

PRIVACY POLICY

This Privacy Policy applies to the services offered by Samuel Geoffrey Dennis ABN 84 405 517 592 trading as "The People's Gym" ("The People's Gym").

1.1 Statement of Commitment

The People's Gym complies with the *Privacy Act 1988* (Cth) and the Australian Privacy Principles and is committed to protecting your privacy and any personal information it collects. This Privacy Policy explains how The People's Gym may collect, use, disclose, store and otherwise handle personal information (and where applicable, sensitive information), including how you may access such information held by The People's Gym.

This Privacy Policy is applicable to The People's Gym Health Clubs within Australia only.

1.2 Consent

The People's Gym is committed to safeguarding personal privacy. The People's Gym recognises that individuals have a right to control how their personal information is collected and used. Providing personal information is an act of trust and it is taken seriously by The People's Gym. Unless given consent to do otherwise, The People's Gym will only collect and use personal information as set out below in this Privacy Policy.

Notwithstanding the above, this Privacy Policy applies to your personal information regardless of the way in which The People's Gym collects it. By submitting information to The People's Gym or by otherwise accessing or using The People's Gym's websites or social media platforms, you consent to The People's Gym using and disclosing your personal information in the ways described in this Privacy Policy.

1.3 Your Personal Information

Personal information is collected by The People's Gym where necessary or related to one or more of its functions or activities. The types of personal information collected may depend on the type of interaction that you have with The People's Gym, and includes but is not limited to:

- name and contact details;
- age and date of birth;
- emergency contact details;
- debit/credit card details, bank account details and/or tax file numbers;
- health or medical information – if you intend to use one of The People's Gym's venues or services in a manner for which your health status may be a consideration;
- where applicable, your driver's licence, vehicle registration and insurance details;
- where applicable, your student identification details;
- payment history;
- whether you are a member of one of The People's Gym's commercial partners with whom The People's Gym organises discounts or other promotional arrangements for members and customers;
- your image, if you are photographed at one of The People's Gym's venues;
- bankruptcy details;

- health fund details;
- sensitive information; and
- if you apply for a job in one of The People's Gym's businesses, details about your education, employment history, membership of professional associations, referees and next of kin

1.4 Collecting Personal Information

The People's Gym will only collect your personal information (including sensitive information, where applicable) by lawful and fair means including directly from you or authorised third parties. The People's Gym may also use the information for a variety of reasons, such as for marketing to you, or for any other purpose permitted under the *Privacy Act 1988* (Cth).

The People's Gym may collect your personal information in a number of ways, including but not limited to:

- when you send The People's Gym an e-mail, "contact us" message, or any other form of written enquiry;
- via mobile sites, applications, widgets and other mobile interactive features, for example when you provide feedback via a QR Code application;
- via The People's Gym's official social media pages that it controls, such as the official pages for The People's Gym's various businesses on Facebook, Twitter and Instagram;
- when you visit or telephone one of The People's Gym's venues to ask about The People's Gym's services;
- when you sign up to use The People's Gym's services, whether online or in person;
- when you make a booking at one of The People's Gym's venues or online;
- when you enter a promotion, competition, provide feedback or participate in a survey, market research or other promotional activities which The People's Gym (or one of its agents) conducts;
- when you sign up to receive The People's Gym's newsletters or marketing material;
- if your photograph is taken at one of The People's Gym's venues; and
- when you submit an application for a contract or employment with The People's Gym.

Personal information may be requested for a variety of reasons, including but not limited to; enabling The People's Gym to provide a service or product requested by a member or prospective member, or to update information presently held on file. You are not obligated to provide the requested information, however failure to do so may result in The People's Gym being unable to provide services to you.

Some of The People's Gym's venues have surveillance cameras which may capture your image on film. This information may be used in respect of management and security at The People's Gym's venues and may be provided to law enforcement and government bodies for such purposes.

