

# Privacy Policy

**Last updated: June 2021**

Surf Lakes International Pty Ltd (ACN 626 185 073) and its Related Bodies Corporate (as defined by the provisions of the *Corporations Act 2001* (Cth) (**Surf Lakes, we, us** and **our**) respects your privacy and is committed to protecting it. We comply with the Australian Privacy Principles and the *Privacy Act 1988* (Cth) (**Privacy Act**), which govern the way private sector organisations collect, use, keep secure and disclose Personal Information or Personal Data.

The Privacy Act defines “Personal Information” to mean any information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent or can be reasonably ascertained, from the information or an opinion

If you are a resident of the European Union, we are required to comply with the GDPR (as defined in **Section 12**) in relation to your Personal Data (as defined in **Section 12**).

If you have any concerns or complaints about the manner in which your Personal Information or Personal Data has been collected, used or disclosed by us, please contact us via the information set out in **Section 11** and we will resolve your concern or answer your question.

We recommend you keep this information for future reference.

## **1. The kinds of Personal Information or Personal Data collected, used and disclosed by Surf Lakes**

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We will only use or disclose your Personal Information or Personal Data for the primary purposes for which it was collected or as consented to by you. At or around the time we collect Personal Information or Personal Data from you, we will endeavour to provide you with a notice which details how we will use and disclose that specific information. We set out some common collection, use and disclosure instances in the table below.

Purpose	Type of Information	Uses	Disclosures
General enquiries	<ul style="list-style-type: none"> <li>• <b>Contact information:</b> Such as your name, Company name, address, email address and phone numbers.</li> </ul>	<p>The types of uses we will make of Personal Information or Personal Data collected for this type of purpose include:</p> <ul style="list-style-type: none"> <li>• <b>Marketing:</b> using your Personal Information or Personal Data for the purposes set out in “<i>Marketing Services</i>” section below.</li> <li>• <b>General administrative and security use:</b> <ul style="list-style-type: none"> <li>- To protect Surf Lakes’ websites from security threats, fraud or other criminal activities.</li> <li>- For use in the administration and management of Surf Lakes.</li> <li>- The maintenance and development of our products and services, business systems and infrastructure.</li> </ul> </li> </ul>	<p>The types of disclosures we will make of Personal Information or Personal Data collected for the type of purposes listed include, without limitation, to:</p> <ul style="list-style-type: none"> <li>• Third parties connected with the sales process including ecommerce, payment gateway providers and financial institutions.</li> <li>• Service providers (including IT service providers and consultants) who assist Surf Lakes in providing our products and services.</li> <li>• Related bodies corporate of Surf Lakes (including related entities).</li> <li>• Third parties in connection with the sale of any part of Surf Lakes’ business or a company owned by a Surf Lakes’ entity.</li> <li>• As required or authorised by law.</li> </ul>
Investors or Licensees	<ul style="list-style-type: none"> <li>• <b>Contact information (for licensees and investors):</b> Such as your name, company name, address, email address and phone numbers.</li> <li>• <b>For Investors:</b> password and username for login to Surf Lakes website.</li> </ul>	<p>The types of uses we will make of Personal Information or Personal Data collected for this type of purpose include:</p> <ul style="list-style-type: none"> <li>• <b>Identity verification:</b> if required, the verification of your identity.</li> <li>• <b>Services:</b> the provision of our services to you including: <ul style="list-style-type: none"> <li>- Using your Personal Information or Personal Data in order for you to invest in Surf Lakes or become a Surf Lakes licensee (as applicable);</li> <li>- Payment processing, including charging, credit card authorisation, verification and debt collection.</li> <li>- Checks for financial standing and credit-worthiness (as detailed in our Credit Reporting Policy).</li> <li>- To provide you with necessary shareholder information.</li> </ul> </li> <li>• The uses as set out above in “<i>General Enquiries</i>”.</li> </ul>	<p>The types of disclosures we will make of Personal Information or Personal Data collected for the type of purposes listed include, without limitation, to:</p> <ul style="list-style-type: none"> <li>• Third parties connected with the sales process including ecommerce, payment gateway providers and financial institutions.</li> <li>• Service providers (including IT service providers and consultants) who assist Surf Lakes in providing our products and services.</li> <li>• Related bodies corporate of Surf Lakes (including related entities).</li> <li>• Third parties in connection with the sale of any part of Surf Lakes’ business or a company owned by a Surf Lakes’ entity.</li> <li>• As required or authorised by law.</li> </ul>

