

Privacy Policy

1. Overview

In this Privacy Policy, the expressions "MainFitness", "we", "us" and "our" are a reference to MainFitness Pty Ltd (A.B.N. 28 161 677 970) and its Related Bodies Corporate (as defined by the provisions of the Corporations Act 2001 (Cth)).

MainFitness is committed to protecting the privacy of its Members'/Customers' personal information in accordance with the *Privacy Act 1988* and the Australian Privacy Principles. This Privacy Policy sets out the standard of protection you can expect.

Our Privacy Policy explains how we handle your personal information (including any sensitive information, such as health information). In particular it details how we collect, use, disclose, store and enable you to access your personal information.

2. Consent

Our Privacy Policy applies to your personal information regardless of the way in which we collect it. For example, whether it is collected via our Website, when you visit our Gym, when you contact Reception or visit one of our Social Media sites.

By submitting information to us and/or accessing and using our Website or Social Media platforms, you:

- a) consent to us using and disclosing your personal information in the ways described in this Privacy Policy; and
- b) acknowledge that you have been informed of all the matters in this Privacy Policy.

3. Social Media

MainFitness has Social Media sites such as Facebook, Twitter and Instagram. You agree to MainFitness posting onto Social Media, any photographs or video media taken inside the Gym to advertise or promote a service, offer or feature of MainFitness. Unless you ask us not to, we will use photography/video images for marketing and advertising of MainFitness on Social Media.

Material used on Social Media is not intended to cause offence or to be of an un-toward nature and any photos taken as "before & after" photos where clothing may have been reduced, will only be posted with prior permission from the Member/Customer. Generally speaking, photos used on Social Media are photos of Group Fitness classes in attendance, Members/Customers working out with their Trainers or Members/Customers doing their own workout. Generally, Members/Customers would be verbally notified at the time of any photography being taken. If any photos or video images are taken and posted that you disapprove of, you may notify MainFitness by email info@mainfitness.com.au and we will endeavour to remove such information as soon as possible.

4. 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. MainFitness only collects personal information (and sensitive information), which is necessary for, or related to, one or more of its functions or activities.

The types of personal information we collect from you will depend upon the type of interaction that you have with us. We set out some common collection, use and disclosure instances in the table below.

Purpose	Type of Information	Uses	Disclosures
Sales and enquiries	<ul style="list-style-type: none"> Contact information: Such as your name, age, address, billing address, email address, phone numbers and emergency contact details. Transaction Sales information: Such as: <ul style="list-style-type: none"> - Billing and account details. - Payment card details. 	<p>The types of uses we will make of personal information collected for this type of purpose include:</p> <ul style="list-style-type: none"> Identity verification: if required, the verification of your identity and to process your application for Membership to the Gym. Services: the provision of our services to you including: <ul style="list-style-type: none"> - Using your personal information in order for you to use the products and services offered or to process your order. - Payment processing, including charging, credit card authorisation, verification and debt collection. - To assist with our internal business processes. Marketing: using your personal information for the purposes set out in "Marketing Services" section below. General administrative and security use: <ul style="list-style-type: none"> - The use for the administration and management of MainFitness. - In connection with the sale of any part of MainFitness' business or a company owned by a MainFitness entity. - To respond to your query or feedback. 	<p>The types of disclosures we will make of personal information collected for the type of purposes listed include, without limitation, to:</p> <ul style="list-style-type: none"> • Third parties connected with the sales process including ecommerce, payment gateway providers and financial institutions. • Service providers (including IT service providers and consultants) who assist MainFitness in providing our products and services. • Related bodies corporate of MainFitness (including related entities). • Third parties in connection with the sale of any part of MainFitness' business or a company owned by a MainFitness entity. • Commercial partners with whom we have agreed information sharing arrangements. • As required or authorised by law.
Credit information	<ul style="list-style-type: none"> Contact and identifying information: <ul style="list-style-type: none"> - Such as your name, address, billing address, email address, and phone numbers. - Bank account details, credit or debit card details. - Details of required primary identification information (such as a current Australian drivers licence). 	<ul style="list-style-type: none"> Purchases of MainFitness' products and services: Payment processing, including charging, refunds (if applicable), credit card authorisation, verification and debt collection. • Customer service related contact. General administrative and security use as detailed in the Uses column for "Sales and enquiries". 	<p>In summary, we may disclose this type of personal information to:</p> <ul style="list-style-type: none"> • Our contractors, agents and third party providers who undertake billing services on our behalf. • Third party providers who assist us in providing our services to you. • Third parties, such as external debt recovery agents, court or other entities to which we are required by law to disclose personal information. • The parties listed in the Disclosure column for "Sales and enquiries".
Marketing Services	<ul style="list-style-type: none"> Contact information: Such as your name, email address, current postal and residential addresses and phone numbers. Website enquiries: Such as your name, email address, phone number and any information you provide to us as part of your message. Image: your image, if taken by photograph/video at our Gym. 	<ul style="list-style-type: none"> General marketing and consumer analytics: using your personal information: <ul style="list-style-type: none"> - To aggregate with other information and to then use it for marketing and consumer analytics. - To offer you updates on our products, events or information that may be of interest to you or inform you about the products and services of our commercial partners. - For marketing and promotional activities by us (including by direct mail, telemarketing and email). - For the Uses detailed above in "Sales and enquiries". Online accounts or social media: If you participate in our social media platforms (such as Facebook, Twitter and Instagram) and you provide us your personal information, we will use it for: <ul style="list-style-type: none"> - Customer service related contact. - Responding to social media messages. • Fulfilling social media platform rules. 	<p>We may disclose your personal information to:</p> <ul style="list-style-type: none"> • Third parties connected with the marketing process who assist us in providing our products and services to you. • The parties listed in the Disclosure column for "Sales and enquiries".

