



BRISBANE
MARKET
PLACE®

Privacy Policy

Brisbane MarketPlace Pty Ltd ABN 67 106 709 077 and its Related Bodies Corporate (BMP)

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In this Privacy Policy, the expressions “BMP”, “we”, “us” and “our” are a reference to Brisbane MarketPlace Pty Ltd ABN 67 106 709 077 and its Related Bodies Corporate (as defined by the provisions of the Corporations Act 2001 (Cth)).

This Privacy Policy applies to personal information collected by us. We are bound by the Privacy Act 1988 (Cth), which govern the way private sector organisations collect, use, keep secure and disclose personal information.

This Privacy Policy is to inform people of:

- how and when BMP collects personal information;
- how BMP uses and discloses personal information;
- how BMP keeps personal information secure, accurate and up-to-date;
- how an individual can access and correct their personal information; and
- how BMP will facilitate or resolve a privacy complaint.

If you have any concerns about the manner in which your personal information has been collected, used or disclosed by us, we have put in place an effective mechanism and procedure for you to contact us so that we can attempt to resolve the issue. We can be e-mailed at bmp@brisbanemarkets.com.au or write to us at PO Box 80 Brisbane Markets Qld 4106 or contact us on 07 3915 4277 and our privacy officer will then attempt to resolve the issue.

We recommend that you keep this information for future reference.

1. What is personal information?

The Privacy Act 1988 (Cth) defines “personal information” to mean 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 opinion.

2. Sensitive Information

2.1 What is Sensitive Information?

- (a) 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 health, 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.
- (b) 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.
- (c) The type of sensitive information we may collect from you or record about you is dependent on the services provided to you by BMP and will be limited to the purpose(s) for which it is collected. We do not

use sensitive information to send you Direct Marketing Communications (as defined in paragraph 6 below) without your express consent.

2.2 Consent to collection of certain types of sensitive information

We may collect certain types of sensitive information where you have consented and agree to the collection of such information.

Generally speaking, we will obtain this type of consent from you at (or around) the point in time in which we collect the information, but the main type of sensitive information that we may collect (if any) will usually relate to:

- (a) the criminal record of an individual;
- (b) race or ethnic origin and/or religious beliefs, to the extent such information is contained within a driver's licence or passport, if applicable; and
- (c) the health or medical information of an individual,

but only to the extent that where you volunteer such information or if it is necessary for, or incidental to, the purposes of collection set out in paragraph 4.

3. Collection of your personal information

3.1 We only collect personal information that is necessary for what we do and we hold the personal information we collect within our own data storage devices or with a third party provider of data storage. The type of information we may collect from you includes depends ultimately upon the purpose of collection and we set out the general purposes of collection at paragraph 4 below.

3.2 The type of information we may collect from you includes (but is not limited to) the following:

- (a) your contact information such as full name (first and last), e-mail address, current postal address, delivery address (if different to postal address) and phone numbers;
- (b) details relating to your employment and employer (where applicable) and/ or your previous employment and employer, which shall include, but is not limited to, obtaining your tax file number and superannuation details;
- (c) your date of birth and proof of your date of birth (including, but not limited to, driver's licence, passport, birth certificate);
- (d) emergency contact details;
- (e) any photographs or video footage taken at BMP's premises, which may include you;
- (f) any sensitive personal information listed in paragraph 2.2;
- (g) your insurance policies and details;
- (h) your opinions, statements and endorsements collected personally or via surveys, questionnaires and competitions, including but not limited to your views on the products and services offered by BMP;

- (i) details relating to the products or services offered for sale by you;
- (j) details relating to the products or services you have obtained from us;
- (k) if you are requesting products or services from us or we are purchasing goods or services from you, then any relevant payment or billing information (including bank account details, credit card details, billing address and invoice details) to the extent that such information is not directly provided to our National Australia Bank hosted payment system; and
- (l) your username and password when setting up an account on our website.

3.3 As much as possible, we will collect your information directly from you. If we collect details about you from someone else, we will, whenever reasonably possible, make you aware that we have done this and why.

3.4 When you engage in certain activities, such as purchasing a product, signing up for a service, entering a contest or promotion, 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.