Purpose	Type of Information	Uses	Disclosures
Credit information	<ul style="list-style-type: none"> <li>• <b>Contact and identifying information:</b> <ul style="list-style-type: none"> <li>- Such as your name, Company name, address, billing address (if different to address), email address, phone numbers, marital status.</li> <li>- Alternative Contact (name, address and phone number).</li> <li>- Bank account (including bank statements), credit or debit card details.</li> <li>- Details of required primary identification information (such as a current Australian drivers licence, Medicare card, passport, birth certificate, etc).</li> <li>- Occupation and employment details (including, if applicable, pay slips).</li> </ul> </li> </ul>	<p>For full details relating to uses of Personal Information or Personal Data in relation to the use of credit information, please refer to our Credit Reporting Policy.</p> <ul style="list-style-type: none"> <li>• <b>Vendor and Supplier payments:</b> The processing of any payments and refunds, if applicable.</li> <li>• <b>Purchases of Surf Lakes products and services:</b> Payment processing, including charging, refunds (if applicable), credit card authorisation, verification and debt collection.</li> <li>• <b>Online accounts:</b> If you create an account with Surf Lakes and you provide us your Personal Information or Personal Data, we will use it for: <ul style="list-style-type: none"> <li>- Processing of account transactions.</li> <li>- Customer service related contact.</li> </ul> </li> <li>• <b>General administrative and security use</b> as detailed in the Uses column for “<i>General enquiries</i>”.</li> </ul>	<p>For full details relating to disclosures of Personal Information or Personal Data in relation to any credit information, please refer to our Credit Reporting Policy.</p> <p>In summary, we may disclose this type of Personal Information or Personal Data to:</p> <ul style="list-style-type: none"> <li>• Our contractors, agents and third party providers who undertake billing and credit services on our behalf.</li> <li>• Third party providers who assist us in providing our products and services to you.</li> <li>• Third parties, such as external debt recovery agents, court or other entities to which we are required by law to disclose Personal Information or Personal Data.</li> <li>• The parties listed in the Disclosure column for “<i>General enquiries</i>”.</li> </ul>
Marketing Services	<ul style="list-style-type: none"> <li>• <b>Contact information:</b> Such as your name, email address, current postal and residential addresses, phone numbers, country of residence (and, if applicable, age).</li> <li>• <b>Website enquiries:</b> Such as your name, email address, phone number and any information you provide to us as part of your message.</li> <li>• <b>Social media activity:</b> Including “likes”, comments posted, any of your oppositions or feedback, photos posted or uploaded and other information pertaining to your social media activities which concern, or relate, to Surf Lakes.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>General marketing and consumer analytics:</b> using your Personal Information or Personal Data: <ul style="list-style-type: none"> <li>- To aggregate with other information and to then use it for marketing and consumer analytics.</li> <li>- To offer you updates on products, events or information that may be of interest to you.</li> <li>- For Marketing and promotional activities by us (including by direct mail, telemarketing and email) such as our email alerts, product awareness information and newsletters.</li> <li>- For the Uses detailed above in “<i>General enquiries</i>”.</li> </ul> </li> <li>• <b>Online accounts or social media:</b> If you create an account with Surf Lakes or participate in our social media platforms (such as Facebook, Instagram, TikTok, Twitter and LinkedIn) and you provide us your Personal Information or Personal Data, we will use it for: <ul style="list-style-type: none"> <li>- Adding account holders to the marketing database.</li> <li>- Customer service related contact.</li> <li>- Responding to social media messages.</li> </ul> </li> </ul>	<p>We may disclose your Personal Information or Personal Data to:</p> <ul style="list-style-type: none"> <li>• Third parties connected with the marketing process who assist us in providing our products and services to you.</li> <li>• The parties listed in the Disclosure column for “<i>General enquiries</i>”.</li> </ul>

