

## ► POLICY | Privacy

This is our privacy policy. It sets out our commitment to protecting and dealing with your personal information and meeting our obligations under the [Privacy Act](#) and the [Australian Privacy Principles](#).

We respect the privacy of your and other's personal information. We do not provide your personal information to third parties simply for their own commercial use.

We publish this policy on our website and it is also available upon request at reception in our various premises, so you can be aware of when we might collect and use personal information about you.

### Information that we collect

We collect personal information on most individuals who deal with us or who access our website or interact with us through social media. That includes tracking of and information about - members and their guests; patrons of our hotel or any of our other venues or who attend a function at any of our venues; individuals who are themselves (or who are employees of) of suppliers, consultants and contractors who deal with us or otherwise provide services or advice to us; and individuals in other organisations who have oversight over us or any of our operations. We deal with a wide range of suppliers, consultants and contractors.

The personal information that we collect can include a very wide range of different types of information, opinions, assessments, and records, directly or indirectly concerning or connected with you and your activities. Those may be gathered from or arising out of a very wide range of sources - including from interactions with you; your own activities including not least online; details from or about digital transactions; or through surveillance at our premises. Often you won't even be conscious of when and where that might happen.

We do not collect personal information unless it is reasonably necessary for, or directly arising out of or related to, our operations or activities or the security of our operations. Even so, that is very wide ranging.

Privacy legislation specially defines "sensitive personal information" which includes things like racial or ethnic origin, as just one example. We will not collect sensitive information about you without your consent (but that will often be implied where you choose to provide the information, or you choose to deal with or interact with us where sensitive information might be obtained as outlined in this policy) – except where that is otherwise permissible under the privacy principles.

### Collection channels

We collect your personal information directly and indirectly in many ways, including whenever you have any interaction with us and including even the fact that you have dealt with us. That may include collection through or about an online contact, or from attendance at any of our premises, functions or activities.

You may be photographed, filmed or captured on CCTV, in or near any of our premises or anywhere where some activity that we provide or promote is occurring - including functions and sporting and other events. We may take and store a copy or scan of anything that you show to us - especially if produced for identification purposes, such as a licence, passport or visa. Some personal information may be collected by us creating or adding to particular records to record incidents, observations or opinions.

We may end up with your personal information automatically from some interaction that you have with us (examples are where you complete a membership application or reservation form; or use a credit card to make a payment to us). We may end up with your personal information because we actively collect or even create the information (examples are where we scan a drivers licence, or make our own notes about some interaction with you or some observation about you).

We may receive unsolicited information about you from others or in connection with an exclusion scheme or allegations of problem behaviour.

We may also collect personal information from publicly available sources of information or from others with whom we deal in connection with you including others who may know something about you.

It is usually not practicable for us to remind you or tell you, at each point or time of interaction or record creation, that personal information is being collected.

### **Verification and identification**

Mostly, where we collect personal information, it would be impracticable for us to deal with you if you don't identify yourself or used a pseudonym. So, we usually do not offer the option of not identifying yourself or of using a pseudonym.

In many cases, if you are not prepared to provide personal information or allow us to collect personal information in our usual way then we may not be able or may not be prepared to deal with you.

### **Integrity and security of personal information**

We store personal information in a number of different ways and in a number of different places including – physically and digitally, and including possibly on off-site servers in the cloud not only in Australia but possibly elsewhere. In most cases where personal information is stored in the cloud, it cannot be accessed by the cloud service provider due to password protection or encryption.

We endeavour to take reasonable other steps including in relation to physical and digital security, to better secure our operations including our records of personal information and to protect the confidentiality of information that we hold and limit access only to those with a reasonable need to know.

But much information is likely to be made available to most of our employees and some contractors, in the course of our operations and activities. It is an essential condition of their employment or engagement that employees and contractors only access or use information held by the club, in confidence and for the reasonable purposes of club operations.

Whilst we do not assume any extra general or special duty of care, we may also act on – and actually or by implication disclose – some of your personal information, in taking steps of a benevolent nature in connection with you or others or in dealing with others who reasonably appear to us to have your interests at heart. We may do so without first talking to you. In doing that, we make judgements and take steps, that possibly you do not appreciate.

We cannot absolutely guarantee the physical or digital security of a particular record. While we take security steps ourselves you should also be aware that many information security risks exist and there is also always the general risk of unauthorised, unintended or accidental disclosure. Those risks include the possibility of malicious hacking or other unauthorised access. You should take appropriate care to help safeguard yourself and your information, including against the consequences of unexpected disclosure.

If we become aware of a serious data security breach then we will act on that breach including applying the Australian Information Commissioner's [Guide for data breach notification](#), where applicable.

### **Use and disclosure of personal information**

We will only use or disclose personal information that we hold for the primary purpose for which it was collected - consistent with and as apparent from the other provisions in this policy; for marketing to you; for any other purpose for which you have provided express or implied consent; or where compelled or permitted by Australian law, order of a court or at the direction of a law enforcement or government agency.

