

## PRIVACY POLICY

This privacy policy (**Policy**) sets out in accordance with the *Privacy Act 1988* (Cth) the way in which Majestic Hotels and its associated entities (together **Majestic, we, us, or our**) may collect, store, use, manage and protect your Personal Information.

By:

- (a) Using, booking or otherwise accessing our accommodation and associated hospitality services (**Services**);
- (b) accessing, requesting information on, enquiring about, using, receiving or providing feedback in relation to, Majestic's operations or services (online, in writing, by telephone or in person); or
- (c) otherwise providing to or consenting to the collection of Personal Information by Majestic, its officers, agents or employees,

after this Policy has been brought to your attention, you acknowledge and consent to the use, collection, storage or disclosure of your Personal Information by us in accordance with this Policy and the *Privacy Act*.

If you **do not** agree to us handling your Personal Information in the manner set out in this Policy you must immediately cease to access our Services, and you should not provide us with any of your Personal Information.

### 1. What is Personal Information?

We follow the definition of Personal Information given in the *Privacy Act*:

*Personal Information means information or an opinion about an identified individual, or an individual who is reasonably identifiable:*

- (a) *whether the information or opinion is true or not; and*
- (b) *whether the information or opinion is recorded in a material form or not.*

### 2. What kinds of Personal Information might we collect and hold?

We may collect (and hold) different Personal Information about you depending upon how you interact with us. This information may vary depending on the specific needs of Majestic, however, it may include your:

- (a) *image;*
- (b) *location and activities;*
- (c) *name, address and phone number;*
- (d) *email address;*
- (e) *demographic information;*

- (f) *comments and feedback;*
- (g) *messages, emails, voicemail and other correspondence;*
- (h) *responses to surveys;*
- (i) *interaction with websites, including our website;*
- (j) *dates of travel;*
- (k) *what computer configurations and software you use;*
- (l) *accommodation preferences;*
- (m) *membership of loyalty, frequent flyer and similar programs, including your account number and points balance;*
- (n) *history of accessing accommodation or hospitality services;*
- (o) *employment or education;*
- (p) *business history with us;*
- (q) *business or associated companies or entities;*
- (r) *general preferences;*
- (s) *relationship with Majestic;*
- (t) *frequency of enquiries;*
- (u) *location;*
- (v) *billing and credit card information; and*
- (w) *use of our Services.*

### **3. How do we collect Personal Information**

We collect Personal Information:

- (a) directly from you (when we contact you, when you contact us, when you stay at or attend one of our properties or make a booking to do so, when you engage with us or when we engage with you);
- (b) when conducting our Services;
- (c) when you participate in marketing activities, such as when you participate in a loyalty program, when you enter a business card draw or sign up to a newsletter offered by Majestic or its partners; and
- (d) from third parties who you have authorised to provide us with information (such as travel agents or third party booking websites).

#### 4. **How do we hold and secure your Personal Information?**

We store your Personal Information both in hard copy format and digitally, on site. All hard copy material is secured onsite. All digital material is secured using password protected computers. Any digital transfer of Personal Information is secured. All confidential documents are securely shredded by a third party provider after storage is no longer necessary.

Majestic uses data storage providers located inside Australia and overseas such as United States of America. Where appropriate, Majestic has agreements with its storage providers to keep all Personal Information they store secure, using reasonable and appropriate security methods.

We conduct regular audits of our compliance with this Policy and the Act to ensure that our privacy framework is in line with industry best-practice.

#### 5. **Why do we collect, hold, use and disclose Personal Information?**

Majestic may collect Personal Information for a number of reasons, including:

- (a) providing you or a third party with Services;
- (b) providing you with information about our Services;
- (c) providing third parties with information about you and your use of our Services (such as your travel agent, or external loyalty programs);
- (d) ensuring consistency of service across businesses in our group of companies;
- (e) developing or refining our Services;
- (f) internal business purposes;
- (g) providing you with marketing material;
- (h) contacting you in relation to our business activities;
- (i) better understanding our clients, customers and stakeholders;
- (j) tailoring our Services;
- (k) publishing testimonials you provide us; and
- (l) corporate governance, auditing and record keeping.

Our use of Personal Information may extend beyond these uses, but will be restricted to purposes that we consider to be related to our functions and activities.

#### 6. **What do we do with your Personal Information?**

If we collect Personal Information from you, we may:

- (a) use that information for any of the purposes in clause 5 of this Policy;

- (b) store that information in accordance with this Policy;
- (c) pass that information amongst entities we work with;
- (d) pass that information to third parties who provide products or services to us (including our accountants, auditors, lawyers, IT contractors, and other service providers);
- (e) provide that information to third parties as notified by us from time to time; or
- (f) provide that information to third parties as required by law.

