

*Where great memories are a holiday away...*

## Privacy Policy

### Policy Statement

Bruce East & Sons Pty Ltd trading as BIG4 Easts Beach Holiday Park is committed to protecting the privacy of personal information. It is the policy of BIG4 Easts Beach Holiday Park that any personal information collected by it is properly managed and protected from misuse. Personal information is defined under the *Privacy Act 1998* (Cth). BIG4 Easts Beach Holiday Park is an Australian Privacy Principle entity under the Act and is committed to ensuring that it fulfils its obligations under the *Privacy Act 1988* (Cth) and the *Australian Privacy Principles* when dealing with the personal information of our customers, employees and contractors. This policy sets out how BIG4 Easts Beach Holiday Park will manage personal information it collects and uses in the course of business.

### Aims & Objectives

#### [Open and transparent management of personal information](#)

#### **The kinds of information we collect and hold**

BIG4 Easts Beach Holiday Park collects and holds the following types of personal information:

- Personal information from our customers such as name, address, phone and email details.
- Transactional information such as credit card details for the payment of accommodation bookings.
- Personal information from our employees such as name, address, phone and email details, date of birth, superannuation details, tax file numbers, criminal history and medical checks.
- Transactional information such as bank details from employees for the payment of wages.

#### **How we collect and hold personal information**

BIG4 Easts Beach Holiday Park collects personal information directly from customers after they have made a booking for accommodation in our business.

BIG4 Easts Beach Holiday Park collects personal information directly from employees on the commencement of employment.

BIG4 Easts Beach Holiday Park takes reasonable steps to maintain the security of personal information to protect it from unauthorised disclosures. BIG4 Easts Beach Holiday Park hold a hard copy in our secure offices and in electronic format in our secure servers.

#### **Purposes for collecting, holding, using and disclosing personal information**

The first priority of BIG4 Easts Beach Holiday Park use of personal information is to protect its confidentiality, subject to the particular use the information is being put to. Personal information will not be revealed, sold, distributed, rented, licensed, shared or passed on to any third party unless consent has been granted by the individual or unless BIG4 Easts Beach Holiday Park is required to do so by law.

BIG4 Easts Beach Holiday Park use your information to provide products and services to you or information about these products or services.

BIG4 Easts Beach Holiday Park is committed to the use of personal information in accordance with the Australian Privacy Principles.

### **How to access or correct your personal information or make a privacy complaint**

BIG4 Easts Beach Holiday Park is transparent and accountable for the limited personal information that we collect. Should you wish to access or correct your personal information we hold, please contact BIG4 Easts Beach Holiday Park on 02 4232 2124 or email [holiday@eastsbeach.com.au](mailto:holiday@eastsbeach.com.au). You may also use these contact details to notify BIG4 Easts Beach Holiday Park of a privacy complaint that you may have against us if you think we have failed to comply with our obligations under the Australian Privacy Principles.

### **Disclosure of personal information to overseas recipients**

BIG4 Easts Beach Holiday Park undertakes **not** to distribute any of your personal information to overseas recipients.

### **Availability of Privacy Policy**

The privacy policy of BIG4 Easts Beach Holiday Park is available free of charge on our website [www.eastsbeach.com.au](http://www.eastsbeach.com.au) or a hard copy is available in our office.

### **Anonymity and pseudonymity**

Wherever it is lawful and practicable, individuals have the option of not identifying themselves or using a pseudonym when dealing with BIG4 Easts Beach Holiday Park in relation to a particular matter.

However this does not apply, if in relation to the matter:

- a) BIG4 Easts Beach Holiday Park is required or authorised by or under an Australian law, or a court/tribunal order, to deal with individuals who have identified themselves; or
- b) It is impracticable for BIG4 Easts Beach Holiday Park to deal with individuals who have not identified themselves or who have used a pseudonym.

### **Collection of solicited personal information**

BIG4 Easts Beach Holiday Park will not collect personal information (other than sensitive information) unless the information is reasonably necessary for one or more of its functions or activities and the individual consents to the collection of the information.

BIG4 Easts Beach Holiday Park will only collect personal information by lawful and fair means and will not do so in an unreasonably intrusive way.

