

# PRIVACY POLICY

## PROTECTING YOUR PRIVACY

This Policy sets out how the Huxtaburger Group collects, stores, uses and discloses personal information in accordance with the Australian Privacy Principles ("**Principles**") contained in the *Privacy Act 1988* (Cth).

The Huxtaburger Group is committed to protecting your privacy and hopes that this Policy helps you understand how the Huxtaburger Group handles your personal information and delivers the protection that the Privacy Act affords.

### **Huxtaburger Group**

In this Policy, "Huxtaburger" includes Hux Franchising Pty Ltd and their related bodies corporate (as defined in the *Corporations Act 2001* (Cth)) (together and separately, **Huxtaburger, we, us or our**).

#### **1. What is personal information?**

Personal information is any information or an opinion about an identified individual, or information from which an individual can be identified.

It need not matter that this information is correct or not or whether it is recorded in a material form or not.

#### **2. What kind of personal information do we collect and hold, and why do we do so?**

We collect your personal information to provide you with products or services.

Personal information which we may ask you to provide may include:

- name;
- gender
- date of birth;
- address;
- telephone numbers;
- email address;
- ACN or ABN;
- payment details;
- financial institution account details;
- credit card details;
- driver licence number and state;
- records of products or services or warranty supplied to or received by you.;
- employment application information; and
- any other relevant information.

We may also ask you to supply information to us from time to time, including when you report a problem with our products or services and when we ask you to complete surveys, questionnaires and feedback forms that we use for quality monitoring and research purposes.

#### **3. What happens if you do not give us this information?**

It is your right not to give us any information and to use a pseudonym and / or not to identify yourself to us. However, if you choose not to give us the personal information we request or you do not wish to identify yourself to us, we may not be able to provide you with the products, services or information you require.

#### **4. How do we collect your personal information?**

We generally collect personal information directly from you (unless you otherwise provide your consent). We collect the personal information in a number of ways, including:

- electronically including information provided via email and through your use of our website;
- during phone calls with our representatives;
- when we deliver and administer our products or services;
- from your agents or representatives who act on your behalf;
- on forms or other correspondence, in writing or electronically, completed by you;
- from third parties we contract to collect and/or manage data on our behalf;
- from third parties who you have asked or permitted to provide your personal information (including those parties from whom you purchase goods and services);
- from marketing organisations, including through the use of purchased lists;
- from publicly available sources such as the Internet and telephone directories; and
- from law enforcement, dispute resolution, statutory and regulatory bodies.

If we receive personal information about you that we have not requested, and if we determine that we could not lawfully have collected that information had we requested it, we will destroy or de-identify the information, if it is lawful and reasonable to do so.



## Cookies

We may collect cookies from you about your visit to our website to help us to improve our website. Cookies are small information files which are sent to your computer's hard drive or mobile device when you visit a website and it will recognise your device on future visits. For example, we may collect the time of your visit, whether you have visited our website previously, whether you used a search engine to find us and some geographical information. For information on disabling these cookies, please go to the privacy settings section within your browser

We may also use analytical web tools such as Google Analytics to collect visitor information for us to better understand how to improve our products and services for you. In addition to the session cookie, Google Analytics uses other data collection methods such as appending query strings to an image request. We store the data generated by Google Analytics securely and do not share it with third parties.

We also use other external service providers for the following purposes:

- for web hosting services for this website; and/or
- to gather non-personal information (using cookies) in order to evaluate the website's effectiveness, for example online marketing activities.

## Links on our website

Our website may contain links to third party websites. We advise that the terms of this Privacy Policy do not apply to external websites. If you wish to find out how a third party handles your personal information, you will need to obtain a copy of its Privacy Policy.

## 5. How do we use your personal information?

Your personal information is collected so that we can:

- comply with the law, including do anything that we are required or authorised by the law to do;
- manage our relationship with you;
- resolve any legal and/or customer complaints or issues;
- facilitate our business operations, including to perform other functions and activities relating to the business of Huxtaburger and improve our products and services;
- identify and (unless you tell us not to) tell you about our products, services, competition and promotional activities, and those of third parties, that might interest you;
- assess and process employment applications and manage employment issues
- customise a website or application based on your preferences;
- administer and improve a website or application for your use;
- compile and analyse statistics and trends;
- contact you with direct marketing materials and personalised communications via any medium including mail, telephone, mobile and tablet applications, and commercial electronic messages (SMS (Short Message Service), MMS (Multimedia Message Service), IM (Instant Messaging) and email) or any other form of electronic, emerging, digital or conventional communications channel whether existing now or in the future and, if applicable, as selected by you; and
- provide you with relevant direct marketing materials with your consent when you use a website or application or those of a third party.

Generally, we will not use or exchange your information for any purpose other than one that is set out in this Policy, or for a purpose which is disclosed to you and to which you have consented.

## 6. Do we disclose information to third parties?

We may share or disclose your personal information for any of the reasons mentioned above to third parties, including:

- Huxtaburger's franchisees
- related bodies corporate;
- agents;
- promotional partners;
- professional service providers;
- external advisers and our external service providers and contractors (such as any mail house and direct marketing, commercial agent, market research and financial services and insurance);
- government agencies including law enforcement, regulatory and dispute resolution bodies (or any other body to whom disclosure is required by law or court/ tribunal order); and
- and any other person or entity to whom disclosure is authorised by you.