Purpose	Type of Information	Uses	Disclosures
Human resources	<ul style="list-style-type: none"> <li>• <b>Contact information:</b> Such name, e-mail address, current postal and residential address, phone numbers, country of residence, next of kin contact details.</li> <li>• <b>Employee record information</b></li> <li>• <b>Identifying information:</b> Such as your photo, photo ID, passport and residency details, date of birth.</li> <li>• <b>CV, resume or application related information:</b> Such as the details provided in your resume or CV, your eligibility to work in Australia, your education, previous employment details, professional memberships or trade qualifications.</li> <li>• <b>Tax, superannuation and payroll information:</b> Such as your Tax File Number and ATO Declaration, Superannuation details and financial institution details.</li> <li>• <b>Background check information:</b> Information obtained from you or third parties to perform background checks.</li> <li>• <b>Medical or health information</b> which you voluntarily provide to us as part of pre-employment medicals, random drug and alcohol testing or such other information which may be related to an incident which has occurred during the course of your employment.</li> <li>• <b>Criminal history checks:</b> which you voluntarily provide to us as part of pre-employment checks (if requested).</li> <li>• <b>Performance related information:</b> Pre-employment testing and other information collected by Surf Lakes' systems in the course of the employee or contractor's engagement with Surf Lakes.</li> <li>• <b>Information collected from referees</b></li> <li>• <b>Security information:</b> Such as CCTV footage and photographs taken on our premises.</li> </ul>	<ul style="list-style-type: none"> <li>- Fulfilling social media platform rules.</li> <li>• <b>Background checks:</b> Utilising the information collected for the purpose of assessing candidate suitability for role, including by obtaining:               <ul style="list-style-type: none"> <li>- Verification of your identity and age.</li> <li>- Criminal history background checks including publicly available information including Facebook, Twitter, Instagram, YouTube and LinkedIn.</li> <li>- Confirmation of eligibility to work in Australia.</li> <li>- Confirmation of education and qualifications.</li> <li>- Confirmation of previous employment.</li> <li>- Consideration regarding medical leave.</li> </ul> </li> <li>• <b>Administration and performance monitoring use:</b> Utilising the information collected for the purpose of:               <ul style="list-style-type: none"> <li>- Dealings related to the employer/employee relationship or the contractor/principal relationship (as the case may be).</li> <li>- Use of such information whether or not the employment or contractor relationship is prospective, current or past.</li> <li>- Use of such information to monitor systems, performance and time usage and internet usage.</li> <li>- The use of your Personal Information or Personal Data collected in the administration and management of Surf Lakes.</li> <li>- In connection with the sale of any part of Surf Lakes' business or a company owned by a Surf Lakes entity.</li> </ul> </li> </ul>	<p>We may disclose your Personal Information or Personal Data to:</p> <ul style="list-style-type: none"> <li>• Relevant superannuation company.</li> <li>• Government agencies, including but not limited to The Australian Taxation Office, Centrelink and Child Support Agency.</li> <li>• Relevant Worker's Compensation organisation (e.g. WorkCover etc).</li> <li>• Third party referees provided by you in connection with an application made to Surf Lakes.</li> <li>• Service providers (including IT service providers and payroll providers), if any.</li> <li>• Recruitment agents used in connection with your application with us.</li> <li>• Third parties in connection with the sale of any part of Surf Lakes' business or a company owned by a Surf Lakes' entity.</li> <li>• Third party parties in connection with obtaining any background checks, pre-employment screening.</li> <li>• Financial institutions for payroll purposes.</li> <li>• As required or authorised by law.</li> </ul>

<b>Purpose</b>	<b>Type of Information</b>	<b>Uses</b>	<b>Disclosures</b>
Site visitors	<ul style="list-style-type: none"> <li>• <b>Contact information:</b> Such as your name, date of birth, Company name, residential address, email address and phone numbers. Name and date of birth of persons under your care will also be collected.</li> <li>• <b>General wellness information</b> including any prior medical conditions and injuries, allergies and emergency contact, including people under your care (with your consent). Prior to participating in surfing activities, you may also be required to undertake drug or alcohol testing.</li> <li>• <b>Images or video</b> or you at the Surf Lakes Park (where a waiver will be signed).</li> </ul>	<ul style="list-style-type: none"> <li>• To allow us to verify your entry on to the site on which a Surf Lakes park may be operated.</li> <li>• Use for the administration, record-keeping and management of Surf Lakes.</li> </ul>	<p>The types of disclosures we will make of Personal Information or Personal Data collected for the type of purposes listed include, without limitation, to:</p> <ul style="list-style-type: none"> <li>• Related bodies corporate of Surf Lakes (including related entities).</li> <li>• Third parties in connection with the sale of any part of Surf Lakes' business or a company owned by a Surf Lakes' entity.</li> <li>• As required or authorised by law.</li> <li>• Any health and safety or medical professionals.</li> <li>• Corporate videos and social media or as set out under Marketing Services.</li> </ul>

## **2. How Surf Lakes collects and holds Personal Information or Personal Data**

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### **2.1 Collection generally**

As much as possible or unless provided otherwise in this Privacy Policy or a notification, we will collect your Personal Information or Personal Data directly from you. When you engage in certain activities, such as filling out a survey or sending us feedback, we may ask you to provide certain information. It is completely optional for you to engage in these activities.

