

Privacy Policy

Effective from October 2021

This Privacy Policy sets out how we collect, use, store, disclose, retain and protect your personal information. It applies to information provided to us whether in person, via our induction system, via our website and to any other website, application and/or platform operated by us (collectively, the **Services**) where this Privacy Policy is referenced, regardless of how you access or use them, including through mobile devices.

In this Privacy Policy, 'us' 'we' or 'our' means Sunmar Pty Ltd (ACN 086 041 483) trading as Lawrie's Boat Services, and each of its related bodies corporate from time to time.

We are committed to respecting your privacy. In handling your personal information, we are regulated by and are committed to complying with the *Privacy Act 1988* (Cth), including the Australian Privacy Principles (**Privacy Law**).

By providing personal information to us, you consent to our collection, use and disclosure of your personal information in accordance with this Privacy Policy and any other arrangements that apply between us, for as long as we consider necessary to fulfil the purpose for which such personal information was collected, or as required by relevant laws. In this context, "collect" or "collection" means gather, acquire or obtain by any means, information in circumstances where the individual is identifiable or identified.

Where lawful and practical, you have the right to remain anonymous or to make use of a pseudonym, however if you choose to remain anonymous or to use a pseudonym, we and our third party contractors and merchants may not be able to provide you with access to some or all of our products or services.

This Privacy Policy applies, among other things, to your use of the Services. If you do not accept this Privacy Policy, you must not use the Services.

We may change our Privacy Policy from time to time by publishing changes to it on our website. We encourage you to check our website periodically to ensure that you are aware of our current Privacy Policy.

Personal Information

Personal information includes information or an opinion about an individual that is reasonably identifiable. For example, this may include your name, age, gender, address and contact details. It may also include financial information, including your credit card information.

Occasionally, we may ask you for personal information about other people - for example, your customers or clients, members of your household, or other authorised representatives in order to provide our services. If you choose to disclose this information to us, you confirm that you have informed these parties that you are providing their personal information to us for the purposes of providing our products and services either directly or by providing such disclosure in your own privacy policy.

Collection of Personal Information

We may collect the following types of personal information:

- name;
- billing, mailing and/or street address;
- email address;
- telephone number and other contact details;
- age or date of birth;
- gender;
- health information;
- time zone information;
- financial information, including credit card information;
- drivers licence details and other forms of personal identification;
- your device ID, device type, geo-location information, computer and connection information, statistics on page views, traffic to and from the sites, ad data, IP address and standard web log information;
- details of the products and services we have provided to you or that you have enquired about, including any additional information necessary to deliver those products and services and respond to your enquiries;
- any additional information relating to you that you provide to us directly through the Services (including our website) or indirectly through your use of our Services or online presence or through other websites or accounts from which you permit us to collect information;

- information you provide to us through customer surveys; or
- any other personal information that may be required in order to facilitate your dealings with us.

We may collect these types of personal information either directly from you, or from third parties. We may collect this information when you:

- register to use the Services (including via our website);
- complete an online induction to access our premises or sign any form of agreement with us;
- complete registration or enquiry forms, order any products or services from us or third party merchants, publish reviews, upload content, participate in message boards, blogs and/or any other user generated content facilities or send emails to us;
- request, book, process, enquire and/or order and confirm any services and products in connection with the Services from us and/or any of our related bodies corporate, agents, suppliers, contractors and/or merchants; or
- communicate with us and/or any of our related bodies corporate, agents, suppliers, contractors and/or merchants and/or any of the users of the Services through correspondence, chats, email, or when you share information with such persons from other applications, services or websites.

We will generally collect personal information directly from you. We may also collect personal information from third parties (including third party data analytic service providers) and publicly available sources of information. We may use personal information supplied by you or a third party to source additional personal information from publicly available sources of information.

Please do not submit your personal information to us if you do not wish for us to collect it.

Sensitive information

Some personal information (for example, race, ethnicity, and health information) is sensitive and requires a higher level of protection under the Privacy Law. We will not generally collect any sensitive information from you which we consider are unnecessary to our services. We will only collect such sensitive information when we have your express consent for us to do so and the collection is reasonably necessary for us to provide our products and/or services or pursue one or more of our functions or activities, or where the information is required or authorised by law or necessary for the establishment, exercise or defence of a legal claim.

Why do we collect, use and disclose personal information?

