is deidentified.

What happens if my personal information is involved in a data breach: if a data breach or suspected data breach occurs, we will undertake a prompt investigation, which will include an assessment of whether the incident is likely to result in serious harm to any individuals. In such a situation we will comply with the requirements of the *Privacy Act* which may require notification to the Office of the Australian Information Commissioner ("**OAIC**") and affected individuals. Please contact us if you have reason to believe or suspect that a data breach may have occurred, so that we can investigate and, if necessary, undertake appropriate containment, risk-mitigation and notification activities as required.

Are we likely to disclose personal information overseas? Generally, we will not disclose your personal information overseas except with your consent or where we are permitted or required to do so by law.

If you agree to information being put on our Website then this could be accessed by anyone in Australia and by persons in other countries.

Using the Club's Website and social media: The Website and social media sites operated by us may collect personal information for the purposes outlined in this privacy policy.

Any information collected as a result of your use of the website or social media platforms operated by us will be handled in accordance with this privacy policy. The website and social media sites operated by us may contain hyperlinks to other websites including those operated by third parties. The links provided are for reference only. We do not have any control over these external websites. We are not responsible for the content on these sites or the privacy practices adopted by these sites.

If you access our Website we may collect additional personal information about you including your IP address, domain name, type of operating system, type of browser and your general area of location. Also, our Website uses cookies. The main purpose of cookies is to identify users and to prepare customised web pages. Cookies do not identify you personally, and your cookie data is not collected nor stored anywhere on the Club's internal systems.

What does this policy mean? By attending the Club or participating in an activity with us, you consent to the terms of this policy. From time to time, your additional consent will be sought for the collection, use or disclosure of information for purposes other than as set out in this policy.

If you do not agree to any part of this policy or do not wish to receive direct marketing information, please contact the Club.

How do I access, update or correct the personal information held by the Club about me? You can request the personal information we hold about you by contacting the Club.

We will not charge you for making the request. However, we may need to charge you for our time to answer your request. We may charge you a reasonable fee for processing your request.

We will respond to your request within a reasonable timeframe (usually not more than 30 days). When you request access we may need further information from you to verify your identity.

There are a number of reasons why we may be unable to give you access to your information. If we are not able to provide access to your information we will provide you with our written reasons.

If you believe that the personal information that we hold about you is inaccurate, incomplete or not up-to-date, you can ask us to correct it. If asked to correct your personal information we will take reasonable steps to correct the information to ensure that it is accurate, up to date, relevant and not misleading.

We may decline a request for access to your personal information if the Privacy Act prohibits it or does not require us to provide access.

MAKING A COMPLAINT

If you believe we have breached the *Privacy Act* or any of the *APPs*, or if you want to raise any issues you may have about privacy at the Club, please contact the General Manager.

You can contact the General Manager by:

Phone: (02) 4396 4855
Email: admin@toukleyrsl.com.au
Post: PO Box 22, Toukley, NSW 2263

In making a complaint to the Club about privacy, please give us enough details to be able to identify your concerns and respond appropriately. You must provide us with your name and contact details and a description of your complaint. We will respond to you in a reasonable timeframe (usually not more than 30 days).

FEEDBACK AND OTHER QUERIES

If you believe the club has not adequately dealt with your complaint, you may forward your complaint to the OAIC whose contact details are as follows:

Phone: 1300 363 992
Email: enquiries@oaic.gov.au
Post: GPO Box 5218 Sydney 2001

If you have any questions regarding our privacy policy or how your information is held, please contact our General Manager by letter or email using the details above. For information about privacy in general, please visit www.oaic.gov.au or contact the Office of the Australian Information Commissioner using the details above.