5. Sensitive information

We may also collect health information from you, which falls into a category known as 'sensitive information' and is a subset of personal information under the relevant laws. Where we collect sensitive information from you, we will only do so with your consent. Sensitive information will be collected directly from you, usually via a written form when you sign up as a Member to MainFitness or a Customer of our services. Sensitive Information may also be obtained from your health practitioner, should you give them permission to provide such information to us on your behalf. Sensitive information will only be used for the purpose for which it is collected, being either to determine the limitations of your ability to exercise or any other purpose you consent to at the time the information is collected.

6. How we collect personal information

We may collect personal information from you in a number of ways, including:

- when you send us an e-mail, "contact us" message or make any other form of written enquiry;
- via mobile sites, applications, widgets and other mobile interactive features (collectively "Apps"), for example, when you provide feedback via a QR Code App;
- via our official Social Media pages that we control, such as the official pages on Facebook, Twitter and Instagram;
- when you visit or call our Gym to ask about our services;
- when you sign up to use our services, whether online or in person;
- when you make a booking at our Gym;
- when you enter a promotion, competition, provide feedback or participate in a survey, market research or other promotional activities which we (or one of our agents) conduct;
- when you sign up to receive our newsletters or marketing material; and
- if your photograph/a video is taken at our Gym.

Our Gym has surveillance cameras, which may capture your image on film. We may use this information in respect of the management and security of our Gym and it may be provided to Law Enforcement and Government Bodies for these purposes.

We may also collect personal information from third parties, for example:

- your friends via a refer a friend promotion;
- someone duly authorised to act on your behalf;
- debit and payment service providers who process transactions on behalf of our Gym;
- market research organisations we engage to conduct market research; and
- our official pages on Social Media platforms and from people with whom you are friends or otherwise connected on Social Media platforms.

7. Access by children

As we cannot distinguish the age of people accessing our website, our Privacy Policy applies to all individuals. If a person under 15 years of age has provided us with personal information without parental/legal guardian consent, those details may be removed by emailing us at info@mainfitness.com.au.

8. How we use your personal information

We provide a detailed list at section 4 of some of the common uses regarding the personal information we collect. We may also use or disclose your personal information and in doing so we are not required to seek your additional consent:

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- when it is disclosed or used for a purpose related to the primary purposes of collection detailed above and you would reasonably expect your personal information to be used or disclosed for such a purpose;
- if we reasonably believe that the use or disclosure is necessary to lessen or prevent a serious or imminent threat to an individual's life, health or safety or to lessen or prevent a threat to public health or safety;
- if we have reason to suspect that unlawful activity has been, or is being, engaged in; or
- if it is required or authorised by law.

In the event we collect personal information from you, or a third party, in circumstances where we have not requested or solicited that information (known as unsolicited information), and it is determined by us (in our absolute discretion) that the personal information is not required, we will destroy the information or ensure that the information is de-identified.

9. When we disclose your personal information

We provide a detailed list at section 4 of some of the common disclosures regarding the personal information we collect.

When third parties perform services on our behalf, we take reasonable steps to ensure the third party will protect your personal information in accordance with Australian Privacy Laws and in a manner consistent with this Privacy Policy. Third parties are required to restrict their use of the personal information to the purpose for which it was provided. We have service providers in Australia, but the location of our service providers may change from time to time.

We do not sell your name or other personal information to third parties.

10. Anonymity and pseudonyms

From time to time, you may be able to visit our Gym or Website and deal with us anonymously or by pseudonym. However, we require certain personal information to be able to provide you with the services, products or information you seek. If you do not provide us with certain required information, we may not be able to provide you with access to those services or products or respond to your request or communication. For example, we may not be able to respond to your enquiry, assess your application, enter you in a promotion, or send you requested information.

11. Updating personal information

We take reasonable steps to ensure that the personal information we collect and use is accurate, complete and up-to-date. However, the accuracy of the information we 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. We ask you to keep your information as current as possible so that we may continue to provide you with useful information.

To update your details, please email us at info@mainfitness.com.au. Alternatively, if you have an online account with us, you may update your details via your online account.

If you would like to "unsubscribe" or "opt out" from receiving any direct marketing material from MainFitness, that option will be available in the relevant communication sent to you. We

will respond to your unsubscribe/opt out request within a reasonable period after your request is made.