The primary purpose that we may collect, hold, process, use and disclose your personal information is so that we can:

- provide you with products, services and information, and manage our relationship with you;
- contact you, for example, to respond to your queries or complaints, or if we need to tell you something important;
- comply with our legal obligations and assist government and law enforcement agencies or regulators and/or enforce our agreements with third parties;
- identify and tell you about other products or services that we think may be of interest to you;
- to send you marketing and promotional messages and other information that may be of interest to you, including information sent by, or on behalf of, our business partners that we think you may find interesting;
- operate, protect, improve and optimise products and services along with our Services, including to perform analytics, conduct research and for advertising and marketing;
- send you service, support and administrative messages, reminders, technical notices, updates, security alerts, and information requested by you; and/or
- for other purposes to which you, either expressly or impliedly, consent to, and for the purposes set out in this Privacy Policy, we may provide this information to our agents, contractors, service providers, joint venture and commercial partners and regulatory authorities and may transfer your personal information to others in countries outside Australia (including to those that operate our cloud servers outside of Australia).

If you do not provide us with your personal information we may not be able to provide you with our services, communicate with you or respond to your enquiries.

Personal information and other data collected by us may be shared with related bodies corporate within our group.

We may also disclose your personal information to a trusted third party who also holds other information about you, including our legal and financial advisors. This third party may combine that information in order to enable it and us to develop anonymised consumer insights so that we can better understand your preferences and interests, personalise your experience and enhance the products and services that you receive.

If we receive unsolicited personal information about or relating to you and we determine that such information could have been collected in the same manner if we had solicited the information, then we will treat it in the same way as solicited personal information and in accordance with the Privacy Law. Otherwise if we determine that such information could not have been collected in the same manner as solicited personal information, and that information is not contained in a Commonwealth record, we will, if it is lawful and reasonable to do so, destroy the information or de-identify the information.

The following are examples of personal information which may be collected and circumstances in which the information may be used:

From our Agents, Contractors and Suppliers

If you, or a company you work for, supplies goods or services to us, we may collect personal information about you in connection with the provision of those goods or services, either directly from you or from that company. This information may include your name, date of birth, contact information, emergency contacts, and any other information you provide, or is provided on your behalf, as part of our induction and compliance processes, such as licences to use certain equipment on our projects. This information will be used by us for our business related purposes, including management of the provision of the goods or services in question.

This information will be retained by us in accordance with this Policy and only disclosed as required for our business purposes and for any legal or compliance requests.

From employees or potential employees

If you are employed by us, or are seeking employment with us, we may collection personal information about you in connection with your employment. This information may include your name, date of birth, contact information, working history and relevant records checks, and any other information you provide, or provided on your behalf, as part of our induction and compliance processes. This information will be used for the purposes of our recruitment process and, if successful, managing your employment, in accordance with the requirements of the Privacy Laws. You need to ensure this information is up to date, in accordance with our policies and procedures. This Privacy Policy does not apply to acts and practices in relation to employee records of our current and former employees, which are exempt from the Privacy Law.

Who collects the personal information?

Personal information may be collected directly by us, our agents or by our trusted business partners acting on our behalf, such as technology providers and trusted data service providers.

Information may also be collected by us on behalf of other people as set out in notices given to individuals, or consents given by individuals, at or prior to the time the personal information is collected.

How do we collect your personal information?

We will only collect personal information by lawful and fair means.

If it is reasonable and practical to do so, we will collect your personal information directly from you. We may also collect personal information from other companies that are able to disclose it to us, if it's not practical to collect it from you. For example, we may obtain personal information from trusted data sources to help us identify additional information about people who might be interested in hearing about particular products and services.

We may collect information from third parties including where you:

- (a) request, book and confirm services and products from us and/or any of our related bodies corporate, agents, suppliers, contractors and/or merchants;
- (b) communicate with us and/or any of our related bodies corporate, agents, suppliers, contractors and/or merchants through correspondence, chats, email, or when you share information with such persons from other social applications, services or websites; or
- (c) interact with the websites, services, content and advertising of us and/or any of our related bodies corporate, agents, suppliers, contractors and/or merchants.

Do we use your personal information for direct marketing?

We and/or our related bodies corporate, agents, suppliers, contractors and/or merchants may send you direct marketing communications and information about our services and/or products (including in relation to Resort Services). This may take the

form of emails, SMS, mail or other forms of communication, in accordance with the *Spam Act 2003* (Cth) and the Privacy Law. You will be given the option to sign up for our email newsletter. You may opt-out of receiving marketing materials from us by contacting us using the details set out below or by using the opt-out facilities provided (for example, an unsubscribe link).

