



1 VICKERY AVE, ROSE BAY, NSW 2029  
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## Rose Bay RSL Club Co-Op Limited ABN 27 950 495 122 trading as Club Rose Bay

This is the Privacy Policy of Rose Bay RSL Club Co-Op Limited (ABN 27 950 495 122) trading as Club Rose Bay (the "**Club**", "we", "us", or "our"). We are committed to providing you with the highest levels of customer service. This includes protecting your privacy and keeping you informed of our privacy policy.

The Club is required to comply with the provisions of the Privacy Act 1988 (Cth) ("**Privacy Act**") which regulates, among other things, the collection, storage, quality, use and disclosure of personal information.

The principal activities of the Club are:

- Providing a venue for members and guests to engage in social activities;
- Supporting the community;
- Providing members and guests access to a range of goods and services; and
- Providing a safe friendly environment for locals to meet.

## About this Privacy Policy

The purpose of this policy ("**Privacy Policy**") is to explain how the Club complies with the Privacy Act and the Australian Privacy Principles ("**APPs**"), which govern the way we must manage personal information (as defined in the Privacy Act), and to protect the personal information of our members and guests, which we take very seriously.

This Privacy Policy sets out how we collect, hold, use, disclose and otherwise manage personal information about our members and guests. We encourage all members and guests to check our website regularly for any updates to this Privacy Policy. We may update this policy from time to time as we consider appropriate, for example, to reflect changes to the law or to our business. Where we make material changes to this Privacy Policy, we will take reasonable steps to notify you, which may include posting a notice on our website or, where practicable, directly contacting you. Your continued use of our services after such notification constitutes acceptance of the updated Privacy Policy.

In this Privacy Policy, personal information means any information or opinion about an identified individual, or an individual who is reasonably identifiable, whether true or not and whether recorded in a material form or not.



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By visiting the Club's website, attending Club premises, using our goods and/or services or by otherwise providing your personal information to us, you acknowledge that you have read and understood this Privacy Policy. Your continued use of our services constitutes 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 attend our Club premises, buy our goods or services, use our products, use our website or otherwise provide us with your personal information.

## Collection

### General

Personal information will generally be collected directly from you using any of our standard forms, membership application and renewal forms (which will be completed generally by electronic means, using our membership application and renewal terminals), competition entry forms, email, comments/contributions to our social media sites, visitor sign-in including sign-in terminals or when you deal with us in writing, by telephone or in person, and other ways of collection as set out in this Privacy Policy. At or before the time of collection (or as soon as practicable afterwards if collection is from a third party), we will take reasonable steps to notify you of the matters set out in APP 5, including the purposes for which we collect your personal information and the entities to which we may disclose it.

Certain collection is authorised or required by law under various legislation including the Liquor Act 2007 (NSW), Gaming Machines Act 2001 (NSW), Corporations Act 2001 (Cth), and Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth). The main consequences for you if personal information is not collected include: inability to become a member, refusal of entry to premises, inability to access gaming services, inability to receive promotional offers, and potential non-compliance with legal obligations.

We may disclose your personal information to: employees, service providers, IT systems administrators, payment processors, law enforcement bodies, regulatory authorities, other clubs within multi-venue exclusion schemes, and professional advisors. Disclosure to overseas recipients is unlikely but may occur for cloud storage or IT services - in such cases we will take reasonable steps to ensure APP compliance by any third-party contractor.

We will not collect personal information unless the information is reasonably necessary for, or directly related to, one or more of our functions or activities.



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## Collection at Premises

The Club premises are subject to screening technologies, personal identification systems and processes which may include, membership card systems, facial recognition technology and video surveillance at all times. We collect your personal information this way, including by:

- a) collecting information from your driver's licence or other identification, or membership card when you enter the premises, when you use the "sign-up terminals";
- b) collecting information at any of our point-of-sale terminals when we or you swipe your membership card to earn points on food and beverage purchases or benefit from any applicable member discounts;
- c) collecting information when you enter, and play with, your membership card in an electronic gaming machine; and
- d) monitoring member and guest behaviour in Club venues including with respect to harm minimisation and the reasonable consumption of alcohol.