Depending upon the reason for requiring the information, some of the information we ask you to provide may be identified as mandatory or voluntary. If you do not provide the mandatory information or any other information we require in order for us to provide our products or services to you, we may be unable to provide our products or services to you in an effective manner, or at all.

### **2.2 Other collection types**

We may also collect Personal Information or Personal Data about you from other sources and third parties. Some examples of these alternative collection events are:

- (a) when we collect Personal Information or Personal Data about you from third parties, including but not limited to contact databases such as Meltwater Australia or the World Franchise Association; or
- (b) when we collect Personal Information or Personal Data about you from publicly available sources including but not limited to, court judgments, directorship and bankruptcy searches, Australia Post, White Pages directory, and social media platforms (such as LinkedIn, Facebook, Twitter, Google, Instagram etc).

### **2.3 Notification of collection**

If we collect details about you from someone else, we will, whenever reasonably possible, make you aware that we have done this and why, unless special circumstances apply, including as described in this clause 2.3(a) to 2.3(c) below. Generally speaking, we will not tell you when we collect Personal Information or Personal Data about you in the following circumstances:

- (a) where information is collected from any personal referee you have listed on any application form (including any employment application) with Surf Lakes;
- (b) where information is collected from publicly available sources including but not limited to court judgments, directorship and bankruptcy searches, social media platforms (such as Facebook, Twitter, Google, Instagram etc); or
- (c) as otherwise required or authorised by law.

### **2.4 Unsolicited Personal Information or Personal Data**

In the event we collect Personal Information or Personal Data 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 Surf Lakes (in its absolute discretion) that the Personal Information or Personal Data is not required, we will destroy the information or ensure that the information is de-identified.

In the event that the unsolicited Personal Information or Personal Data collected is in relation to potential future employment with Surf Lakes, such as your CV, resume or candidacy related information, and it is determined by Surf Lakes (in its absolute discretion) that it may consider you for potential future employment, Surf Lakes may keep the Personal Information or Personal Data on its human resource records.

## 2.5 How we hold your Personal Information or Personal Data

Once we collect your Personal Information or Personal Data, we will either hold it securely and store it on infrastructure owned or controlled by us or with a third party service provider who have taken reasonable steps to ensure they comply with the Privacy Act. We provide some more general information on our security measures in **Section 9 (Data security and quality)**.

## 2.6 Cookies and IP addresses

If you use our website, we may utilise "cookies" which enable us to monitor traffic patterns, trends and to serve you more efficiently if you revisit our website. In most cases, a cookie does not identify you personally but may identify your internet service provider or computer.

We may gather your IP address as part of our business activities and to assist with any operational difficulties or support issues with our services. This information does not identify you personally.

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

You can set your browser to notify you when you receive a cookie and this will provide you with an opportunity to either accept or reject it in each instance. However, if you disable cookies, you may not be able to access certain areas of our websites or take advantage of the improved web site experience that cookies offer.

## 3. Uses and discloses of Personal Information or Personal Data

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### 3.1 Use and disclose details

We provide a detailed list at **Section 1** of some common uses and disclosures we make regarding the Personal Information or Personal Data we collect.

### 3.2 Other uses and disclosures

We may also use or disclose your Personal Information or Personal Data and in doing so we are not required to seek your additional consent:

- (a) 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 or Personal Data to be used or disclosed for such a purpose;
- (b) 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;
- (c) if we have reason to suspect that unlawful activity has been, or is being, engaged in; or

(d) if it is required or authorised by law.

### 3.3 Use and disclosure procedures

In the event we propose to use or disclose such Personal Information or Personal Data other than for reasons set out in the above table at **Section 1** or as otherwise outlined in this Privacy Policy, we will first notify you or seek your consent prior to such disclosure or use.

Your Personal Information or Personal Data is disclosed to these organisations or parties only in relation to the products or services we provide to you or for a purpose permitted by this Privacy Policy.