Sharing your personal information

We may disclose personal information for the purposes described in this Privacy Policy to:

- our employees, related bodies corporate, agents and contractors;
- our third party suppliers, merchants and service providers (including providers for the operation of the Services, and/or our website and/or our business or in connection with providing goods and services to you);
- professional advisers, dealers and agents;
- payment systems operators (for example, merchants receiving card payments);
- our existing or potential agents, business partners or partners;
- our sponsors or promoters of any competition that we conduct via our Services;
- anyone to whom our assets or businesses (or any part of them) are transferred;
- organisations to whom we outsource functions (including information technology providers, print service providers and mail houses);
- with your consent (express or implied), to specific third parties to receive information held by us;
- specific third parties authorised by you to receive information held by us; and/or
- other persons, including government agencies, regulatory bodies and law enforcement agencies, or as required, authorised or permitted by law.

We may share information about you with suppliers that we engage to help us provide certain services and/or functionality – for example online payment processing. We will use commercially reasonable endeavours to take steps to control and be responsible for the use of your information by such suppliers. While we cannot guarantee the security of this information, we will use all reasonable endeavours to ensure the third party protects the personal information from unauthorised use or disclosure (**Data Breach**). If we become aware of a Data Breach from the third party, we will notify you of the Data Breach and will endeavour to work with you to limit the potential impact.

We reserve the right to disclose your personal information without your consent if the disclosure is:

- to comply with applicable laws and government or regulatory bodies' lawful requests for information;
- required in order to investigate an unlawful activity;
- required by an enforcement body for investigate activities; or
- necessary to prevent a serious and imminent threat to a person's life, health or safety, or to public health or safety.

We may transfer, sell or assign any of the information described in this Privacy Policy to third parties as a result of a sale, merger, consolidation, change of control, transfer of assets or reorganisation of our business.

Subject to obtaining your consent, we may also supply personal information about you to third parties other than as set out above.

Disclosure of personal information outside Australia

We may disclose personal information outside of Australia to related bodies corporate, employees, agents, contractors and/or merchants, third party suppliers, service providers and information technology and cloud services providers located in countries other than Australia, including the United States of America.

When you provide your personal information to us, you consent to the disclosure of your information outside of Australia and acknowledge that we are not required to ensure that overseas recipients handle that personal information in compliance with the Privacy Law. Further, the overseas recipient of personal information may be subject to a foreign law that could compel the disclosure of personal information to a third party, such as an overseas authority. In such case, we will not be responsible for that disclosure. We will, however, take reasonable steps to ensure that any overseas recipient will deal with such personal information in a way that is consistent with the Australian Privacy Principles.

Cookies and third party websites

When you visit our website, the server may attach a 'cookie' to your computer or other device's memory. A cookie assists us to store information on how visitors to our website use it and the pages that may be of most interest. We may use cookies to identify you between multiple visits, to better understand how our website is used, to provide users of your computer or device with information that we think may interest the users of your computer or device to improve our communications and service delivery,

to provide you information which may be of interest to you based on your previous visits to our website, and to provide targeted advertising to you (including through ad servers and other third party advertisers) when you visit our website and certain other websites where advertising is found from time to time.

We may provide the information we gather from cookies to third parties for the above purposes and for other purposes connected with our website. If cookie information is linked with personal information we hold about you as set out above, this cookie information becomes personal information and will be treated in the same manner as the personal information to which it has been linked. If you do not want ad servers or other third party advertisers to use cookies to provide you with targeted advertising, we suggest you use an opt-out mechanism which can be found on:

- the Network Advertising Initiative opt-out provided through www.networkadvertising.org/choices/DAA;
- the Digital Advertising Alliance opt-out provided through www.aboutads.info/choices/; or
- the Interactive Advertising Bureau (EU) opt-out provided through www.youronlinechoices.eu.

You do not have to accept cookies and you can set up your browser to notify you when you receive cookies. This will give you the opportunity to decide whether or not to accept the cookies. If you choose to disable cookies, you may not be able to access certain features of the website.

Our website may link directly to external websites (“**Linked Sites**”) operated by third parties. You acknowledge that these sites are not operated by us. We encourage you to always read the applicable Privacy policy of any Linked Site prior to entering the Linked Site. We are not responsible for the content or practices of the Linked Sites nor their privacy policies regarding the collection, storage, use and disclosure of your personal information.