## Internet

We also collect your personal information:

- a) automatically when you use your computer to access the Club website or any Club application or when you use your mobile device to access our websites or online resources;
- b) through you utilising the facilities of the Club such as booking a function, or receiving goods or services from the Club, or contacting the Club by telephone;
- c) through bookings and use of payment methods both electronically and otherwise with the Club;
- d) when you visit the Clubs website, or use our other online resources, the Club may use cookies, single pixels tags and similar tracking technologies including tools provided by third parties such as Google, to collect or receive personal information;
- e) if you access the Club website or other online platform, or connecting wireless devices to a Club service or network, the information we collect may also include your IP address, type of operating system, browser type, domain name, date and time of interaction, pages you visit, location when accessing the website and your online behaviour; and
- f) by video surveillance and facial recognition technology.

## Sensitive Information

The Club will not solicit, collect or use sensitive personal information other than we may collect your facial biometric data upon your entry to the Club where it may be compared against facial biometric data held by the Club in connection with excluded, suspended and barred persons or



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where we may identify you with respect to any potential illegal or undesirable activity on the premises including but not limited to any anti-social behaviour, illegal conduct, or other behaviour which is contrary to the Club's Rules.

Sensitive information will be collected from employees. These include health information such as incident and accident reports, medical and doctor's certificates, sick leave and attendance records, workers compensation claims and related information, and medical histories and assessments, including for insurance purposes.

The Club will not otherwise usually collect information about racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences, criminal records, or health information. If the Club does so, it will only collect such information where we have obtained your consent, if you apply for a job with the Club; or we are otherwise permitted or required by law to do so.

## **Job applicants, staff, contractors, suppliers and volunteers**

The Club may also collect personal information about job applicants, Club staff, volunteers who work with us, and details of other people who come into contact with the Club such as contractors and suppliers for the primary purpose of assessing and engaging or employing the person. The Club also holds and uses such personal information for managing the employment or engagement to meet its legal obligations

## **Information received from other parties**

Sometimes, someone else may provide us with your personal information, with or without your direct involvement.

For example, the Club might collect personal information from:

- a) another organisation of which you are a member, such as a local sporting club using our facilities, or community organisation;
- b) a regulatory authority, a local liquor accord or another club industry organisation including without limitation with respect to its statutory obligations; or
- c) your representative(s).

## **Failure to provide information**

If the personal information you provide to us is incomplete or inaccurate, we may be unable to provide you with the products or services you are seeking or admit you as a member or grant you entry to the Club's premises.



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## Third-Party Terminal Processing

Our membership application system and terminals are provided by third-party suppliers who may process your personal information as part of the terminal operation. This processing includes: scanning and extracting data from your driver's licence or identification document; capturing and temporarily processing your facial image for identity verification; and transmitting collected information securely to the Club's membership systems.

These third-party suppliers operate under strict contractual obligations to protect your personal information and are prohibited from using your information for any purpose other than providing terminal services to the Club. Personal information processed by terminal suppliers is subject to the same security and privacy protections as outlined in this Privacy Policy.

## Use and Disclosure

### General

Generally, the Club will only use and disclose personal information about you for the purpose for which it was collected, or for a related purpose as permitted by the Privacy Act or for uses for which you have given consent (which may be express or implied) including for the following:

- a) to know who you are, verify your age, identify you and process your membership applications and renewal;
- b) comply with requirements under the Liquor Act 2007 (NSW), Gaming Machines Act 2001 (NSW), Gaming Machines Regulation 2019 (NSW), Corporations Act 2001 (Cth), Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth), directions and requirements of the Independent Liquor & Gaming Authority, and other relevant legislation including but not limited to, maintaining and updating exclusion registers;
- c) comply with obligations relating to the responsible provision of gaming services;
- d) contact members and guests to advertise and market events, activities, opportunities, offers and the goods and services provided by the Club including without limitation with respect to food and beverage, promotions, entertainment, gaming, wagering, gaming machines, sporting events, KENO, TAB, functions and venue hire unless you are listed on an exclusion register in accordance with the Gaming Machines Act 2001;
- e) send notices as required by the Club's Rules, or the Club's obligations under legislation including the Corporations Act, the Gaming Machine Act and Regulation and the Liquor Act 2007;
- f) analyse usage of food and services offered by the Club and provide you with goods or services you are receiving or utilising as offered by the Club;