We take such steps as are reasonable to ensure that these organisations or parties are aware of the provisions of this Privacy Policy in relation to your Personal Information or Personal Data.

### 3.4 Communications opt-out

If you have received communications from us and you no longer wish to receive those sorts of communications, you should contact us via the details set out at the top of this document and we will ensure the relevant communication ceases. Any other use or disclosure we make of your Personal Information or Personal Data will only be as required or authorised by law or as permitted by this Privacy Policy or otherwise with your consent.

## 4. Sensitive information

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### 4.1 Sensitive information generally

Sensitive information is a subset of personal information. It means information or opinion about an individual's racial or ethnic origin, political opinions, membership of a political organisation, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, criminal record, health information about an individual, genetic information, biometric information that is to be used for the purpose of automated biometric verification or biometric identification or biometric templates.

### 4.2 Collection and use of sensitive information

In general, we attempt to limit the collection of sensitive information we may collect from you, but depending on the uses you make of our products this may not always be possible and we may collect sensitive information from you in order to carry out the services provided to you. However, we do not collect sensitive information from you without your consent.

The type of sensitive information we may collect about you is dependent on the services provided to you by Surf Lakes will be limited to the purpose(s) for which it is collected. We set out some types of sensitive information we may collect about you in the "*Human resources*" section of the table at **Section 1** above.

We do not use sensitive information to send you Direct Marketing Communications (as set out in **Section 5** below) without your express consent.

### 4.3 Consent



We may collect other types of sensitive information where you have consented and agree to the collection of such information. We will obtain this type of consent from you at (or around) the point in time in which we collect the information.

## 5. Direct Marketing

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### 5.1 Express informed consent

You give your express and informed consent to us using your Personal Information or Personal Data set out in:

- (a) the “*General Enquiries*” section of the table at **Section 1** of this document above; and
- (b) the “*Marketing Services*” section of the table at **Section 1** of this document above;

to provide you with information and to tell you about our products, services or events or any other direct marketing activity (including third party products, services, and events) which we consider may be of interest to you, whether by post, email, SMS, messaging applications and telephone (**Direct Marketing Communications**).

### 5.2 Inferred consent and reasonable expectations of direct marketing

Without limitation to paragraph 5.1, if you have provided inferred or implied consent (e.g. not opting out where an opt-out opportunity has been provided to you) or if it is within your reasonable expectation that we send you Direct Marketing Communications given the transaction or communication you have had with us, then we may also use your Personal Information or Personal Data for the purpose of sending you Direct Marketing Communications which we consider may be of interest to you.

### 5.3 Opt-out

If at any time you do not wish to receive any further Direct Marketing Communications from us or others under this **Section 4**, you may ask us not to send you any further information about products and services and not to disclose your information to other organisations for that purpose. You may do this at any time by using the “unsubscribe” facility included in the Direct Marketing Communication or by contacting us via the details set out at the top of this document.

## 6. Credit Information and our Credit Reporting Policy

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### 6.1 Credit information generally

The Privacy Act contains provisions regarding the use and disclosure of credit information, which applies in relation to the provision of both consumer credit and commercial credit.

### 6.2 Credit information and Surf Lakes

As we provide terms of payment of accounts which are greater than 7 days, we are considered a credit provider under the Privacy Act in relation to any credit we may provide you (in relation to the payment of your account with us).

We use credit related information for the purposes set out in the “Credit information” section of the table at **Section 1** above and our **Credit Reporting Policy** which

includes but is not limited to using the information for our own internal assessment of your credit worthiness.

### 6.3 **Storage and access**

We will store any credit information you provide us, or which we obtain about you, with any other Personal Information or Personal Data we may hold about you.

You may request to access or correct your credit information in accordance with the provisions of **Section 10** and the provisions of our **Credit Reporting Policy**.

### 6.4 **Complaints**

Please see **Section 11** and the provisions of our **Credit Reporting Policy** if you wish to make a complaint in relation to our handling of your credit information.

### 6.5 **Our Credit Reporting Policy**

Please see our **Credit Reporting Policy** for further information as to the manner in which we collect, use, store and disclosure credit information.

## 7. **Anonymity and pseudo-anonymity**

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Due to the nature of the services we provide to you, it is impractical (and in some cases, impossible) for us to deal with you on an anonymous basis or through use of a pseudonym.