How your personal information is stored, kept secure and maintained?

We will take all reasonable steps to protect personal information held from misuse or loss and from unauthorised access, modification or disclosure. This includes restricting access to hardcopy and electronic records via physical and logical security methods. This information is only made available to our staff on a ‘need to know’ basis and for the purposes outlined above or to other people as outlined in this policy who have agreed to treat that information confidentially.

Personal information may be held securely on our electronic databases (which may be on a database maintained by a cloud hosting service provider or other third party database storage), or otherwise in hard copy form in secure storage facilities. These databases are protected by a firewall as well as host-based security. Your personal information may be transmitted over the Internet once it has been stored in a database and may also be transferred across borders to recipients in foreign countries other than Australia, including the United States of America, and may be stored on servers, using databases or via cloud technology in a number of countries other than Australia, including regions such as the United States of America, where doing so is part of our ordinary business practices relating to the storage of data and where permitted by law.

If we are ever required to transmit such data over the Internet (for example, to make an off-site back up) it will be in encrypted form. By providing us with your personal information, you consent to these transfers.

Where personal information is held with a third party, we will ensure that appropriate technical and organisational measures are in place to protect the security of that information and to ensure that it is managed in accordance with the Australian Privacy Law.

In general, personal information is held within Australia. However, there may be some circumstances where our business partners may retain data in other jurisdictions with similar privacy compliance requirements as Australia.

We maintain responsibility for your information at all times. As such, we ensure by all reasonable means, any third parties we use are subject to controls which protect your information from unauthorised use and disclosure and limit access and limit their use or disclosure of your personal information to the agreed purpose only.

We will keep your personal information for only as long as is reasonably necessary to achieve the purpose for which we collected it. Where we no longer require the personal information for a permitted purpose, we will take reasonable steps to destroy or de-identify it.

Whilst we will use all reasonable endeavours to keep your personal information in a secure environment, this security cannot be guaranteed due to the nature of the Internet. In the unlikely event that there is an unauthorised use or disclosure of your personal information, we will notify you of the Data Breach and will undertake an investigation into how the Data Breach occurred and its likely severity. As part of this, we will endeavour to work with you and the Office of the Australian Information Commissioner to limit the impact, and any reoccurrence, of the breach. If you reasonably believe that there has been an unauthorised use or unauthorised disclosure of your personal information please contact us via the details below.

Accessing or correcting your personal information

You can access the personal information we hold about you by contacting us using the information below. Sometimes, we may not be able to provide you with access to all of your personal information and, where this is the case, we will tell you why. Such circumstances include the following:

- access would create a serious threat to safety;
- providing access will have an unreasonable impact upon the privacy of other individuals;
- denying access is required or authorised by law;
- the request is frivolous or vexatious;
- legal proceedings are underway or anticipated, and the information would not be accessible through the process of discovery in the proceedings;
- negotiations may be prejudiced by such access;
- providing access is likely to prejudice law enforcement; or
- access would reveal a commercially sensitive decision making process.

We may also need to verify your identity when you request your personal information.

If you think that any personal information we hold about you is inaccurate, please contact us and we will take reasonable steps to ensure that it is corrected.

Making a complaint

If you think we have breached the Privacy Law, or you wish to make a complaint about the way we have handled your personal information, you can contact us using the details set out below. Please include your name, email address and/or telephone number and clearly describe your complaint. We will acknowledge your complaint and respond to you regarding your complaint within a reasonable period of time. If you think that we have failed to resolve the complaint satisfactorily, we will provide you with information about the further steps you can take.

If you believe we have not adequately dealt with your complaint, you may complain to the Office of the Australian Information Commissioner about the way we handle your personal information. The Commissioner can be contacted at:

Address: GPO Box 5218 Sydney NSW 2001
Phone: 1300 363 992

Changes to this Privacy Policy

We may change our Privacy Policy from time to time by publishing changes to it on our website with an updated effective date. We encourage you to check our website periodically to ensure that you are aware of our current Privacy Policy. If we make significant changes to our Privacy Policy, we may also notify you by other means such as sending an email or posting a notice on our home page.

Contact Us

For further information about our Privacy Policy or practices, or to access or correct your personal information, or make a complaint, please contact us using the details set out below:

Privacy Officer: Managing Director
Address: PO Box 2138 Ascot QLD 4007
Phone: 07 5478 1350
Email: info@lawriesboatservices.com.au