

## Privacy Policy

Get Chatty Pty Ltd ACN 652 357 349 and its associated entities (collectively **Get Chatty, we, us, or our**) is committed to protecting the privacy of your personal information.

In accordance with the *Privacy Act 1988 (Cth)* (**Privacy Act**) this Privacy Policy sets out the ways in which we may collect, disclose, manage, store and use your personal information.

### What is personal information?

“Personal information” is information or an opinion about you, or information from which you could reasonably be identified.

We do not collect “sensitive information” without your consent, except in circumstances where the law allows us to do so. By “sensitive information”, we mean information about your criminal records, health, genetic or biometric information or templates, memberships of political, professional or trade associations, philosophical beliefs, political opinions, racial or ethnic origin, religious beliefs or affiliations, sexual orientation or practices.

### COLLECTION OF PERSONAL INFORMATION

*From whom do we collect your personal information?*

We may collect your personal information:

- *directly from you* (for example, this may occur when you upload details of your purchases in our software applications, execute contracts or arrangements with us, when you attend events arranged or sponsored by us, or when you enter any of our competitions or rewards programs);
- *from third parties* who you have authorised to provide us with personal information. For example, from clubs of whom you are a member or businesses that you shop with;
- *from publicly available sources and databases* (for example, this may occur if it is unreasonable or impractical for us to collect the personal information directly from you);
- *through governmental, legal and other regulatory processes.*

*What types of personal information do we collect?*

Depending on how you interact with us, we may collect the following personal information from you:

- **Contact details** – if you contact us, participate in our chatbot service (including by uploading your purchases from various businesses) or buy goods or services from sponsors of your club, we may collect details which include your name, street or postal address, email address, telephone number and image.
- **Customer sales information** – when you purchase goods and services from various businesses and sponsors of your club, and upload those details to our software application, we may collect information regarding what you purchased, where and how much you spent.
- **Member surveys** – we may collect details about your spending patterns and the frequency at which you attend particular businesses.

## **Unsolicited personal information**

If we receive unsolicited personal information, we will assess whether we would have been entitled to collect it. If we would not have been entitled to collect that personal information, we will destroy or de-identify it as soon as practicable (provided that it is lawful and reasonable to do so).

## **Website and third party references**

We collect personal information when you communicate with us through our website.

When you access our website, we may receive information about you via a 'cookie'. A cookie is a piece of information that our web server may send to your computer when you visit the website. The cookie is stored on your machine, but does not identify you or give us any information about your computer. A cookie helps us to recognise when you re-visit the website, and helps us to optimise your experience. Through the use of sessional cookies, we collect information such as Internet Protocol 'IP' addresses, device IDs, MAC addresses, browser information, installed software, hardware type, access date and time, number of visitors, pages viewed, types of transactions conducted, time spent on the website and documents downloaded. We use this information to evaluate the performance and effectiveness of our website.

This Privacy Policy does not apply in relation to any third parties referred to in our software application. We are not responsible for their privacy practices and you should contact them directly for details regarding their information handling practices.

## **STORAGE AND SECURITY OF PERSONAL INFORMATION**

*How do we secure your personal information?*

We take reasonable steps to protect your personal information from interference, loss, misuse, unauthorised access, modification or disclosure. We maintain electronic, physical and procedural security measures to safeguard personal information, including by using appropriate information technology security. For example:

- where appropriate, specifying the confidentiality of your personal information in contracts with parties with whom we exchange information;
- having data backup, disaster recovery and emergency mode operations; and
- imposing information access controls, including password protection for access to our system and the various kinds of data it contains.

*Storage of personal information in the Cloud*

Personal information may be stored in the Cloud (that is, computer servers connected to one another via the Internet). To assist us in storing and accessing your personal information, we may store your personal information with, or allow it to be accessed by, overseas third parties who provide:

- software and maintenance services for the Cloud; and
- infrastructure/hardware used to access the Cloud.

As those third parties are situated, and store content, offshore, your personal information may be transmitted, disclosed, stored or accessed to/from overseas jurisdictions. For

example, Google has data centres located in Asia, Europe, North America and South America.

If you continue to submit your personal information to us, you are consenting to the access, disclosure, storage and transmission of your personal information by third parties in overseas jurisdictions. In that respect, *Australian Privacy Principle 8*, which ordinarily obliges us to take reasonable steps to ensure that overseas recipients of your information do not breach the *Australian Privacy Principles* (except Principle 1), will not apply.

