

Privacy Policy



Overview

This document sets out the policy of Spa Clubs Pty Ltd ABN 80 170 220 313, its related companies and relating to the privacy of your personal information (Privacy Policy). Spa Clubs is committed to protecting the privacy of the personal information it collects and receives. Spa Clubs is bound by the Australian Privacy Principles (APP) contained in the Privacy Act 1988 (Cth) (Act). This Privacy Policy applies to all your dealings with Spa Clubs whether at one of Spa Clubs locations, Spa Clubs head office or via Spa Clubs website (www.spaclubs.com.au).

This Privacy Policy seeks to explain:

- The kinds of personal information Spa Clubs collects & holds;
- How Spa Clubs collects and holds your personal information;
- Why Spa Clubs collects, holds, uses and discloses your personal information;
- How you may access and seek the correction of your personal information as held by Spa Clubs;
- How you may complain about a breach of the APPs or a registered APP code (if any) that Spa Clubs are bound by, and how Spa Clubs will deal with such a complaint; and
- If Spa Clubs is likely to disclose your personal information to overseas recipients and the countries in which such recipients are likely to be located (if it is practicable to specify those countries in this policy).

Consent

By using Spa Clubs website www.SpaClubs.com.au, completing any membership application forms, personal trainer forms, competition entry forms and filling any forms in the franchisee recruitment process, social media platforms, you accept this Privacy Policy and expressly consent to Spa Clubs' collection, use and disclosure of your personal information in the manner described in this Privacy Policy.

Your Personal Information

Personal information includes any information or opinion about an identified individual or an individual who is reasonably identifiable regardless of whether the information is true or not. Spa Clubs only collects personal information (and sensitive health information) which is necessary for or related to, one or more of its functions or activities. The types of personal information Spa Clubs collect from you will depend upon the type of interaction that you have with Spa Clubs. Broadly speaking, the types of personal information that Spa Clubs collect may include:

- Your name, address, email address and telephone details;
- Age and date of birth;
- Credit card, bank account details, and tax file numbers;
- Health information – if you intend to use one of the Spa Clubs venues or services where your health status may be a consideration;
- Whether you are a member of one of Spa Clubs commercial partners with whom Spa Clubs organize discounts or other promotional arrangements for members and customers;
- Where applicable your license, vehicle registration, and insurance details;
- Your image, if you are photographed or video at one of Spa Clubs venues; and
- If you apply for a job in one of Spa Clubs businesses, details about your education, employment history, membership of professional associations, referees and next of kin.

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Where Spa Clubs collect sensitive information from you (such as health information or details of memberships of professional associations) Spa Clubs will only do so with your consent.

Your Sensitive information

Sensitive information is information about you that reveals your racial or ethnic origin, political opinions, religious or philosophical beliefs or affiliations, membership of a professional or trade association, membership of a trade union, details of health, disability, sexual orientation or criminal record. It is Spa Clubs policy to only collect your sensitive information where it is reasonably necessary for Spa Clubs functions or activities and either you have consented or Spa Clubs are required or authorised under law to do so.

How Spa Clubs collects your personal information

Spa Clubs will solicit your personal information by lawful and fair means directly from you unless it is unreasonable or impracticable to do so. Spa Clubs will collect directly personal information:

- By email;
- Over the telephone (including calls and SMS);
- Via social media and over the intranet (including surveys);
- By written correspondence (such as letters, faxes);
- On hard copy forms (including registration forms, competition entry forms, and surveys);
- In person; or
- Through Spa Clubs website (online purchases, web form submission or participation in a live chat);
- Electronic systems such as applications and use of the club access card; and
- Through Spa Clubs' security surveillance cameras.

Spa Clubs may collect information from third parties including:

- Your personal trainer;
- Market researchers & direct marketing providers;
- Parents or guardians of underage members;
- Our current members (refer a friend);
- The Australian Tax Office (ATO) and the Australian Securities and Investment Commission (ASIC); and
- Public sources (directories, membership lists, professional and trade associations, ASIC, bankruptcy or court registry searches).