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- g) provide any benefits you become entitled to in relation to that product or service you have received or purchased from a Club;
- h) analyse website and other online resources usage;
- i) respond to your submissions, questions, comments, requests and complaints;
- j) conduct our internal business and management processes, for example accounting or auditing purposes;
- k) for any other purposes that would reasonably be expected by you as a result of disclosing your information to the Club or by being a Club Member;
- l) to use the physical location of your mobile device for security purposes and to provide you with alerts, notifications and other information related to our products or services;
- m) for complying with obligations that we may have under laws that apply to our business or to meet requests from regulatory bodies which regulate our business, such as preparing player activity statements and monitoring the responsible provision of gambling services in our Club, including the exclusion of patrons from our Club;
- n) for Club disciplinary charges and hearings; and to monitor your use of the Club services and facilities;
- o) to provide to relevant authorities when the Club believes that unlawful or undesirable activity is being or has been conducted;
- p) details as required to allow you to use any inhouse wi-fi located in the Club premises; and
- q) to provide to anyone authorised by you to receive your personal information (your consent may be express or implied and can be withdrawn at any time).

When or before the Club collects personal information, the Club will take reasonable steps to inform you directly or indirectly of the purposes for which the information is collected; where applicable, any law that requires the particular information to be collected, and the main consequences for the user if all or part of the information is not provided.

## Disclosure to Enforcement Body

If the Club discloses your personal information to an enforcement body, the Club will make a written note of the use or disclosure.

## Anonymity and Pseudonymity

In almost all cases where we collect personal information it would be impracticable for the Club to deal with you if you didn't identify yourself or used a pseudonym. So we usually do not offer you the option of not identifying yourself or of using a pseudonym.





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In many cases, if you are not prepared to provide personal information or allow us to collect personal information in our usual way then we will not be able or may not be prepared to deal with you or you may not be able to exercise particular rights or enjoy particular benefits or we may not be able to provide you with the level of service normally offered. In most cases that will be because the transaction or interaction (or our proper management of the transaction or interaction) will depend on you supplying personal information. In other cases, if you are not prepared to provide personal information or allow us to collect personal information in our usual way, then it will not be practicable for us to make a special case for you and change our systems to avoid collecting other personal information concerning you.

If we receive personal information about someone that we did not solicit or seek (either directly or by facilitating the provision of that information to us) then within a reasonable period after receiving the information we aim to destroy the information or ensure the information is de-identified.

## Marketing and Promotional Materials

We may send you direct marketing communications and information about our services/products, opportunities, member surveys, promotions or events that we consider may be of interest to you.

We will not send any marketing communications to those individuals listed on exclusion registers.

These communications may be sent in various forms, including mail, SMS and email, in accordance with applicable marketing laws, such as the Spam Act 2003 (Cth) which prohibits unrequested commercial messages. You consent to us sending you those direct marketing communications by any of those methods. If you indicate a preference for a method of communication, we will endeavour to use that method whenever practical to do so.

You may opt-out of receiving marketing communications from us at any time by contacting us using the details provided in the Privacy Policy. We will include in each direct marketing communication a prominent statement that you may make such a request.

## Visitors and Guests

Patrons visiting the Club must produce a recognised form of identification i.e. passport, driver's licence or proof of age card to gain entry to the premises. The Club uses membership systems and terminals to gather this information to protect the data collected i.e. name, address and date of birth of patrons.



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## Surveillance of Venues

The Club is monitored and recorded by Closed Circuit Television (“**CCTV**”). At all times the Club will advise that your image may be captured before recording with prominent signage. 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 Independent Liquor & Gaming Authority.

