

## ETTALONG BEACH WAR MEMORIAL CLUB LIMITED

### TRADING AS ETTALONG DIGGERS

#### PRIVACY POLICY 2021

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1. Ettalong Beach War Memorial Club Limited trading as Ettalong Diggers (the “Club”, “us”, “we”, “our”) is committed to providing you with the highest levels of customer service. This includes protecting your privacy and keeping you informed of our privacy policy. To view our current policy, please follow the link: [www.ettalongdiggers.com](http://www.ettalongdiggers.com)
2. The Club is a registered licensed club pursuant to the *Registered Clubs Act 1976* and *Liquor Act 2007*. The Club is required to comply with the provisions of the Privacy Act 1988 (“Privacy Act”) which regulates, among other things, the collection, storage, quality, use and disclosure of personal information.
3. Where appropriate, we will handle personal information relying on the employee records exemption and the related bodies corporate exemption in the *Privacy Act*.
4. The principal activities of the Club are:
  - (a) providing a venue for members and guests to engage in social activities;
  - (b) supporting the local community including local community and support organisations and events
  - (c) providing members and their families access to a range of goods and services; and
  - (d) providing a safe friendly environment for members and guests to meet.

#### Acceptance

5. By attending the Club’s premises, visiting the Club website, using our goods and/or services or by otherwise providing your personal information to us, you confirm your acceptance of the terms of this Privacy Policy and consent to the handling of your personal information as set out in this Privacy Policy. If you do not agree with the terms of this Privacy Policy, please do not use our products, services, website or otherwise provide us with your personal information.

#### Collection

6. The Club collects a wide range of personal information and in some cases sensitive information, this includes:
  - (a) your name, address, occupation, date of birth, proof of age;
  - (b) your contact details such as your email address and mobile number;
  - (c) a photo of you for your membership card;

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- (d) an image of your driver's licence or other identification if you choose to scan your ID when entering the Club (all visitors to the Club have the option to not have their identification scanned);
  - (e) details of your membership of the Club including any positions held by you at the Club or any complaints made by you or against you;
  - (f) details of your activities in the Club including your participation in social or sporting activities or your involvement with our sub-clubs;
  - (g) health information including any medical conditions you may give to us to enable us to provide our facilities or services;
  - (h) information connected to your use of our gaming machines (including your player activity statements and prizes you receive);
  - (i) information about you related to a liquor or gaming self-exclusion or banning order about you from yourself, other clubs, ClubsNSW, a Liquor Accord, the Independent Liquor Gaming and Racing Authority or Office of Liquor Gaming and Racing;
  - (j) things you say or do (or said about you) in connection with an incident or potential disciplinary proceedings;
  - (k) images or video and audio recording of you at our premises;
  - (l) the extent of your use of, and purchase of, goods and services offered by, or available at or from, the Club;
  - (m) if you apply for a job with us, the information in your resume and other information that you or your referees provide to us, including notes of our interactions with you and/or others in relation to your prospective employment; and
  - (n) if you access the Club website, the information we collect includes your IP address, type of operating system, type of browser you operate and the area generally where you are located when accessing the website.
7. The Club collects this information from you by various means including without limitation:
- (a) by you completing and submitting your membership application or renewal form;
  - (b) by you completing a sports registration form;
  - (c) by you completing an application to join the gym;
  - (d) by you completing entries into competitions and promotions;
  - (e) by you using our gaming machines or requesting to be excluded from using our gaming machines;
  - (f) by you obtaining, applying for, or renewing membership of a sub-club of the Club or participating in the activities of a sub-club of the Club

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- (g) by the observation of our staff;
  - (h) by witness statements in disciplinary matters;
  - (i) by requests for sponsorship through programs such as Club GRANTS;
  - (j) by applying for a job with us; and
  - (k) automatically when you access the Club's website.
8. In general if you contact us, we may keep a record of that correspondence.
9. We only collect personal information about you from you unless it is unreasonable or impractical to do so.
10. For example, it may be unreasonable or impractical to collect information from you when the information is provided by other members, our staff or the police.
11. The Club collects this personal information in order to:
- (a) verify your age, identify you and process your membership applications;
  - (b) comply with our obligations and meet statutory requirements under the *Registered Clubs Act*, the *Corporations Act*, *Gaming Machines Act*, *Liquor Act*, *Anti – Money Laundering and Counter Terrorism laws*, *Work Health Safety Act* and other relevant legislation;
  - (c) contact members to advertise and market events, activities, opportunities, offers and the goods and services provided by the Club or companies in which the Club has an ownership interest (including by direct mail, telephone, SMS and MMS) including without limitation with respect to food and beverage, promotions, entertainment, wagering, gaming machines, gaming, sporting events and venue hire;
  - (d) analyse usage of food and services offered by the Club;
  - (e) provide you with goods or services you are receiving or utilising as offered by the Club and to offer and administer any benefits you subsequently become entitled to in relation to that product or service;
  - (f) provide a safe environment for you, other members and guests and our staff;
  - (g) conduct elections of the Board;
  - (h) conduct disciplinary proceedings;
  - (i) share your information with companies in which the Club has an ownership interest for the purpose of them marketing their products to you;
  - (j) analyse website usage;
  - (k) respond to your submissions, questions, comments, requests and complaints;
  - (l) conduct our internal business and management processes, for example accounting or auditing purposes;

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- (m) assess an applicant's suitability for employment; and
- (n) for any other purposes that would reasonably be expected by you.