## 8. **Cross Border Disclosure**

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### 8.1 **Cross border disclosures**

Any Personal Information or Personal Data collected and held by Surf Lakes may be disclosed to, and held at, a destination outside Australia, including but not limited to **the United States of America, the European Union, the United Kingdom, the United Arab Emirates, New Zealand, the Philippines, Hong Kong and India**, where we utilise third party service providers to assist Surf Lakes with providing our goods and services to you. Personal Information or Personal Data may also be processed by staff or by other third parties operating outside Australia who work for us or for one of our suppliers, agents, partners or related companies.

As we use service providers and platforms which can be accessed from various countries via an Internet connection, it is not always practicable to know where your information may be held. If your information is stored in this way, disclosures may occur in countries other than those listed above.

In addition we may utilise overseas IT services (including software, platforms and infrastructure), such as data storage facilities or other IT infrastructure. In such cases, we may own or control such overseas infrastructure or we may have entered into contractual arrangements with third party service providers to assist Surf Lakes with providing our products and services to you.

### 8.2 **Provision of informed consent**

By submitting your Personal Information or Personal Data to Surf Lakes, you expressly agree and consent to the disclosure, transfer, storage or processing of your Personal Information or Personal Data outside of Australia. In providing this consent, you understand and acknowledge that countries outside Australia do not always have

the same privacy protection obligations as Australia in relation to Personal Information or Personal Data. However, we will take steps to ensure that your information is used by third parties securely and in accordance with the terms of this Privacy Policy.

The Privacy Act requires us to take such steps as are reasonable in the circumstances to ensure that any recipients of your Personal Information or Personal Data outside of Australia do not breach the privacy principles contained within the Privacy Act. By providing your consent, under the Privacy Act, we are not required to take such steps as may be reasonable in the circumstances. However, despite this, we acknowledge the importance of protecting Personal Information or Personal Data and have taken reasonable steps to ensure that your information is used by third parties securely and in accordance with the terms of this Privacy Policy.

### 8.3 If you do not consent

If you do not agree to the disclosure of your Personal Information or Personal Data outside Australia by Surf Lakes, you should (after being informed of the cross border disclosure) tell Surf Lakes that you do not consent. To do this, either elect not to submit the Personal Information or Personal Data to Surf Lakes after being reasonably informed in a collection notification or please contact us via the details set out at the top of this document.

## 9. Data security and quality

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### 9.1 Surf Lakes' security generally

We have taken steps to help secure and protect your Personal Information or Personal Data from unauthorised access, use, disclosure, alteration, or destruction. You will appreciate, however, that we cannot guarantee the security of all transmissions or Personal Information or Personal Data, especially where human error is involved or malicious activity by a third party.

Notwithstanding the above, we will take reasonable steps to:

- (a) make sure that the Personal Information or Personal Data we collect, use or disclose is accurate, complete and up to date;
- (b) protect your Personal Information or Personal Data from misuse, loss, unauthorised access, modification or disclosure both physically and through computer security methods; and
- (c) destroy or permanently de-identify Personal Information or Personal Data if it is no longer needed for its purpose of collection.

### 9.2 Accuracy

The accuracy of Personal Information or Personal Data depends largely on the information you provide to us, so we recommend that you:

- (a) let us know if there are any errors in your Personal Information or Personal Data; and
- (b) keep us up-to-date with changes to your Personal Information or Personal Data (such as your name or address).

We provide information about how you can access and correct your information in **Section 10**.

## **10. Access to and correction of your Personal Information or Personal Data**

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You are entitled to have access to any Personal Information or Personal Data relating to you which we hold, except in some exceptional circumstances provided by law (including the Privacy Act). You are also entitled to edit and correct such information if the information is inaccurate, out of date, incomplete, irrelevant or misleading.

If you would like access to or correct any records of Personal Information or Personal Data we have about you, you are able to access and update that information (subject to the above) by contacting us via the details set out at in **Section 11.2** of this document.

## **11. Resolving Privacy Complaints**

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### **11.1 Complaints generally**

We have put in place an effective mechanism and procedure to resolve privacy complaints. We will ensure that all complaints are dealt with in a reasonably appropriate timeframe so that any decision (if any decision is required to be made) is made expeditiously and in a manner that does not compromise the integrity or quality of any such decision.