How Spa Clubs uses your personal information

Your personal information may be used by us in a number of ways, including:

- For the purpose requested;
- To respond to your query or feedback;
- To process your application for membership of one of our businesses or to use or purchase one of Spa Clubs products or services;
- To process your order;
- To promote and market all current and future Spa Clubs businesses, venues, products and services and to inform you about the products and services of Spa Clubs commercial partners;
- To process and consider your application for employment;

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- To assist with Spa Clubs internal business processes;
- For market research purposes and to improve Spa Clubs product and service offering;
- To administer contests, promotions, and surveys;
- For any other purposes that you would reasonably expect; and
- To enable Spa Clubs to comply with all obligations under the law.

Spa Clubs' website requires subscriptions or registrations to use certain services, functions or content. You will know what information is being collected via these processes when you complete the relevant forms and provide the required details prior to submitting the application. Spa Clubs will collect data relating to any transactions you carry out through Spa Clubs' website and the fulfillment of your order. Spa Clubs may also use your data to monitor for any unauthorised use of Spa Clubs' website, content or subscriptions to Spa Clubs' services.

Purpose of collection

If Spa Clubs collects personal information for a purpose (the primary purpose), Spa Clubs will not use or disclose the information for any other purpose (the secondary purpose) unless:

- you would have consented to the use or disclosure of your personal information; or
- in relation to the use or disclosure of your personal information:
 - you would reasonably expect Spa Clubs to use or disclose your information for the secondary purpose and the secondary purpose is directly related to the primary purpose;
 - use or disclosure is required or authorised under Australian law or a court/tribunal;
 - a permitted situation exists in relation to Spa Clubs' use or disclosure of the information;
 - a permitted health situation exists in relation to use or disclosure of the information; or
 - Spa Clubs reasonably believes that the use or disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

If Spa Clubs uses or discloses your information because Spa Clubs reasonably believes that the use or disclosure of your information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body, Spa Clubs will make a written note of the use or disclosure.

Do you have to provide personal information?

You can refuse to provide personal information. However, a refusal may mean that the service you requested is not provided or membership will be refused or forfeited.

Sharing your personal information

Spa Clubs may use and disclose personal information for related purposes to third parties. Types of organisations to whom Spa Clubs may disclose your personal information includes:

- Government bodies such as ATO, ASIC, Australian Prudential Regulatory Authority and the police or courts (as required by law);
- Various law enforcement agencies and governments for security, customs and immigration purposes;
- Banking service providers;
- Rewards partner program providers;
- Professional or government organisations; and
- Spa Clubs' contracted service providers including:

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- Information technology service providers;
- Planning research and development providers;
- Conference organisers;
- Marketing and communications agencies;
- Mailing houses, freight and courier services;
- Printers & distributors of marketing material;
- Debt collectors and banks; o personal trainers; and o external advisers (recruiters, auditors & lawyers).

Spa Clubs does not rent, sell or exchange your personal information to third parties without your prior approval.

Cookies

To improve Spa Clubs' services, Spa Clubs sometimes collects de-identified information from web users. The information collected does not identify an individual but does help Spa Clubs to analyse and improve its web services. When you visit Spa Clubs' website, a record of your visit is logged and the following data is supplied by your browser:

- Your IP address and/or domain name;
- Your operating system (a type of browser & platform);
- The date, time and length of your visit; and
- The resources you accessed or downloaded.

Spa Clubs uses this information to customise the website for visitors and to collect data for analysis, quality control, administration and improving the website. It is not used for any other purpose. Aggregated data may be shared with third parties. You can stop your browser from accepting new cookies or disable cookies altogether by changing your browser preferences.

Protecting your Personal Information

Spa Clubs stores information in different ways, including paper and electronic form. Spa Clubs takes reasonable steps to protect it from misuse, interference, loss, unauthorised access, modification or disclosure including:

- Secure password protected databases for storage;
- Confidentiality requirements of staff;
- Security firewalls for access to Spa Clubs' systems;
- Servers kept at a secure location with limited access;
- Document storage security requirements;
- Granting access only to verified individuals;
- Access controls for Spa Clubs' buildings;
- Limited the provision of personal information to third parties and subject to guarantees about use; and
- Training staff to deal with the information.