3.5 Depending upon the activity, some of the information we ask you to provide may be identified as mandatory or voluntary. If you do not provide the mandatory data with respect to a particular activity, or any other information we require in order for us to provide our services to you, we may be unable to effectively provide our services to you, or you may not be able to engage in that activity.

3.6 We may utilise "cookies" which enable us to monitor traffic patterns and to serve you more efficiently if you revisit the site. A cookie does not identify you personally but it may identify your internet service provider or computer. 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.

3.7 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.

4. How we may use and disclose your personal information

4.1 We will only use or disclose your personal information for the primary purposes for which it was collected or as consented to and/or as set out below.

4.2 You consent to us using and disclosing your personal information to facilitate a purpose in connection with:

- (a) if required, the verification of your identity;
- (b) the verification of your date of birth, if applicable;
- (c) the provision of our services to you, which shall include but is not limited to:
 - (i) the processing of orders (either by us or you), including to communicate with you concerning such orders;
 - (ii) the administration and management of our products and services, including charging, billing, credit card authorisation and verification, fraud and collecting debts, checks for financial standing, credit-worthiness (including but not limited to undertaking an assessment for credit loss and

obtaining credit references, if applicable), to the extent that such information is not directly provided to our National Australia Bank hosted payment system; and

- (iii) to offer you updates, or other content or products and services that may be of interest to you;
- (d) providing BMP market customers with stallholder contact details;
- (e) to facilitate the administration and management of BMP, including but not limited to the use of your personal information collected in accordance with paragraph 3.1 in the administration and management of BMP;
- (f) the processing of any application you have lodged with BMP, whether online, by telephone or in paper form, to book a stall at the Brisbane Markets, which shall include but is not limited to obtaining confirmation of those details;
- (g) to communicate generally with you in relation to your application, Brisbane Market bookings and Brisbane Market operations;
- (h) creating, implementing and utilising BMP's disaster management plan and BMP's emergency SMS system;
- (i) providing you with medical treatment in the event of a medical emergency, or to provide you with medical treatment as requested by you from time to time;
- (j) your employment (or potential employment) by us, or your employment or potential employment with by a stallholder or tenant at our premises;
- (k) if required, the verification of your employment with any stallholder at the Brisbane Markets;
- (l) coordinating, managing and maintaining good order and security at the Brisbane Markets, which shall include but is not limited to protecting the rights and safety of other parties at the Brisbane Markets;
- (m) investigating and reporting information to third parties regarding any accidents or incidents that may have occurred at the Brisbane Markets;
- (n) the improvement of our services (including to contact you about those improvements and asking you to participate in surveys about the products and services);
- (o) the maintenance and development of our services, products, business systems and infrastructure;
- (p) marketing and promotional activities by us and our related bodies (including by direct mail, telemarketing, email, SMS and MMS messages) such as our newsletters;
- (q) to provide customer service functions, including handling customer enquiries and complaints;
- (r) to offer you updates, or other content or products and services that may be of interest to you;
- (s) our compliance with applicable laws;
- (t) the sale, and matters in connection with a potential sale, of our business or company to a third party; and
- (u) any other matters reasonably necessary to function as a market and provide our products and services to you.

- 4.3 We may also use or disclose your personal information 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 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.
- 4.4 In the event we propose to use or disclose such personal information other than for reasons in 4.1, 4.2 and 4.3 above, we will first seek your consent prior to such disclosure or use.
- 4.5 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 will only be as required by law or as permitted by the Privacy Act 1988 or by this Privacy Policy or otherwise with your consent.

5. The types of organisations to which we may disclose your personal information

- 5.1 We may disclose your personal information to organisations outside of BMP. Examples of organisations that your personal information may be provided to include:
- (a) National Australia Bank, or any bank utilised by BMP for its hosted payment system;
 - (b) offshore service providers, if any;
 - (c) related entities and subsidiaries of BMP;
 - (d) SMS Direct, or any other third party provider in relation to BMP's SMS message database and the sending of SMS messages; and
 - (e) our contractors and agents or other external companies who assist us in providing our products and services to you, including but not limited to those providing medical services or dispensing emergency treatment, data storage providers and email marketing service providers.
- 5.2 Your personal information is disclosed to these organisations only in relation to the services we provide to you or for a purpose permitted by this Privacy Policy.
- 5.3 We take such steps as are reasonable to ensure that these organisations are aware of the provisions of this Privacy Policy in relation to your personal information.