### **11.2 Contacting Surf Lakes regarding complaints**

If you have any concerns or complaints about the manner in which we have collected, used or disclosed and stored your Personal Information or Personal Data, please contact us:

Telephone: +617 5613 2002

Email: [legal@surf-lakes.com.au](mailto:legal@surf-lakes.com.au)

Address: 5/16 Queensland Avenue, Broadbeach QLD 4218

### **11.3 Steps we take to resolve a complaint**

In order to resolve a complaint, we:

- (a) will liaise with you to identify and define the nature and cause of the complaint;
- (b) may request that you provide the details of the complaint in writing;
- (c) will keep you informed of the likely time within which we will respond to your complaint; and
- (d) will inform you of the legislative basis (if any) of our decision in resolving such complaint.

### **11.4 Register of complaints**

We will keep a record of the complaint and any action taken in a Register of Complaints.

## 12. GDPR

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### 12.1 Definitions

In providing our products and services, or collecting and using your Personal Data, we are required to comply with the GDPR where you are a European Union resident.

The following defined terms have the associated meanings:

- (a) **“Data Subject”** has the meaning attributed to that term in the GDPR.
- (b) **“GDPR”** means Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of Personal Data and on the free movement of such data, and repealing Directive 95/46/EC; and
- (c) **“Personal Data”** means the Personal Data (having the meaning attributed to that term in the GDPR) of the Data Subjects whose data is processed for the purposes of the provision of our retail services.

### 12.2 GDPR Obligations

If you are a resident of the European Union for the purposes of the GDPR, then in addition to what is set out in **Sections** Error! Reference source not found. - 13 above, the following applies to you.

Under the GDPR, Surf Lakes is considered a “data controller” in the provision of its services to you, and as such determines the purposes and means for processing of personal data.

In addition to your rights of access and correction as set out above, as a Data Subject you may:

- (a) **(access)** request access to your Personal Data held by Surf Lakes;
- (b) **(rectification)** request to update or rectify any of the Personal Data that we hold about you by contacting us at the details specified above and request Personal Data updates;
- (c) **(erasure)** withdraw your consent to Surf Lakes’ use of your Personal Data as described in this policy by deletion or erasure of your Personal Data that we hold where that data is no longer required for the purpose for which it was collected;
- (d) **(restriction on processing)** obtain from Surf Lakes a restriction on processing of your Personal Data where:
  - (1) accuracy of the Personal Data is contested;
  - (2) the processing by the processor is unlawful (and you oppose erasure but request restriction of use);
  - (3) Surf Lakes no longer needs your Personal Data; or
  - (4) you have objected to processing pursuant to your right to object under Article 21(1) of the GDPR;
- (e) **(data portability)** request that Surf Lakes:

- (1) provides you with a copy of the Personal Data that Surf Lakes holds about you in a portable and machine readable form; or
- (2) share your Personal Data with a nominated third party.

### 12.3 Exercising Data Subject rights

If you wish to exercise any of your Data Subject rights, then please send your request in writing to the details above in section **Error! Reference source not found.**

We will process your request promptly and in any event, within one month of receipt of receiving it.

### 12.4 Complaints

If you have any concerns in relation to Surf Lakes collection or processing of your Personal Data, then you also have a right to complain to a supervisory authority (within the meaning of the GDPR).

## 13. Consent, modifications and updates

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### 13.1 Interaction of this Policy with contracts

This Privacy Policy is a compliance document prescribed by law rather than a legal contract between two or more persons. However, certain contracts may incorporate all, or part, of this Privacy Policy into the terms of that contract. In such instances, Surf Lakes may incorporate the terms of this policy such that:

- (a) certain sections or paragraphs in this policy are incorporated into that contract, but in such a way that they do not give rise to contractual obligations onto Surf Lakes, but do create contractual obligations on the other party to the contract; and
- (b) the consents provided in this policy become contractual terms provided by the other party to the contract.

### 13.2 Acknowledgement

By using our website, purchasing a product or service from Surf Lakes, where you have been provided with a copy of our Privacy Policy or had a copy of our Privacy Policy reasonably available to you, you are acknowledging and agreeing:

- (a) to provide the consents given by you in this Privacy Policy; and
- (b) that you have been informed of all the matters in this Privacy Policy.

### 13.3 Modifications and updates

We reserve the right to modify our Privacy Policy as our business needs require. 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 or Personal Data due to the changes in our Privacy Policy, please cease providing us with your Personal Information or Personal Data and contact us via the details set out at the top of this document.