Spa Clubs cannot guarantee that personal information will be protected against unauthorized access or misuse and Spa Clubs does not accept any liability for the improper actions of unauthorised third parties. Spa Clubs will retain your personal information for as long as necessary to fulfill Spa Clubs' obligations to you, to protect its legal interests, to comply with laws or as otherwise stated to you when Spa Clubs collects your personal information.

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Once Spa Clubs is no longer required to retain your personal information, Spa Clubs will take reasonable steps to destroy your personal information or to ensure that your personal information is de-identified.

Anonymity

You have the option of not identifying yourself or using a pseudonym when dealing with Spa Clubs provided that is it lawful and practicable. Spa Clubs will try to accommodate a request for anonymity if possible. However, your right to anonymity does not apply in relation to a matter if:

- Spa Clubs is required/authorised by law or court/tribunal order to deal with identified individuals; or
- It is impracticable for Spa Clubs to deal with individuals who have not identified themselves.

It is Spa Clubs' policy to enable you to access Spa Clubs' website and make general phone queries without having to identify yourself and to enable you to respond to Spa Clubs' surveys anonymously. In some cases, however, if you don't provide Spa Clubs with your personal information when requested, Spa Clubs may not be able to respond to your request or provide you with our service. For example, you must identify yourself to become a Spa Clubs member or franchisee.

Accessing your personal information

You have the right, upon request, to access any of Spa Clubs' records containing your personal information. To request access to your personal information please contact the Privacy Officer, set out at the end of this Policy. Spa Clubs will respond to your request to access your personal information within a reasonable period of time. On the basis that it is reasonable and practicable to do so, Spa Clubs will give you access to the information requested. If Spa Clubs refuses your request to access personal information, Spa Clubs will provide a written notice setting out the reasons for the refusal & how you can complain about the refusal. Reasons for a refusal may include if it:

- Poses a serious threat to life, health or safety;
- Would have an unreasonable impact on the privacy of others;
- Is frivolous or vexatious;
- Relates to legal proceedings;
- Reveals Spa Clubs' intentions or prejudice any negotiations;
- Would be unlawful;
- Is required or authorised by law or court/tribunal order;
- Is likely to prejudice enforcement related activities; or
- Relates to a commercially sensitive decision process.

When you make a request to access personal information, Spa Clubs will require you to provide some form of identification (such as a driver's license or passport) so Spa Clubs can verify that you are the person to whom the information relates.

Help keep your personal information current

Spa Clubs take reasonable steps to ensure that the personal information Spa Clubs collect and use is accurate, complete and up-to-date. However, the accuracy of the information Spa Clubs hold depends to a large extent on the information you provide. You can update (or request us to update) your personal information at any time. Spa

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Clubs ask you to keep your information as current as possible so that Spa Clubs may continue to provide you with useful information.

To update your details, please email Spa Clubs at sales@spaclubs.com.au. Alternatively, if you have an online account with one of our businesses, you may update your details via your online account, visit one of Spa Clubs locations. If you would like to unsubscribe or “opt out” from receiving any direct marketing material from Spa Clubs, that option will be available in the relevant communication sent to you. Spa Clubs will respond to your unsubscribe request within a reasonable period after your request is made.

Resolving your privacy issues

If you have any issues you wish to discuss with Spa Clubs or if you’re concerned about how Spa Clubs has collected or managed your personal information please contact the Privacy Officer. For information about privacy or if your concerns are not resolved, contact the Office of the Australian Information Commissioner at www.oaic.gov.au and on 1300 363 992.

Changes and access to this privacy policy

Spa Clubs may, from time to time, review and update this privacy policy to take account of new laws and changes to Spa Clubs’ operations. Changes to this Privacy Policy will not affect Spa Clubs’ use of previously provided information. This Privacy Policy is available on Spa Clubs’ website at www.SpaClubs.com.au. A printed Privacy Policy can be obtained free of charge by contacting Spa Clubs.

Spa Clubs Privacy Contact

Email: mgr@spaclubs.com.au

Telephone: 1300 887 803