The People's Gym may also collect information (including sensitive information, where applicable) from third parties, including but not limited to the following third parties:

- someone duly authorised to act on your behalf;
- your personal trainer;

- The People's Gym's commercial partners with whom The People's Gym organises discounts or other promotional arrangements for members and customers;
- parents or guardians of underage members;
- a current member who undertakes to have obtained your prior consent (via refer a friend initiatives);
- debit and payment service providers who process transactions on behalf of The People's Gym's businesses;
- the Australian Tax Office (ATO) and the Australian Securities and Investment Commission (ASIC);
- public sources (directories, client lists, professional and trade associations, bankruptcy or court registry searches);
- your employer with whom The People's Gym may have negotiated a corporate partnership;
- market researchers and direct marketing providers;
- The People's Gym's official pages on social media platforms and from people with whom you are friends with or otherwise connected to on social media platforms; and
- recruiters The People's Gym has retained, and from referees you have provided in support of a job application.

1.5 Collecting Sensitive Information

For the purposes of this Privacy Policy sensitive information is a subset of personal information and means the information a member has disclosed to The People's Gym about their physical and mental health and wellbeing.

Sensitive information will only ever be used for providing services to members. Such information will not be used or disclosed for any other purposes without consent, except in exceptional cases when disclosure may be required, as set out in this Privacy Policy.

1.6 Anonymity and Pseudonyms

You don't need to identify yourself when you deal with The People's Gym. However, in certain situations The People's Gym will only deal with individuals who have identified themselves to The People's Gym.

If you do not provide The People's Gym with certain information required, The People's Gym may not be able to provide you with access to its services or products, or respond to your request or communication.

1.7 Use of Cookies

The People's Gym uses tracking technologies such as cookies or web beacons to make use of its website and services as convenient as possible. Cookies are pieces of information that a website transfers to a computer's hard disk for record keeping purposes. A web beacon is a technical method that sends information related to the access to websites, when you browse websites, or open or preview an HTML-formatted email. Most web browsers are set to accept tracking technologies such as cookies or web beacons. These tracking technologies do not themselves personally identify users, although they do identify a user's browser. These tracking technologies allow The People's Gym to monitor the The People's Gym website, and to record how many people are using the different parts of the site. It is possible to set the browser to

refuse tracking technologies such as cookies or web beacons, however, this may limit the services provided by The People's Gym's website.

The People's Gym's website and online services use web analytics such as Google Analytics, a web analytics service provided by Google, Inc. Web analytics uses cookies to help the website analyse how users use the website. This information generated by the cookie about your use of one of The People's Gym's website (including your IP address) will be transmitted to and stored by the Web analytics provider on servers that may be located overseas.

This information is used for the purpose of evaluating your use of The People's Gym's website, compiling reports on website activity for website operators, and providing other services relating to website activity and internet usage. Web analytics providers may also transfer this information to third parties where required to do so by law, or where such third parties process the information on its behalf. Web analytics will not associate your IP address with any other data held by it. By using The People's Gym's websites, you consent to the processing of data about you by web analytics in the manner and for the purposes set out above. Further information may be obtained via the relevant privacy policy, available on request.

1.8 Using and Disclosing your Personal Information

Personal information (including sensitive information, where applicable) may be used by The People's Gym for any of the following primary purposes:

- to render services and provide products to a member or prospective member;
- to respond to a query or feedback;
- to provide information about products, services and/or special offers to a member or prospective member;
- to obtain opinions or comments about products and/or services from a member;
- to record statistical data for marketing analysis from a member;
- to process and consider an application for employment;
- to promote and market all current and future The People's Gym businesses, venues, products and services and to inform members about the products and services of The People's Gym's commercial partners;
- to assist with The People's Gym's internal business processes;
- to conduct market research and/or to improve The People's Gym's products and service offerings;
- to administer contests, promotions and surveys;
- for any other purposes that could be reasonably expected of The People's Gym; and
- to enable The People's Gym to comply with its obligations under law.

The People's Gym may employ or contract other companies or service providers to assist in providing The People's Gym's services, including but not limited to; marketing, market research, mail-house services, hosting and product development services, analysis of client lists and/ or consulting services. These third parties may have access to personal information that is needed to perform their specific function(s) and cannot use that information for other purposes beyond those functions.