BIG4 Easts Beach Holiday Park will not collect sensitive information about an individual unless:

- a) the individual has consented; or
- b) the collection is required under an Australian Law or a court/tribunal order; or
- c) a permitted general situation exists in relation to the collection of the information by BIG4 Easts Beach Holiday Park. Permitted general situation (as defined in s16A Privacy Act 1988 (Cth)) includes:
  - i. it is unreasonable or impracticable to obtain the individual's consent to the collection, use or disclosure; and
  - ii. BIG4 Easts Beach Holiday Park reasonably believes that the collection, use or disclosure is necessary to lessen or prevent a serious threat to the life, health or safety of any individual, or to public health or safety.

- iii. BIG4 Easts Beach Holiday Park has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to its functions or activities has been, is being or may be engaged in; and
  - iv. BIG4 Easts Beach Holiday Park reasonably believes that the collection, use or disclosure is necessary in order for BIG4 Easts Beach Holiday Park to take appropriate action in relation to the matter.
  - v. BIG4 Easts Beach Holiday Park reasonably believes that the collection, use or disclosure is reasonably necessary to assist any APP entity, body or person to locate a person who has been reported missing; and
  - vi. The collection, use or disclosure complies with the rules made under section 16A (2) of the Privacy Act 1988 (Cth)
  - vii. The collection, use or disclosure is reasonably necessary for the establishment, exercise or defence of a legal or equitable claim.
  - viii. The collection, use or disclosure is reasonably necessary for the purposes of a confidential alternative dispute resolution process or
- d) BIG4 Easts Beach Holiday Park is an organisation and a permitted health situation as defined in s16B Privacy Act 1988 (Cth) exists in relation to the collection of the information by BIG4 Easts Beach Holiday Park

BIG4 Easts Beach Holiday Park will only collect personal information about an individual only from the individual unless the individual consents to the collection of the information from someone other than the individual or BIG4 Easts Beach Holiday Park is required or authorised by or under an Australian Law, or a court/tribunal order, to collect the information from someone other than the individual or it is unreasonable or impracticable to do so.

### **Dealing with unsolicited personal information**

Where BIG4 Easts Beach Holiday Park receives unsolicited personal information, BIG4 Easts Beach Holiday Park will in a reasonable period after receiving the information determine whether BIG4 Easts Beach Holiday Park could have collected the information in accordance with the requirements of APP 3. If so, APPs 5 to 13 will apply to that information. If BIG4 Easts Beach Holiday Park determines that BIG4 Easts Beach Holiday Park could not have collected the personal information and the information is not contained in a Commonwealth record, then BIG4 Easts Beach Holiday Park will, as soon as practicable but only if it is lawful and reasonable to do so, destroy the information or ensure that the information is de-identified.

### **Notification of the collection of personal information**

When collecting personal information from an individual, BIG4 Easts Beach Holiday Park will take all reasonable steps to ensure that the individual is aware of:

- a) the identity of BIG4 Easts Beach Holiday Park and how to contact us;
- b) the fact that BIG4 Easts Beach Holiday Park collects personal information and understands the circumstances of that collection;
- c) the fact that the individual is able to gain access to the information;
- d) the purposes for which the information is collected;
- e) any other organisations or persons to which BIG4 Easts Beach Holiday Park usually discloses information;
- f) how to seek correction of personal information;
- g) how to complain about a breach of the APPs, or a registered APP code (if any) that binds BIG4 Easts Beach Holiday Park and how we deal with such complaint;
- h) whether BIG4 Easts Beach Holiday Park is likely to disclose an individual's personal information to overseas recipients and if practicable to specify, the countries in which those recipients are likely to be located;
- i) any Australian law or court/tribunal order that requires particular information to be collected;
- j) the main consequences (if any) for the individual if all or part of the information is not collected by BIG4 Easts Beach Holiday Park; and
- k) if BIG4 Easts Beach Holiday Park collects the information from someone other than the individual, and the individual may not be aware that BIG4 Easts Beach Holiday Park has collected the personal information, then the circumstances of that collection.

When reasonable and practicable to do so, BIG4 Easts Beach Holiday Park will only collect personal information about an individual from that individual.

### **Use or disclosure of personal information**

BIG4 Easts Beach Holiday Park will only use or disclose personal information about an individual for the purpose of providing its goods and services to the individual (“primary purpose”).

However, BIG4 Easts Beach Holiday Park may also use or disclose personal information about an individual where such use or disclosure arises in the context of BIG4 Easts Beach Holiday Park using or disclosing the information for a secondary purpose, where the individual consents to that use or disclosure, or another exception applies.

