

M ONE EIGHT PTY LTD (ABN 62 608 428 315) – THE ROSE GARDEN PRIVACY POLICY

In this Privacy Policy, all references to “M One Eight”, “MOE”, “we”, “our” and “us” means M One Eight Pty Ltd (ABN 62 608 428 315) and their parent company and subsidiaries, their holding companies or subsidiaries of such holding companies and “Website” means the website located at <https://www.rosegardenadelaide.com.au/>

MOE is bound by the *Privacy Act 1988* (Cth), the Australian Privacy Principles (APPs) and any other laws which relate to privacy. The APPs govern the way in which MOE must manage your personal information, and this Privacy Policy sets out MOE’s practices in relation to the collection, use, disclosure and handling of personal information in Australia.

We respect your personal information and your privacy is important to us. MOE is committed to maintaining the highest standards to protect your personal information.

In order to provide you with the best service we may ask you to provide us with personal information from time to time.

This Privacy Policy also applies to all employees and contractors of MOE in relation to the collection, storage, use and disclosure of personal information in the workplace.

MOE reserves the right to change this Privacy Policy at any time without notice. This Privacy Policy should be read in conjunction with the Terms and Conditions. Any person using this Website should familiarise themselves with both the Terms and Conditions and Privacy Policy of this Website, and ensure they review it from time to time.

OPERATION OF OUR POLICY

You will be made aware when any personal information is required that may allow MOE to identify or contact you. Personal information will usually be requested when you register for a particular service or competition. By consenting, either expressly or impliedly, to MOE processing your personal information, you will be deemed to have read and accepted the terms of this Privacy Policy. MOE will not process your personal information, unless it has your actual or deemed consent. Your personal information will only be used in accordance with this Privacy Policy. You are free at any time to opt out of receiving information from MOE at the end of each communication.

COLLECTION OF PERSONAL INFORMATION

The personal information that MOE may collect and hold includes (but is not limited to):

- full name;
- mailing or street address;
- email address;
- telephone number;
- date of birth;
- your lifestyle, occupation and hobbies;
- your employer;
- details of the products and services you have purchased from us or which you have enquired about, together with any additional information necessary to deliver those products and services and to respond to your enquiries;
- any additional information relating to you that you provide to us directly through our Website or indirectly through use of our Website or online presence, through our representatives or otherwise; and
- information you provide to us through our customer support team.

We may also collect some information that is not personal information because it does not identify you or anyone else. For example, we may collect aggregated information about how users use our Website.

MOE will collect personal information directly from you unless it is unreasonable or impracticable to do so. We will only ask you to provide information that is relevant to the service or product that you have requested or to enable us to respond to your enquiry.

When collecting personal information from you, we may collect it at various stages, including:

- when you contact MOE over the phone;
- when you contact us via our social media pages (including Facebook, Twitter or Instagram);
- when you enter a competition;
- when you complete a purchase order for MOE;
- when you contact us with an enquiry or complaint in relation to our products and services;
- when authorised people provide us with your personal information on your behalf;
- through your access and use of our Website; and
- when you apply for a job with us.

We may also collect personal information from third parties including data analysis agencies.

COLLECTION OF ANONYMOUS INFORMATION

In order to measure the success of our online advertising we use pixels, or transparent GIF files, to establish which of our online adverts successfully bring people to our Website. The GIF files are provided by third parties who provide us with online advertising analysis. This system places a cookie on your browser when you enter our Website via online advertisements allowing us to see which online advertisements bring us the most visitors to our Website. Most web browsers automatically accept cookies but you can change your browser to reject them. It is still possible to access our Website without having cookies enabled.

The information collected on our behalf is anonymous and does not personally identify you, which, for statistical purposes includes:

- your server address;
- your top level domain name (e.g. .com, .gov, .au, etc.)
- the date, time and length of your visit to the Website;
- the pages you accessed;
- the previous website you visited;
- the type of browser you are using; and
- the protocol version used (e.g. HTTP, FTP).

ANONYMITY/PSEUDONYM

Where possible, MOE will give you the option of not identifying yourself or of using a pseudonym. MOE may not always be able to interact with you in this manner, especially where it is required by law to identify you before providing certain information. In general, MOE will not be able to assist you anonymously or where you are using a pseudonym when:

- it is impractical; or
- we are required or authorised by law or a court/tribunal order to deal with you personally.

PURPOSES FOR COLLECTING, HOLDING, USING AND DISCLOSING YOUR PERSONAL INFORMATION

MOE may use personal information about you so that we can provide you with the most services, and to provide you with a high quality of customer service.