If any of those overseas recipients handle your personal information in a manner which is inconsistent, or does not comply, with the *Australian Privacy Principles*:

- to the maximum extent permitted by law, we will not be accountable under the *Privacy Act* for any resulting loss or damage that you may suffer;
- to the maximum extent permitted by law, you will not be able to seek redress against us under the *Privacy Act*;
- the overseas recipient may not be subject to any privacy obligations at all, or to any principles similar to the *Australian Privacy Principles*;
- you may not be able to seek redress against the overseas recipient in their jurisdiction; and
- in holding access to your personal information, the overseas recipient may be subject to foreign laws which compel their disclosure of your personal information to other parties, such as overseas government authorities.

## **DISCLOSURE OF PERSONAL INFORMATION**

Your personal information may be disclosed to:

- *your club, to participate in club activities*, to understand your financial spend with businesses that sponsor your club and administer any loyalty program and consequent rewards to you;
- *businesses that sponsor your club*, so that they can understand your financial spend and make informed decisions regarding the ongoing sponsorship of your club;
- *our third party service providers*, including but not limited to data entry service providers, IT providers, payment processors and our professional advisers, such as solicitors and accountants;
- *other members/entities within our group of companies*; and
- *governmental authorities or other statutory bodies* where it is expressly permitted under the *Privacy Act*, for example, where it is with your consent or where we are legally required to do so, such as under a court order or warrant.

## **USE OF PERSONAL INFORMATION**

*How do we use your personal information?*

We may use your personal information for the following purposes:

- *to administer our services and your membership account*, including verifying your identity, providing customer support, training our staff and testing our systems;

- to facilitate your participation in the events, activities, rewards and loyalty programs offered by your club or their sponsors;
- to enable you to access information regarding events, offers, promotions and the products or services of sponsors of your club;
- to conduct market and other research analysis to improve the products, services and marketing activities of sponsors of your club;
- to conduct quality audits and for risk management generally; and
- to maintain records and comply with our legal obligations.

*Do we use your personal information to conduct direct marketing?*

We do not use your personal information to conduct direct marketing and we do not authorise other parties to do so, whether on our behalf or for their own purposes.

## **ACCESS TO, AND CORRECTION OF, PERSONAL INFORMATION**

*How can you access and correct your personal information?*

You may request access to your personal information by sending a written request to our Privacy Officer (details below). If we receive an access request, we may seek further details from you in order to verify your identity. We reserve the right to refuse access to personal information if we cannot verify your identity to our reasonable satisfaction.

Access will generally be provided in an appropriate form within a reasonable time. We may charge a fee for providing access if it requires a significant amount of time to locate your personal information or to collate or present it in an appropriate form. This fee will be explained to you before it is incurred. In limited circumstances, where it is permitted under the *Privacy Act*, we may refuse access to your personal information: for example, where it would have an unreasonable impact upon the privacy of others or where we believe your request is frivolous or vexatious.

We will take reasonable steps to ensure personal information we collect and use is accurate, up-to-date and complete. Where personal information is out-of-date or incorrect, you may inform us of this and we will correct it accordingly.

## **MISCELLANEOUS ISSUES**

*Dealing with us anonymously or using a pseudonym*

You can deal with us anonymously or by using a pseudonym if you choose. However, if you do so we may be unable to provide you with accurate or useful information and you may not be able to access our full range of services. For example, you may not be able to participate in the rewards program offered by your club, we may not be able to assess your eligibility for other offers or promotions, or we may need to ask you further questions and require more time to respond.

*Privacy Policy may change*

We may amend this Privacy Policy from time to time, to ensure that it reflects changes to our information handling practices or our business circumstances from time to time. Any updated Privacy Policy will be published on our software application and the changes come into effect from the time when they are brought to your attention, or when you next logon to our software

application, whichever is earlier. Please make sure you review this Privacy Policy each time you visit our software application to keep up to date on any changes.

*Contacting us in regards to privacy matters*

If you have any concerns or complaints regarding how we handle personal information, please contact our Privacy Officer. Correspondence should be addressed to:

Privacy Officer:  
Get Chatty Pty Ltd  
Phone: 0414 694 324  
E-mail: [info@getchatty.com.au](mailto:info@getchatty.com.au)

We take all complaints seriously and will respond to you within a reasonable period of time, unless we consider your complaint to be frivolous or vexatious. If a privacy concern or complaint is not resolved to your satisfaction, you can contact the [Office of the Australian Information Commissioner](#).