Other exceptions include those contained in APP 6 where the use or disclosure for a secondary purpose is:

- a) Required or authorised by or under Australian law or a court/tribunal order;
- b) For a permitted general situation [as defined in s16A of the Privacy Act 1998 (Cth)] that exists in relation to the use or disclosure of the information;
- c) For a permitted health situation [as defined in s16B of the Privacy Act 1998 (Cth)] that exists in relation to the use or disclosure of the information;
- d) Reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body such as the conduct of surveillance activities, intelligence gathering activities or monitoring activities or the conduct of protective or custodial activities.
- e) If the individual would reasonably expect BIG4 Easts Beach Holiday Park to use or disclose the information for the secondary purpose and the secondary purpose is:
  - i. If the information is sensitive information – directly related to the primary purpose or
  - ii. If the information is not sensitive information – related to the primary purpose.

### **Direct Marketing**

BIG4 Easts Beach may only use or disclose personal information (other than sensitive information) for direct marketing purposes where the individual has either consented to their personal information being used for direct marketing or has a reasonable expectation that their personal information will be used for this purpose, or the individual has made no request not to receive direct marketing communications from BIG4 Easts Beach Holiday Park or for BIG4 Easts Beach Holiday Park not to facilitate direct marketing to the individual by other organisations and any conditions relating to opt-out mechanisms are met.

If BIG4 Easts Beach Holiday Park uses or discloses personal information about an individual for the purposes of direct marketing by BIG4 Easts Beach Holiday Park or for the purpose of facilitating direct marketing by other organisations, the individual may request not to receive direct marketing communications from BIG4 Easts Beach Holiday Park and request other organisation not to use or disclose the information and request BIG4 Easts Beach Holiday Park to provide its source of the information.

If an individual requests BIG4 Easts Beach Holiday Park to provide its source of the information BIG4 Easts Beach Holiday Park will within a reasonable time period after the request is made, notify the individual of its source unless it is impracticable or unreasonable to do so.

APP 7 does not apply to the extent that any other direct marketing legislation applies including the Do Not Call Register Act 2006 and the Spam Act 2003 and any other Act of the Commonwealth, or a Norfolk Island enactment, prescribed by the Regulations.

## **Cross-border disclosure of personal information**

Before BIG4 Easts Beach Holiday Park discloses personal information to an overseas recipient, BIG4 Easts Beach Holiday Park must take reasonable steps to ensure that the overseas recipient does not breach the APPs (other than APP 1) in relation to that information. In some circumstances an act done, or a practice engaged in by the overseas recipient that would breach the APPs is taken to be a breach of the APPs by BIG4 Easts Beach Holiday Park.

There are a number of exceptions to these requirements, including where BIG4 Easts Beach Holiday Park reasonably believes:

- a) .
  - i. the recipient of the information is subject to a law, or binding scheme, that has the effect of protecting the information in a way that, overall, is at least substantially similar to the way in which the Australian Privacy Principles protect the information; and
  - ii. there are mechanisms that the individual can access to take action to enforce that protection of the law or binding scheme; or
- b) both of the following apply:
  - i. BIG4 Easts Beach Holiday Park expressly informs the individual that if he or she consents to the disclosure of the information , sub clause 8.1 of APP 8 will not apply to the disclosure;
  - ii. after being informed, the individual consents to the disclosure' or
- c) the disclosure of the information is required or authorised by or under an Australian law or a court/tribunal order; or
- d) a permitted general situation (other than the situation referred to in item 4 or 5 of the table in subsection 16A(1) of the Privacy Act 1988 (Cth) exists in relation to the disclosure of the information by BIG4 Easts Beach Holiday Park.

## **Adoption, use or disclosure of government related identifiers**

When identifying an individual BIG4 Easts Beach Holiday Park is prohibited from adopting, using or disclosing a government related identifier unless an exception applies. An identifier can include a number, letter or symbol, or a combination of any or all of these that is used to identify an individual or verify the identity of an individual e.g. driver's licence number, Medicare number etc.