The primary purposes for which we collect, hold, use and disclose that personal information are what is already apparent from the other provisions of this policy, to - identify you and to manage and record our interactions with you; capture and act on what we can know about you; and more generally to conduct our operations. That can also include using or disclosing that information to meet our commitments under conduct codes and the like that we reasonably choose or are required to follow - including the *Club Gaming Code of Practice* and the *Code of Conduct*, that apply to us as a member of ClubsNSW, or commitments connected with our membership of any local liquor accord.

Our commitments under those Codes, or general benevolent steps that we may choose to consider or take, may involve disclosing some of your personal information to persons who reasonably appear to us to be members of your family or to those involved in administering or enforcing those Codes or to others who reasonably appear to us to have your interests at heart. We regularly take benevolent steps in relation to members and patrons, even though we don't have any duty to do so.

There are many circumstances in the course of our operations and activities where personal information about you could be discussed, or actually or by implication disclosed. Just one example is the publication of your name or the possibility of the announcement of your name inside one of our venues. Another is where you might be recognised and identified in the presence of others either because of your identity or because of some circumstance of yours.

Sometimes we may disclose your personal information to third parties (but only within Australia) including - outside organisations who provide services or advice to us in relation to any of the types of matters listed above including consultants and contractors and printers and publishers, and also professional and other advisers, but only for them to use for purposes otherwise outlined in this policy and not for their own commercial use.

We are a public company. In limited circumstances we can have a legal obligation to allow others to look at our Register of Members.

We may also disclose your information to another registered club in relation to an amalgamation or proposed amalgamation and to other venues in relation to exclusion or self-exclusion from venues.

We may also voluntarily or under compulsion disclose your information to police and to law enforcement and regulatory authorities, and not just to meet our legal obligations. We regularly voluntarily provide information to police and authorities.

If we collect any of your personal information as outlined in this policy, then we presume your consent for us to deal with the information - in accordance with this policy and also as can be reasonably anticipated in light of what is in this policy. However, we will not use sensitive information about you for direct marketing unless the circumstances have made it clear that you specifically consent to that.

### **Choice to opt out in particular circumstances**

In some situations where you are dealing with us, you may have the opportunity to opt out of providing particular personal information - such as by not choosing to use a member or player card, in situations where we have not made that mandatory for compliance purposes or where we determine that the provision of particular information is not needed by us in the particular circumstances.

If you are a member, there are certain materials such as notices of meeting that we are obliged to send to you and while you continue as a member you cannot opt out of those.

### **Access to, and correction of personal information**

We take reasonable steps to keep your personal information that we have collected, accurate. That involves – making any correction that becomes apparent to us as necessary, acting on updates from you, and also making any correction under the process outlined below.

You have a right to access your own personal information that is held by us to the extent we are required to give you access under the privacy legislation. We may apply a reasonable administrative charge for providing that access.

You also have a right to receive gaming machine player activity statements to the extent that we are required to provide those under the gaming machines legislation.

### **Retention of personal information**

We normally keep personal information indefinitely because it is difficult to identify any particular time when particular personal information ceases to be relevant and also because many of our records are aggregated and continuous.

We collect some personal information through registers that are required under the clubs legislation, with details of temporary members and guests. That may include identification information such as drivers licence details. We usually do not maintain a particular register entry beyond about three years after the date of the entry - except where we have a reasonable basis for anticipating that the particular register may still be needed in evidence at some later time.

## APP guidelines

We apply the [Australian Privacy Principles Guidelines](#) issued by the Australian Information Commissioner, as we administer this policy and particularly in relation to matters that are not specifically addressed in this policy.

## Privacy enquiries and complaints

Our executive with day-to-day responsibility for administering this policy is our Privacy Officer (details below), who operates from our Tumbi Umbi premises but has that role across all of our activities and venues.

You may request access to particular personal information we hold about you, or player activity statements, by contacting our Officer. We will use our reasonable efforts to respond to our request for access to your personal information that we hold. However, we are unlikely to be able to provide every piece of information that is in our records – due to the complexity and scope of our records and operations.

If you establish to our reasonable satisfaction that any of your personal information that you access is incorrect then we will promptly make the appropriate correction in our records.


If you have any complaint about how we deal with your personal information, you may make that complaint to our Privacy Officer who will promptly investigate to see whether your personal information has been dealt with properly under this Policy.

We will provide you with a written response to your complaint promptly after we have completed our investigation. Any response that we provide is on a confidential basis and without admission.

From time to time, we may amend this policy. The policy applicable at a particular time is the most current policy published by us at the time and it applies to all personal information that we then hold. If you have a concern to know the very latest version of this policy, check with our Privacy Officer.

The contact details for our Privacy Officer are:

The Privacy Officer  
Mingara Leisure Group  
12-14 Mingara Drive  
Tumbi Umbi NSW 2261  
Email: [privacy@mingaraleisuregroup.com.au](mailto:privacy@mingaraleisuregroup.com.au)  
Telephone: 02 4349 7799

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