**Use and Disclosure**

12. The Club will only use and/or disclose your personal information for the purpose for which you have provided it, e.g. for application of club membership or to gain entry to the Club premises as a visitor or guest or for other purposes as permitted by the *Privacy Act* or that are set out in this Privacy Policy or for which you consent.
13. For example, when a person applies for membership of the Club we must collect details including their name and address. We must display this information on the Club's notice board before our Board is able to consider the application for membership. We may also need to provide this information to members of the general public if a request is made under the *Corporations Act*. When or before the Club collects personal information, the Club will take reasonable steps to inform the individual providing the information of:
  - (a) our identity and contact details;
  - (b) the purposes for which the formation if collected;
  - (c) the facts and circumstances of the collection;
  - (d) where applicable, any law that requires the particular information to be collected;
  - (e) the consequences if we do not collect the information;
  - (f) that this policy contains information about how you can access or correct your information or make a complaint about the Club; and
  - (g) whether we are likely to disclose the information overseas (and if so to which countries).
14. From time to time, you may be able to visit the Club website or deal with us anonymously or by pseudonym. However, please be aware that, if you do not provide us with certain personal information that we require, we may not be able to provide you with the products and/or services that you seek.
15. For example, the Club will be unable to allow you to join the Club or to be a temporary member, unless you have provided us with the required personal information. The Club will also be unable to provide you with certain goods and services (for example, learn to swim, childcare and gym membership) or to join a Sub-Club, unless you have first provided the Club with the required personal information.
16. The Club will not use your personal information for any other purpose, nor will we disclose it, unless we have your consent or in other circumstances where such use or disclosure is permitted under the *Privacy Act*.
17. The Club may disclose your information to third parties. These third parties may include (but are not limited to):

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- (a) our related companies, companies in which the Club has an ownership interest or our agents, in order to: to provide products and/or services to you; or to market to you, their products and/or services which you may be interested in;
- (b) employees, third party service and content providers, dealers and agents, contractors and advisors and suppliers who assist the Club in managing our business or operating our website, for example, business support services, payment processors, website hosting service providers, cloud storage providers etc;
- (c) law enforcement bodies to assist in their functions, courts of law or as otherwise required or authorised by law;
- (d) regulatory or government bodies for the purposes of resolving customer complaints or conducting investigations.

### **Marketing and Promotional Materials**

- 18. The Club may use your personal information for the purposes of marketing our services/products or to inform you of new services, promotions or events that we believe you may be interested in.
- 19. Direct marketing involves the use and/or disclosure of personal information to communicate directly with an individual to promote goods and services. Direct marketing includes channels such as telephone, SMS, mail, email and online advertising. 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, events, or any other direct marketing activity (including third party products, services, and events) which we consider may be of interest to you.
- 20. You expressly consent to us disclosing your personal information to other organisations that may also use your personal information for sending you Direct Marketing Communications.
- 21. For example, from time to time, the Club may wish to carry out a voluntary survey for feedback. Before collecting survey results, the Club will advise you of the purpose of the survey e.g. to gain information for the club to improve services etc.
- 22. If at any time, you do not wish to receive any further Direct Marketing Communications from us, or others [under paragraph 19 above], 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.
- 23. 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 end of this document.

### **Visitors and Guests**

- 24. Patrons visiting the Club must produce a recognised form of identification i.e. passport, driver's license or proof of age card to gain entry to the premises. The Club uses terminals to gather this information and to protect the data collected i.e. addresses of patrons. Scanning of licences is optional and, if preferred, use of manual sign-in, via the terminals is available for patrons once the form of identification has been sighted by an authorised officer of the Club.

**Do I have to use the electronic ID scanner to enter the Club?**

25. No. You are not in any way obliged to scan your identification. If you prefer you can simply manually enter your name, address and signature (as required by the Registered Clubs Act) into the terminal and present your identification to staff who will confirm your details.

**What information is collected from the electronic ID scanners?**

26. The current version of the electronic scanners used by the Club retains a full copy of your ID which means that the Club collects all the information recorded on your ID (which may include sensitive information).
27. This information is retained for at least three years to comply with our obligations under the *Registered Clubs Act*.
28. Our electronic ID scanners store data on site only in a password protected encrypted database.

**Why does the Club use I.D scanners?**

29. Under the *Registered Clubs Act*, we are required to maintain records of the name, address and signature of temporary members and guests over the age of 18. Previously, we provided paper registers that needed to be filled out by hand which was slow and cumbersome and wasted paper.
30. The Club now offers scanning terminals which are quicker and more efficient for temporary members and guests who want to enjoy the facilities of the Club but do not want to manually write in their details.
31. Scanners are a secure way of holding information and also help provide a safe environment for you, other patrons and our staff. The information collected may be passed on to the police or OLGR to assist in any investigation.
32. Scanners are also environmental friendly in that they have helped the Club reduce its paper usage and storage.
33. The collection of personal and sensitive information of the individuals who choose to scan their identification is reasonably necessary for the activities and functions of the Club above.