6. Photographs and Closed Circuit Television

- 6.1 As indicated above in paragraph 3.2(e), BMP may take photographs of you within the BMP Markets, and BMP may use these for marketing and advertising purposes. Unless you otherwise advise us, you expressly agree and consent to the use of any photographs which may include you, for the aforementioned purposes, without compensation.

6.2 As part of our security system at BMP, we use closed circuit televisions (CCTV) at certain locations. Use of CCTV is integral to our security system. The CCTV images are stored for 60 days and may be viewed and used by BMP in the event of any incident, accident or security requirements.

7. Direct Marketing

7.1 You expressly consent to us using your personal information, including any email address you give to us, 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) (Direct Marketing Communications) which we consider may be of interest to you.

7.2 Without limitation clause 7.1, if it is within your reasonable expectations 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 for the purpose of sending you Direct Marketing Communications which we consider may be of interest to you.

7.3 If at any time you do not wish to receive any further Direct Marketing Communications from us, 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 email or by contacting us via the details set out at the top of this document.

8. Cross Border Disclosure

8.1 Any personal information provided to BMP may be transferred to, and stored at, a destination outside Australia, including but not limited to the United States of America where we may utilise overseas data and website hosting facilities or have entered into contractual arrangements with third party service providers to assist BMP with providing our goods and services to you. Personal information 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.

8.2 By submitting your personal information to BMP, you expressly agree and consent to the disclosure, transfer, storing or processing of your personal information 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. 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.

8.3 The Privacy Act 1988 requires us to take such steps as are reasonable in the circumstances to ensure that any recipients of your personal information outside of Australia do not breach the privacy principles contained within the Privacy Act 1988. By providing your consent, under the Privacy Act 1988, 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 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.

8.4 If you do not agree to the transfer of your personal information outside Australia, please contact us by via the details set out at the top of this document.

9. Data quality and security

- 9.1 We have taken steps to help ensure your personal information is safe. You will appreciate, however, that we cannot guarantee the security of all transmissions or personal information, especially where the internet is involved.
- 9.2 Notwithstanding the above, we will take reasonable steps to:
- 9.3 make sure that the personal information we collect, use or disclose is accurate, complete and up to date;
- 9.4 protect your personal information from misuse, loss, unauthorised access, modification or disclosure both physically and through computer security methods; and
- 9.5 destroy or permanently de-identify personal information if it is no longer needed for its purpose of collection.
- 9.6 However, the accuracy of personal information depends largely on the information you provide to us, so we recommend that you:
- 9.7 let us know if there are any errors in your personal information; and
- 9.8 keep us up-to-date with changes to your personal information (such as your name or address).

10. Access to and correction of your personal information

- 10.1 You are entitled to have access to any personal information relating to you which we possess, except in some exceptional circumstances provided by law. You are entitled to edit and correct such information if the information is inaccurate, out of date, incomplete, irrelevant or misleading.
- 10.2 If you would like access or correct any records of personal information 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 the top of this document.

11. Resolving Privacy Complaints

- 11.1 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 If you have any concerns or complaints about the manner in which we have collected, used or disclosed and stored your personal information, please contact us by:
- Telephone: 07 3915 4277
 - Email: bmp@brisbanemarkets.com.au
 - Post: PO Box 80 Brisbane Markets Qld 4106
- 11.3 Please mark your correspondence to the attention of the Privacy Officer.
- 11.4 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

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

12. Consent

12.1 By using our website or by accepting the terms of one of our terms and conditions which refer to this Privacy Policy, you are agreeing to the terms of this Privacy Policy.

12.2 We reserve the right to modify our Privacy Policy as our business needs require. We will notify you of such changes (whether by direct communication or by posting a notice on our website), after which, your continued use of our products, services or website or your continued dealings with us shall be deemed to be your agreement to the modified terms. If you do not agree to our continued use of your personal information due to the changes in our Privacy Policy, please contact us via the details set out at the top of this document.