BIG4 Easts Beach Holiday Park will not use or disclose an identifier assigned to an individual as described above except in accordance with APP 9. This includes:

- a) the use or disclosure of the identifier is reasonably necessary for BIG4 Easts Beach Holiday Park to verify the identity of the individual for the purposes of BIG4 Easts Beach Holiday Park activities or functions; or
- b) the use or disclosure of the identifier is reasonably necessary for BIG4 Easts Beach Holiday Park to fulfil its obligations to an agency or a State or Territory authority; or
- c) the use or disclosure of the identifier is required or authorised by or under an Australian law or a court/tribunal order; or
- d) a permitted general situation (other than the situation referred to in item 4 or 5 of the table in subsection 16A(1) of the Privacy Act 1988 (Cth) exists in relation to the use or disclosure of the identifier; or
- e) BIG4 Easts Beach Holiday Park reasonably believes that the use or disclosure of the identifier is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or
- f) the identifier is prescribed by the Privacy Regulation 2013 (Cth); and BIG4 Easts Beach Holiday Park is prescribed by the regulations, or is included in a class of organisations prescribed by the regulations; and the adoption, use or disclosure occurs in the circumstances prescribed by the regulations.

### **Quality of personal information**

BIG4 Easts Beach Holiday Park will take reasonable steps to ensure that the personal information it collects is accurate, up to date and complete. For uses and disclosures, BIG4 Easts Beach Holiday Park will take reasonable steps to ensure the personal information is relevant, as well as accurate, up to date and complete, having regard to the purpose of the use or disclosure.

### **Security of personal information**

BIG4 Easts Beach Holiday Park will take reasonable steps to protect the personal information it holds from interference, in addition to misuse and loss and unauthorised access, modification and disclosure.

BIG4 Easts Beach Holiday Park will take reasonable steps to destroy or de-identify information if BIG4 Easts Beach Holiday Park no longer needs the information for any authorised purpose unless it is contained in a Commonwealth record or BIG4 Easts Beach Holiday Park is required by law or a court/tribunal order to retain the information.

### **Access to personal information**

Where BIG4 Easts Beach Holiday Park holds personal information about an individual, BIG4 Easts Beach Holiday Park will on request by the individual, give the individual access to the information. However, BIG4 Easts Beach Holiday Park is not required to give the individual access to the personal information to the extent that:

- a) BIG4 Easts Beach Holiday Park reasonably believes that giving access would pose a serious threat to the life, health or safety of any individual, or to public health or public safety; or
- b) giving access would have an unreasonable impact on the privacy of other individuals; or
- c) the request for access is frivolous or vexatious; or
- d) the information relates to existing or anticipated legal proceedings between BIG4 Easts Beach Holiday Park and the individual, and would not be accessible by the process of discovery in those proceedings; or
- e) giving access would reveal the intentions of BIG4 Easts Beach Holiday Park in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
- f) giving access would be unlawful; or
- g) denying access is required or authorised by or under an Australian law or a court/tribunal order; or
- h) both of the following apply:
  - i. BIG4 Easts Beach Holiday Park has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to the BIG4 Easts Beach Holiday Park functions or activities has been, is being or may be engaged in;
  - ii. giving access would be likely to prejudice the taking of appropriate action in relation to the matter; or
- i) giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or
- j) giving access would reveal evaluative information generated within BIG4 Easts Beach Holiday Park in connection with a commercially sensitive decision-making process.

### **Dealing with requests for access**

BIG4 Easts Beach Holiday Park must respond to any request for access to the personal information within a reasonable period after the request is made and give access to the information in the manner requested by the individual, if it is reasonable and practicable to do so.



### **Other means of access**

If BIG4 Easts Beach Holiday Park refuses:

- a) to give access to the personal information because of any of the exceptions above apply, or
- b) to give access in the manner requested by the individual; BIG4 Easts Beach Holiday Park must take such steps (if any) as are reasonable in the circumstances to give access in a way that meets the needs of BIG4 Easts Beach Holiday Park, and the individual.

For example, access may be given through the use of a mutually agreed intermediary.

### **Access Charges**

If BIG4 Easts Beach Holiday Park charges the individual for giving access to the personal information, the charge must not be excessive and must not apply to the making of the request but represent the reasonable costs incurred by BIG4 Easts Beach Holiday Park in providing that personal information.

### **Refusal to give access**

If BIG4 Easts Beach Holiday Park refuses to give access to the personal information because of the exceptions shown in (a-j) above under "Access to Personal Information", or to give access in the manner requested by the individual, BIG4 Easts Beach Holiday Park will give the individual a written notice that sets out:

- a) the reasons for the refusal except to the extent that, having regard to the grounds for the refusal, it would be unreasonable to do so; and
- b) the mechanisms available to complain about the refusal; and
- c) any other matter prescribed by the Privacy Regulation 2013 (Cth).