We also collect, hold, use and disclose your personal information for the following purposes:

- to provide products and services to you and to send communications to you;
- to answer enquiries and provide information or advice about existing and new products or services;
- to keep you updated in respect of any events we host or manage;
- to advise you if we relocate;
- to advise you if our business has merged, rebranded, relocated or closed;
- to assess the performance of the Website and to improve the operation of the Website;
- to assess our customer service and to improve our customer service to you;
- to conduct business processing functions including providing personal information to our related bodies corporate, contractors, service providers or other third parties;
- for the administrative, marketing (including direct marketing and marketing research), planning, product or service development, quality control, human resources, educational and research purposes of MOE, its related bodies corporate, contractors or service providers;
- to provide your updated personal information to our related bodies corporate, contractors or service providers;
- to update our records and keep your contact details up to date;
- to process and respond to any complaint or enquiry made by you; and
- to comply with any law, rule, regulation, lawful and binding determination, decision or direction of a regulator, or in co-operation with any governmental authority of any country.

MOE may contact you regarding anything set out in the above by e-mail, post or telephone.

We may also collect personal information about third parties from you, such as personal information about your family members, so that we can provide products and services to those third parties. If you provide personal information about a third party individual to us, you must ensure that the third party individual is aware of this Privacy Policy, understands it and agrees to accept it. If you provide personal information about a third party individual and that individual does not have the capacity to understand and agree to these terms (for example, a minor), we require a parent or guardian to acknowledge and agree to this paragraph. The acknowledgement will be through the acceptance of the Terms and Conditions of the Website.

From time to time we may use the information you give us for marketing purposes (for example to develop or promote complimentary products or services for visitors to our Website). We are continually developing products and services based on information and feedback we receive from visitors to our Website and we may share these with you. Other than as required by law, or as set out in this Privacy Policy, we will not disclose information about you to any third party without your permission. Your personal information will not be shared, sold, rented or disclosed other than as described in this Privacy Policy.

MOE will not use your personal information for any purpose for which you would not reasonably expect us to use your personal information. Additionally, MOE will not disclose your sensitive information without your consent, unless there is a need to disclose such information in accordance with the *Privacy Act* or to comply with any other regulatory requirement.

MOE will immediately remove your personal information from its database if requested by you. MOE will do this in accordance with their policy on destroying personal information (see Destruction of Information), in order to keep your information secure.

DIRECT MARKETING

By accepting the Terms and Conditions of this Website and providing us with your personal information, you consent to us sending you direct marketing communications by any of the methods listed above (see Purposes for Collecting, Holding, Using and Disclosing your Personal Information). If you indicate a preference for a method of communication, we will endeavour to use that method whenever practical to do so. In addition, at any time you may opt out of receiving marketing communications from us by contacting us (see contact details below) or by using opt out facilities

provided in the marketing communications, and we will then ensure that your name is removed from our mailing list.

Please note that by opting out of receiving marketing communications, you may still receive communications from us (such as invoices and notices) in relation to the products and services you have purchased from us.

DISCLOSURE OF PERSONAL INFORMATION

MOE may disclose your personal information to:

- our employees, related bodies corporate, contractors or service providers for the purposes of operating our Website or our business, fulfilling requests by you, and to otherwise provide products and services to you including, without limitation, suppliers and manufacturers, web hosting providers, IT systems administrators, mailing houses, couriers, payment processors, data entry service providers, electronic network administrators, debt collectors, archivists and professional advisors such as accountants, solicitors, business advisors and consultants;
- suppliers and other third parties with whom we have commercial relationships, for business, marketing, and related purposes;
- government and regulatory bodies and law enforcement agencies; and
- any other organisation for any authorised purpose with your express consent, including your insurers and your solicitors.

We may combine or share any information that we collect from you with information collected by any of our related bodies corporate.

We are not responsible for the privacy policies of any third party, and we accept no liability on behalf of any third party. Third parties are responsible for informing you about their own privacy practices.

Except as set out in this Privacy Policy, MOE will only disclose personal information with your permission or as required or allowed to do so by law.

ACCESS TO PERSONAL INFORMATION

We require accurate personal information about you to ensure you receive the best possible service from MOE.

You will be able to access personal information that MOE holds about you if it can be readily retrieved, subject to some exceptions allowed by law. Where we hold information that you are entitled to access, we will try to provide you with a suitable means of accessing it (for example, by mailing or emailing it to you).

To request access to your personal information please contact MOE in writing.

We may charge you a reasonable fee to cover our administrative and other reasonable costs in providing the information to you. We will not charge you for simply making the request and will not charge for making any corrections to your personal information.

There may be instances where we cannot grant you access to the personal information we hold. For example, we may need to refuse access if granting access would interfere with the privacy of others or if it would result in a breach of confidentiality. In these instances, we will provide written reasons for any refusal.

UPDATING PERSONAL DETAILS

We take reasonable steps to ensure that your personal information is up-to-date whenever we collect it or use it. This may include, for example, using data obtained from third parties to verify the accuracy of your personal information.