#### 7. **Do you use my information for Direct Marketing?**

We may use your Personal Information to communicate directly with you to promote a product or service. We use direct marketing to provide you with information about products or services that we believe you may be interested in. If you receive direct marketing material from us, and do not wish to continue receiving it, please contact us by any of the methods set out in paragraph 13 below, asking to be removed from all future direct marketing programs. Once we have received your opt-out request, we will remove you from our direct marketing programs as soon as reasonably practicable.

#### 8. **What about Cookies, pixels and analytics?**

When you access our website, we may receive information about you via a 'cookie', a 'pixel' or from analytics software.

These are tools that our web server may direct your traffic to, send to your computer, or embed on a website, when you visit our website. These tools help us to recognise when you re-visit the website, serve you customised content and to optimize your experience. We generally don't collect Personal Information through the use of these tools, though we may be able to access your IP address and information about what your computer technology is when using analytical software.

You may be able to change the settings of your browser so that Cookies are not accepted generally or that you are provided with options to accept or reject them as they are sent to your browser.

#### 9. **Do we ever send your information overseas?**

We may upload images and/or footage to our social media accounts from time to time. The social media accounts may be hosted on an overseas server. Where applicable, in the event that your information is sent overseas, we will use our best endeavours to ensure that any overseas supplier will keep all Personal Information **secure**.

#### 10. **Can you access your Personal Information or request it be corrected?**

- (a) You may request access to the Personal Information that we hold about you by contacting us by any of the methods as set out in clause 13.
- (b) Upon receiving an access request we may request further details from you to verify your identity. We reserve the right not to provide you with access to Personal Information if we cannot verify your identity to our reasonable satisfaction.

**Commented [PG1]:** Please let us know where Opera is hosted, whether there is any use of third party providers like Survey Monkey who are hosted offshore, or if you use offshore storage or cloud servers.

- (c) An administrative fee may be charged to cover our costs in providing you with access to your Personal Information. This fee will be explained to you before it has been incurred.
- (d) We will respond to your access request within a reasonable period of time by:
  - (i) providing you with access to your Personal Information (including in a structured electronic format where you are a resident of the European Union);
  - (ii) rejecting your access request, and providing you reasons for this rejection.
- (e) Access requests may be denied where:
  - (i) we believe your request is frivolous or vexatious;
  - (ii) we are entitled to reject a request by law;
  - (iii) we are unable to verify your identity; or
  - (iv) you have not paid the administrative fee referred to in paragraph 10(c), above.
- (f) If you believe that the Personal Information that we hold is inaccurate or otherwise requires correction, you may send us a correction request by contacting us by any of the methods as set out in clause 13, below. We will review your Personal Information and respond to the request within a reasonable period of time.

**11. What happens if you want to deal with us anonymously or using a pseudonym?**

When contacting us, you can do so either anonymously or by using a pseudonym. If you do so, we may not be able to provide you with accurate or useful information, and you may not be able to access a full range of our operations and services. Further, we may not be able to investigate incidents or complaints you have made.

**12. Does this policy ever change?**

From time to time we may make changes to this Policy. When we do, we will highlight those changes in **yellow highlight** for a period of 14 days. Please make sure you review the Privacy Policy each time you visit our website to keep up to date on any changes.

**13. What about the General Data Protection Regulation (GDPR)?**

The GDPR is the European Union (**EU**) data protection law. Australian-based organisations that offer goods or services to persons in the EU or target or monitor the behaviour of persons in the EU may be required to comply with the GDPR regulatory regime.

We are an Australian based organisation providing products and services within Australia. From time to time, we may capture or collect Personal Information that passes through the EU. This might occur, for example, if a person in the EU accesses our

website and we collect analytical data about them, if a person in the EU signs up for a newsletter, book services from the EU, or if one of our clients gives us information about a person in the EU. If this occurs, we will treat the Personal Information received in accordance with this policy. By providing us with such Information, you consent to its collection and treatment in accordance with this Policy.

Where data is processed or monitored in the EU, you may have additional rights, such as:

- (a) The right to request that we delete your Personal Information (unless we require that information to comply with a legal obligation, or need it to bring or defend a legal claim); and
- (b) The right to restrict our processing of your Personal Information (where it is inaccurate, would be unlawful to process, or where it has not been deleted due to us needing it to meet a legal obligation).

**14. What happens if you have a question or complaint about how we have handled your Personal Information?**

If you have a question or complaint, you can raise it with us by:

Emailing: [marketing@majestichotels.com.au](mailto:marketing@majestichotels.com.au)

Calling us on +61 8 8100 4400; or

Sending a letter to: PO Box 370, Rundle Mall, SA, 5000

We take all complaints seriously and will respond to you within a reasonable period of time, unless we consider your complaint to be frivolous or vexatious or if we are unable to verify your identity.

If you aren't satisfied with the way we have handled your complaint, you can make a complaint to the Office of the Australian Information Commissioner at <http://oaic.gov.au>.

As at 1 May 2018