The third parties to which The People's Gym may disclose personal information to includes:

- related entities of The People's Gym;
- fitness education providers (with your prior consent)
- contractors, agents and suppliers The People's Gym engages to provide products and/or perform services;
- commercial partners with whom The People's Gym has agreed information sharing arrangements with;
- The People's Gym's professional advisors such as legal professionals and accountants;
- law enforcement bodies;
- a purchaser of all or part of The People's Gym's business; and
- any other person for any other purposes that would be reasonably expected (including if required by law).

The People's Gym does not sell your name or other personal information to third parties.

The People's Gym recognises the trust with which individuals provide personal information, and such information (including sensitive information, where applicable) will not be used or disclosed for any other purposes beyond those set out in this Privacy Policy without consent, except in exceptional cases when disclosure may be required by law or is necessary to protect the rights or property of The People's Gym, any The People's Gym group company, or any member of the public, or to lessen a serious threat to a person's health or safety.

1.9 Contact by The People's Gym

The People's Gym does not send marketing or advertising information without obtaining prior consent. If an individual receives communications from The People's Gym which they do not wish to receive, they may request to have their details removed from The People's Gym's database by contacting The People's Gym via email at admin@thepeoplesgym.net.au.

1.10 Individual's Right of Access

The People's Gym endeavours to ensure that personal information collected and used is accurate, complete and up-to-date. However, the accuracy of information is dependent to a large extent on the information provided to The People's Gym. Individuals have the right to review, amend or delete personal and/or sensitive Information that may be recorded on The People's Gym's database.

Information may be reviewed, amended or deleted by contacting The People's Gym via email at admin@thepeoplesgym.net.au.

Alternatively, if you hold an online account with one of The People's Gym's businesses, you may be able to access your personal information held via your online account.

A request may be made to delete personal and/or sensitive information, and all reasonable steps to delete the information will be made, except where the information is required for legal reasons. Deletion of information may result in The People's Gym being unable to sell products directly and/or provide certain services including after sales services.

If The People's Gym refuses your request to access personal information, within thirty (30) days of receiving your request, The People's Gym will provide a written notice within a reasonable period, setting out the reasons for the refusal and how you can make a complaint in relation to the refusal. The People's Gym may refuse such a request if granting access to information could result in any of the following:

- poses a serious threat to the life, health or safety;
- would have unreasonable impact on privacy of others;
- is frivolous or vexatious;
- relates to legal proceedings;
- reveals The People's Gym's 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.

1.11 Storage and Security of Personal and/or Sensitive Information

The People's Gym takes all reasonable steps to keep secure personal information recorded and to keep this information accurate and up to date. The personal information is stored on secure servers (if in digital format), or in locked areas (if in hardcopy format). These repositories are protected in controlled facilities. The People's Gym employees and data processors are obliged to respect the confidentiality of any personal and/or sensitive information held by The People's Gym. The People's Gym will only permit authorised personnel to access your information and information will only be disclosed to third parties where they have the appropriate authority. The People's Gym destroys or de-identifies personal information no longer needed by The People's Gym, wherever possible.

1.12 The People's Gym and Links to Other Website

The People's Gym may provide links to web sites outside of The People's Gym's website. These linked sites are not under the control of The People's Gym, and The People's Gym is not responsible for the conduct of companies linked to The People's Gym's website, nor for the performance or otherwise of any content and/or software contained in such external websites.

1.13 Problems, Queries or Complaints

For further information regarding this Privacy Policy or to make a complaint about the steps taken by The People's Gym to protect your personal information or privacy, please contact The People's Gym at admin@thepeoplesgym.net.au.

The People's Gym will investigate any complaints received in writing and take all reasonable steps to resolve them as soon as possible. If you are not satisfied with the result of your complaint to The People's Gym, you can refer your complaint to:

Office of the Australian Information Commissioner
 Phone: 1300 363 992
 Post: GPO Box 5218 , Sydney NSW 2001
 Online Form: www.oaic.gov.au (Privacy Complaint Form).

1.14 Updates

The People's Gym reserves the right to review, amend, update and change this Privacy Policy from time to time to reflect its practices and obligations. Any changes will take effect when they are made or posted on The People's Gym's website.