If BIG4 Easts Beach Holiday Park refuses to give access to the personal information because of paragraph (i) above under "Access to Personal Information", the reasons for the refusal may include an explanation for the commercially sensitive decision.

### **Correction of personal information**

Where BIG4 Easts Beach Holiday Park holds personal information about an individual; and either:

- a) BIG4 Easts Beach Holiday Park is satisfied that, having regard to a purpose for which the information is held, the information is inaccurate, out of date, incomplete, irrelevant or misleading; or
- b) the individual requests BIG4 Easts Beach Holiday Park to correct the information; BIG4 Easts Beach Holiday Park will take such steps (if any) as are reasonable in the circumstances to correct that information to ensure that, having regard to the purpose for which it is held, the information is accurate, up to date, complete, relevant and not misleading.

### **Notification of correction to third parties**

If:

- a) BIG4 Easts Beach Holiday Park corrects personal information about an individual that BIG4 Easts Beach Holiday Park previously disclosed to another APP entity; and
- b) the individual requests BIG4 Easts Beach Holiday Park to notify the other APP entity of the correction; BIG4 Easts Beach Holiday Park will take such steps (if any) as are reasonable in the circumstances to give that notification unless it is impracticable or unlawful to do so.

### **Refusal to correct information**

If BIG4 Easts Beach Holiday Park refuses to correct the personal information as requested by the individual, BIG4 Easts Beach Holiday Park will give the individual a written notice that sets out:

- a) the reasons for the refusal except to the extent that it would be unreasonable to do so; and
- b) the mechanisms available to complain about the refusal; and
- c) any other matter prescribed by the Privacy Regulation 2013 (Cth).

### **Request to associate a statement**

If:

- a) BIG4 Easts Beach Holiday Park refuses to correct the personal information as requested by the individual; and
- b) the individual requests BIG4 Easts Beach Holiday park to associate with the information a statement that the information is inaccurate, out-of-date, incomplete, irrelevant or misleading; then BIG4 Easts Beach Holiday Park must take such steps as are reasonable in the circumstances to associate the statement in such a way that will make the statement apparent to users of the information.

### **Dealing with requests**

If a request is made to correct personal information or to associate a statement, BIG4 Easts Beach Holiday Park must respond to the request within a reasonable period after the request is made and must not charge the individual for the making of the request, for correcting the personal information or for associating the statement with the personal information (as the case may be).

## **Scope**

This policy applies to:

- BIG4 Easts Beach Holiday Park and its directors, officers and managers;
- all employees, trainees, volunteers, outworkers, apprentices and work experience students of BIG4 Easts Beach Holiday Park, collectively referred to as “employees”;
- all contractors, and employees of contractors, performing work within BIG4 Easts Beach Holiday Park; and
- all of BIG4 Easts Beach Holiday Park’s workplaces and other places where employees or contractors of BIG4 Easts Beach Holiday Park may be working for or representing BIG4 Easts Beach Holiday Park.

## **Responsibilities of Employees and Contractors**

At all times all employees and contractors are required to:

- understand and comply with this Policy;
- ensure they don’t engage in aid or abet, any conduct in breach of this Policy or is otherwise unlawful;
- report to BIG4 Easts Beach Holiday park all incidents of conduct in breach of this Policy or otherwise unlawful that they witness occurring as soon as possible.

## **Breach of this Policy**

If any employee breaches this Policy they may be subject to disciplinary action which, in serious cases, may lead to termination of employment. Contractors who breach this Policy may have their contracts terminated and visitors who breach this Policy may be asked to leave BIG4 East Beach Holiday Park immediately.



## Definitions

**“Personal Information”** means information or an opinion about an identified individual, or an individual who is reasonably identifiable whether the information or opinion is true or not; and whether the information or opinion is recorded in a material form or not.

**“Record”** includes a document or an electronic or other device.

**“Sensitive Information”** means

- a) information or an opinion about an individual's:
  - i. racial or ethnic origin; or
  - ii. political opinions; or
  - iii. membership of a political association; or
  - iv. religious beliefs or affiliations; or
  - v. philosophical beliefs; or
  - vi. membership of a professional or trade association; or
  - vii. membership of a trade union; or
  - viii. sexual orientation or practices; or
  - ix. criminal record;  
that is also personal information; or
- b) health information about an individual; or
- c) genetic information about an individual that is not otherwise health information; or
- d) biometric information that is to be used for the purpose of automated biometric verification or biometric information
- e) biometric templates

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