**Do I have to use the facial recognition scanner to enter the Club?**

34. No. You are not in any way obliged to scan your face to check in. If you prefer you can check in with Service NSW app or through our online concierge via our staff.

**What information is collected from the facial recognition?**

35. The current version of the electronic scanners used by the Club retains a full copy of your image and is then linked to your member profile or visitor info provided at the time of the scan.
36. This information is retained for at least 3 years.
37. Our facial recognition scanners store data locally and a backup is done to the cloud.

### **Why does the club use facial recognition?**

38. Under NSW Health, we are required to ensure patrons, staff and contractors to the club register through the Service NSW Covid-19 Check in as well as be double-vaccinated.
39. The Club now offers facial recognition terminals which are quicker and more efficient for members who want to enjoy the facilities of the Club but do not want to manually write in their details.
40. Scanners are a secure way of holding information and also help provide a safe environment for you, other patrons and our staff. The information collected may be passed on to the police or OLGR to assist in any investigation. Temperatures are stored for members locally on check-in.
41. Scanners are used to help staff know who has been verified as being double-vaccinated. No certificates are held. Only confirmation it's been cited.
42. Scanners are also environmental- friendly in that they have helped the Club reduce its paper usage and storage.
43. The collection of personal and sensitive information of the individuals who choose to scan their identification is reasonably necessary for the activities and functions of the Club above.

### **Surveillance of Venues**

44. The Club's premises are subject to video and at times audio surveillance for security reasons. Details of suspected or actual illegal and/or undesirable activities on our premises may be shared with other clubs, law enforcement and regulatory bodies such as the Office of Liquor, Gaming and Racing, the Local Liquor Accord and the Independent Liquor and Gaming Authority.

### **Security**

45. Your personal information is held securely in our computer system and, where your personal information has been provided in hard copy format, this personal information is either destroyed, held securely on a Club site, held securely within the control of our Sub-Club representatives or held securely in off-site storage.

### **Storage**

46. Personal information is stored and archived for a period of seven (7) years. This includes information about non-members and internet site transmission logs.

### **Correction**

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47. The Club relies on the information provided by members to be accurate and current. The Club takes reasonable steps in the circumstances to ensure that the personal information it collects, uses or discloses is accurate, complete and up-to-date.
48. If you believe the personal information we hold on you is incorrect, please advise us in writing by sending your letter or email to the Privacy Officer using the details below and informing us of the correct information. We will take reasonable steps to correct Club records appropriately and within a reasonable time frame, except where the *Privacy Act* prohibits it or if there is an exception under law where we may refuse your correction request.

### **Access**

49. The *Privacy Act* allows individuals to access and alter records containing their personal information. If you wish to access the personal information the Club holds on you please provide a written request to the Privacy Officer using the details below. The Club will provide you access to your information except where the *Privacy Act* prohibits it or if there are exceptions under law where we may refuse your request for access.
50. To change your name on the membership database, supporting documentation from a government source is required. Change of addresses can be done by completing a "Change of Address" form, by letter or by use of the internet.

### **Complaints**

51. If you wish to make a complaint about the Club's use of your personal information, please put your complaint in writing, providing as much detail as possible, and forward it by letter or email to the Privacy Officer using the details below. The Privacy Officer, or another representative of the Club, will investigate the complaint and will provide you with a written response within a reasonable time following the completion of the investigation.

### **Cross Border Disclosure**

52. Occasionally, we may disclose personal information to overseas recipients in the course of our business.
53. Please be aware that the privacy laws in other countries might not be the same as in Australia. However, where we do disclose your personal information to overseas third parties, we will take such steps as are reasonable to ensure that your personal information is handled in accordance with this Privacy Policy.

### **Important Notice**

54. By providing us with your personal information or otherwise using our products, services or website, you consent to the disclosure of your personal information to these overseas recipients. By consenting to this overseas disclosure, you acknowledge and agree that:
  - (a) The Club will not be accountable under the *Privacy Act* for any breach of your privacy by an overseas recipient; and
  - (b) You will not be able to seek redress from the Club under the *Privacy Act* for any breach of your privacy by an overseas recipient.



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**Changes to Our Privacy Policy**

55. The Club reserves the right to make changes to this Privacy Policy from time to time. We will publish any changes on the Club website at [www.ettalongdiggers.com](http://www.ettalongdiggers.com). By continuing to use our products, services and website or by continuing to provide us with your personal information after these changes have been published, you confirm your acceptance of these changes.

**Contact us - Privacy Officer**

56. Further information on Privacy can be obtained by contacting the Club's Privacy Officer using the contact details below:

Privacy Officer  
Chief Executive Officer  
Ettalong Beach War Memorial Club Limited  
51-52 The Esplanade  
ETTALONG BEACH NSW 2257  
Telephone: 02 43 43 0111  
[Email: bill.jackson@ettalongdiggers.com](mailto:bill.jackson@ettalongdiggers.com)