If you find that current personal information we hold about you is inaccurate, incomplete or out-of-date, please contact us immediately and we will take reasonable steps to correct it.

INABILITY TO COLLECT PERSONAL INFORMATION

If you do not provide us with the personal information described above (see Collection of Personal Information), some or all of the following may happen:

- we may not be able to provide the requested products or services to you, either to the same standard as if we did have access to personal information, or at all;
- we may not be able to process any third party discounts or benefits;
- we may not be able to provide you with information about products and services that you may want, including information about discounts, sales or special promotions; or
- we may be unable to tailor the content of our Website to your preferences and your experience of our Website may not be as enjoyable or useful.

SECURE STORAGE OF PERSONAL INFORMATION

We take reasonable steps to ensure we protect any personal information that we hold from misuse, loss and unauthorised access, modification and disclosure.

Your personal information may be stored in hard copy documents and electronically.

We maintain physical and electronic security over our paper and electronic data storage. We also maintain computer and network security. For example, we use firewalls (security measures for the Internet) and other systems such as user identifiers and passwords to control access to computer systems.

Although we take reasonable steps to maintain the security of our Internet connections, for reasons outside of our control, information transmitted to us over the Internet may not be absolutely secure. MOE assumes no responsibility for disclosure of data due to errors in transmission.

DESTRUCTION OF INFORMATION

If the personal information we collect is no longer needed for any purposes and we are not required by law to retain it, MOE has procedures in place to ensure that any document or record containing your personal or health information is disposed of in a manner that preserves your privacy.

MOE will immediately remove your personal information from its database if requested by you.

DISCLOSURE TO OVERSEAS RECIPIENTS

We may disclose your personal information to our related bodies corporate, third party suppliers, service providers, government and quasi-governmental organisations, prospective purchasers of part or whole of our business and stock exchanges located overseas for some of the purposes listed above (see Disclosure of Personal Information).

We take reasonable steps to ensure that the overseas recipients of your personal information do not breach the privacy obligations relating to your personal information in place in Australia.

We may disclose your personal information to entities located outside of Australia.

THIRD PARTY WEBSITES

Our Website may contain links to other websites operated by third parties. We make no representations or warranties in relation to the privacy practices of any third party website and we are not responsible, or in any way liable, for the privacy policies or the content of any third party website. Third party websites are responsible for informing you about their own privacy practices.

INDEMNITY

Whilst we will use all reasonable endeavours to safeguard your personal information, we cannot guarantee that your personal information will be protected against unauthorised access, misuse or disclosure. We do not accept any liability for the improper actions of unauthorised third parties.

MOE also assumes no responsibility or liability for third parties such as advertisers or other entities who utilise banner advertisements and links from our Website. If you click through a banner advertisement or link and submit your information to a third party, you will be subject to the privacy policies of that third party.

MOE ensures that all employees and contractors are bound by confidentiality requiring that they do not use or disclose your personal information in a manner contrary to this Privacy Policy.

We retain your personal information in line with relevant legislation and for as long as the information is relevant to our business purposes as set out above (see Collection of Personal Information) or until you request that we remove the information by contacting MOE.

You agree to defend, indemnify and hold harmless MOE, our officers, directors, employees, agents, subcontractors, licensors, and suppliers, from and against all claims, actions, demands, liabilities and settlements, arising in connection with your use of the Website and/or any products or services (including but not limited to events) offered by MOE or your breach of any of this Privacy Policy or Terms and Conditions of this Website.

CHANGES TO PRIVACY POLICY

All information which is held by MOE is governed by the latest version of this Privacy Policy at all times. MOE may change this Privacy Policy at any time without notice. We request that you check our Privacy Policy regularly so that you are aware of any changes.

COMPLAINTS

If you believe that your privacy has been breached, please contact us immediately using the contact information below and provide details of the incident so that we can investigate it.

We request that complaints about breaches of privacy be made in writing, so we can be sure about the details of the complaint and undertake our own thorough investigation into such breach. We will attempt to confirm as appropriate and necessary with you, your understanding of the conduct relevant to the complaint and what you expect as an outcome. We will investigate your complaint and will advise you of the outcome of our investigations in writing.

If you feel we have failed to deal with your complaint in a satisfactory manner, you can make a complaint about the handling of your personal information by MOE to the Office of the Australian Information Commissioner (Australia) (www.oaic.gov.au).

Contact us

If you have any questions about this Privacy Policy, any concerns or a complaint relating to your personal information, please use the Contact Us link on our website or contact us using the details set out below.

Please contact us at:

Australia:

Name: M One Eight Pty Ltd

Place of Registration: Australia

Registered Office Address: [237 Greenhill Rd, Dulwich]

Phone: [0409 096 457]

Email: [hello@moneeight.com.au]

For more information about privacy in general please contact the following:

In Australia

Office of the Australian Information Commissioner (OAIC)

www.oaic.gov.au

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