When we disclose your information to a third party, we take all reasonable steps to ensure that those third parties are bound by confidentiality and privacy obligations with respect to the protection of your personal information. We may also disclose personal information where you consent to us doing so. That consent may be written, verbal or implied from your conduct.

## 7. Do we disclose your personal information to overseas recipients?

Our related entities and some of our service providers (including information technology service providers) may be located overseas and, as a result, personal information collected and held by us may be transferred overseas from time to time. The countries in which these recipients may be located will vary from time to time. Any such transfer, however, does not change any of our commitments to safeguard your personal information under this policy.

## **8. Direct marketing and promotional use of your personal information**

We may use your personal information to provide you with information about our services or products or those provided by third parties, that we believe may be of interest to you. To that extent, we may provide your personal information to such third party organisations for specific marketing purposes. However, we will not do so where you tell us not to.

We may also wish to refer to you based on the nature of our business relationship when marketing our business to others. In those circumstances, we will ask for your prior consent and will only disclose personal information to the extent to which you have consented.

You can ask us not to contact you about products or services, and not to disclose your information to others for that purpose by contacting us or, where applicable, by clicking the "unsubscribe" button from promotional email messages or by contacting us using our contact details provided below.

## **9. Storage and security of your personal information**

We hold your personal information in various forms, including:

- in our computer systems or databases, which may involve storing data on storage or computer systems provided by third party suppliers; and
- in paper records; and/or in telephone recordings.

We have put in place safeguards to protect the personal information we hold from misuse, interference and loss, and unauthorised access, modification or disclosure. This includes a range of systems and communication security measures, as well as the secure storage of hard copy documents. In addition, access to your personal information will be restricted to those properly authorised to have access. We may store the personal information we collect from you

We will comply with the Principles and this Policy, in respect of your personal information in whatever form that information is stored by us. We will also take reasonable steps to destroy or permanently de-identify any personal information after it can no longer be used in accordance with this policy.

## **10. How to access or correct your personal information**

We take reasonable steps to ensure that the information we hold about you is accurate, up-to-date, complete and relevant when we use it or disclose it. You should contact us if you think your personal information is wrong.

If you have a question about this Privacy Policy or want to access or otherwise correct your personal information you can contact us by:

- phoning 03 9417 6328;
- writing to The Privacy Officer, Huxtaburger Group, 106 Smith Street, Collingwood 3066, Victoria; or
- sending an email to [privacy@huxtaburger.com.au](mailto:privacy@huxtaburger.com.au)

A request for access needs to include a full description of the personal information requested. If you request information over the phone, we will ask you identity-related questions so we can verify your identity.

Your request for access to your personal information will be documented, as will details of the request and the identity of the Huxtaburger's representative who gave it to you.

You have rights to access your information and correct it if it is inaccurate, out-of-date or incomplete. If you believe that the information we hold about you is inaccurate, out-of-date, incomplete, irrelevant or misleading, you can request its correction. If we are satisfied that the information needs to be corrected, we will take reasonable steps to ensure that information is corrected and notify you of the correction. If we correct your information and it is information we have provided to others, we will notify them of the correction where we are required to do so by the Privacy Act.

There may be circumstances in which we may have to refuse a request for correction. In such a case you can request that we associate a statement with that personal information that you made a request for correction.

You will not be charged for accessing or correcting your information. You may be charged for reasonable costs incurred by us in the processing of, and response to, your access request, including photocopying, supplying written reports, administration and postage.

## **11. How we will respond to your request**

We will acknowledge receipt of your request within 2 working days of receiving your request. We will do our best to deal with your request within 5 working days. If we cannot help with your request, you will receive a written explanation as to why and details of what you can do to take the matter further if you are not satisfied with our response.

## **12. Do you want to contact us anonymously?**

You can certainly contact us anonymously. If you choose not to be identified, however, we are limited in our ability to provide you with the services or information you require.

## **13. Can you complain about a breach of privacy?**

If you want to complain about a privacy breach, you can call 03 9417 6328 or send an email to [privacy@huxtaburger.com.au](mailto:privacy@huxtaburger.com.au).

We will do our best to resolve your complaint as quickly as possible. If you are not satisfied with the result of your complaint to us, you can refer your complaint to the:

Office of the Australian Information Commissioner  
Phone: 1300 363 992  
Post: GPO Box 5218, Sydney NSW 2001  
Online form: [oaic.gov.au](http://oaic.gov.au) (Privacy Complaint Form)

#### **14. Need further information?**

For more information about privacy in general, you can visit the Office of the Australian Information Commissioner's website at [oaic.gov.au](http://oaic.gov.au).

#### **15. Updating our Privacy Policy**

We may review, amend or revise our Privacy Policy and the way we handle personal information from time to time. We will post the updated Privacy Policy on our website at <http://www.huxtaburger.com.au/> and its terms will take effect from the date of posting.