12. How you can access, update or remove your personal information

You have a right to request access to your personal information held by us. You are also able to update your details or request us to remove your details should you wish to “unsubscribe/opt out” in the future. Should you wish to access, update or remove your details, please email us at info@mainfitness.com.au, call us on 07 5545 4774 or write to us at Shop 9, 39 Main Street, North Tamborine QLD 4272. All correspondence regarding personal information should be addressed to the Manager.

Alternatively, if you have an online account with us, you may be able to access the personal information we hold about you via your online account.

If there is a lawful reason for not providing you with access, we will provide you with a written explanation and will inform you of the mechanism to complain about our refusal at that time.

Please note that we will respond to your requests as soon as reasonably practicable and we may charge a reasonable fee for doing so.

13. How your personal information is held and protected

MainFitness takes reasonable steps to maintain the security of your personal information and to prevent the misuse, interference, loss, modification and unauthorised access to or disclosure of your personal information.

We have implemented a variety of electronic and physical security measures to safeguard the privacy of your personal information. These measures include:

- your information is stored on secured networks consistent with industry standards, and is only accessible by those Employees and Agents who have special access rights to such systems;
- our website uses a secure server when providing credit card details for payment of Memberships;
- industry-standard encryption technologies are used when transferring or receiving sensitive information supplied by users;
- where your information is in hardcopy form, such documents are stored in secured areas only accessible by those Employees and Agents with special access rights;
- our Eftpos terminals for credit card transactions at the Gym are PCI Compliant to provide necessary security over credit card data; and
- our IT networks undergo necessary penetration testing to continually identify and remediate potential opportunities for unauthorised data access.

We also ensure where possible that our Contractors, Agents, Commercial partners and third party service providers have the same information security measures in place.

While we strive to protect your personal information, we cannot guarantee or warrant its complete security. No data transmission over the Internet can be guaranteed to be 100% secure. If you have an online account with us, your account will be able to be accessed by anyone who knows your login details. You should keep your login details, and any other information you use to remember these details, private and secure.

We will not be responsible for any loss or harm that you may suffer as a result of a leak of your personal information unless we have breached this Privacy Policy or the Australian Privacy Laws.

14. Cookies

Our Website uses cookies for identification purposes and to allow certain functions on the Website to work, such as the online shopping process. A cookie is a small string of information that a Website transfers to your browser for identification purposes. The cookies we pass to your electronic device are anonymous and do not hold information about you and are not capable of revealing your personal identity.

However, in some cases, cookies may enable us to aggregate certain information with other personal information we collect and hold about you. MainFitness extends the same privacy protection to your personal information, whether gathered via cookies or from other sources, as detailed in this Privacy Policy.

However, if you nevertheless prefer not to receive cookies, you can configure your Internet browser on your electronic device to reject them, or to notify you if they are being used. Rejecting cookies can, however, limit the functionality of our Website and the online shopping process.

15. Google Analytics

Our Website uses Google Analytics, a Web Analytics service provided by Google, Inc. Google Analytics uses cookies to help the Website analyse how users use the Website. The information generated by the cookies about your use of our Website (including your IP address) will be transmitted to and stored by Google on servers in the United States of America.

Google will use this information for the purpose of evaluating your use of our Website, compiling reports on Website activity for Website Operators and providing other services relating to Website activity and Internet usage. Google may also transfer this information to third parties where required to do so by Law, or where such third parties process the information on Google's behalf. Google will not associate your IP address with any other data held by Google.

By using our Website, you consent to the processing of data collected via cookies by Google in the manner and for the purposes set out above. You can view Google's privacy policy by visiting their website at www.google.com.

15. Linked sites

Our Website may contain links to other internet websites. These links are provided solely for your convenience. If you submit personal information to or via any linked website, this privacy policy will not apply. The privacy policy applying to any information you submit to a linked website will be outside our control. You should therefore check the privacy policy of the linked website before submitting information to or via that website.

16. Changes to our Privacy Policy

From time to time we may need to change this Privacy Policy to reflect our changing business practices and/or changes in the Law. We may therefore change this Privacy Policy at any time by posting the amended Privacy Policy on our Website or other Social Media platforms. All personal information collected and held by us, will be governed by our most recent Privacy Policy, as posted on our Website or other Social Media platforms. We will take reasonable steps to notify you of such changes (whether by direct communication or by posting a notice on our website). If you do not agree to our continued use of your personal information due to the changes in our Privacy Policy, please cease providing us with your personal information and contact us via email at info@mainfitness.com.au.

17. Privacy complaints or concerns

If you have a complaint or concern about the way in which your privacy has been handled by MainFitness, please email us at info@mainfitness.com.au, call us on 07 5545 4774 or write to us at Shop 9, 39 Main Street, North Tamborine QLD 4272. All correspondence regarding personal information should be addressed to the Manager. We will respond by email within 7 working days of your complaint or concern. We will then proactively investigate your complaint or concern and provide you with our response within a reasonable timeframe. If, after receiving our response, you still consider that your privacy complaint or concern has not been resolved, you may then take your complaint to the Office of the Australian Information Commissioner (www.oaic.gov.au).

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