## Facial Recognition Technology (FRT)

The Club may use FRT to identify members, non-members, self-excluded patrons (including those self-excluded from MVSE, TAB, and ClubSAFE), and patrons barred by the local liquor accord.

This technology captures and analyses biometric facial data. If your facial identity is registered in our system (as a member, non-member, self-excluded patron, or barred patron), the facial recognition data will be retained for a period, depending on the reason for retention. If your facial identity is not registered in our system, the facial data will be automatically deleted within two (2) seconds of capture. The facial recognition information is used solely for the purposes of venue safety, compliance with responsible service of alcohol obligations, and enforcement of self-exclusion and barring policies.

Our FRT system makes automated decisions including: automatic alerts for self-excluded or barred patrons, automated entry permissions for members, and automated security notifications. These decisions are made without human intervention but are subject to override by Club staff when appropriate.

## Use of Government Identifiers

The Club will not adopt a government-related identifier of an individual as its own identifier under any circumstances.

## Third Party Disclosure

### Third Party Disclosure

The Club may share your information with other parties who provide services to us, including organisations, agents, facial recognition technology suppliers, partners and contractors that assist us with providing our business processes and products and services. These contracts with third parties will require the third party to keep your personal information confidential and secure. These third parties may include (but are not limited to):





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- a) employees, third party service and content providers, dealers, agents, contractors, suppliers, business support services, payment processors, website hosting service providers, rewards and loyalty service providers, cloud storage providers, IT systems administrators, mailing houses, couriers, payment processors, data entry service providers, electronic network administrators, debt collectors, membership terminal suppliers and technology providers, and professional advisors such as accountants, solicitors, business advisors and consultants;
- b) law enforcement bodies, courts of law or as otherwise required or authorised by law;
- c) regulatory or government bodies;
- d) any organisation for any authorised purpose with your express consent.

## Government Disclosure

The Club will as required by law, or upon reasonable request, disclose personal information to government departments, statutory bodies, authorities and law enforcement. Where authorised by law or by a reasonable request, or for any of the purposes outlined in this Privacy Policy, the Club will disclose personal information to government agencies.

Before personal information about you is disclosed to a contracted third party, the Club will take steps as are reasonably practicable and appropriate in the circumstances to ensure that the third party does not breach the APP in relation to the information.

## Securing your information

### Security

The Club has security systems in place which are intended to protect your personal information from misuse, interference, loss, unauthorised access, modification, or disclosure by the use of various methods including locked storage of confidential paper records and passworded access to computerised records (depending on the nature of the information that we are holding).

These measures include:

- a) training of all Club employees on their legal obligation in respect to the confidentiality of all information obtained.
- b) password security for all electronic devices including differing security levels for all Club employees, dependent on their level of responsibility.

### Destruction or De-Identification

We normally keep personal information indefinitely as it is difficult to identify any particular time when particular personal information ceases to be relevant and also because many of our



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records are aggregated and continuous. However, to the extent of personal information that is obtained in connection with a register of guests who enter our premises where the register is required under the clubs legislation, and which information forms part of a register (which may include identification information such as drivers licence details), we will usually not maintain a particular register entry beyond about three years after the date of the entry in the register except where we have a reasonable basis for anticipating that the particular register may still be needed in evidence at some later time.

We are required by law to keep some types of information for certain periods of time. If we no longer require your personal information or are required to hold it by law, we will generally destroy or de-identify it. We reserve the right to retain information for longer than the minimum period required under any applicable law if we consider that it is appropriate, but we will hold it in accordance with this policy.

If the Club receives personal information about you which it did not request and which it does not reasonably require, we may destroy or de-identify this information where appropriate.

## Cross Border Disclosure

Occasionally, we may disclose personal information to overseas recipients during our business however such disclosure of personal information to overseas recipients is unlikely. 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 the APP.

### Important Notice

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, unless the Club has taken reasonable steps to ensure the overseas recipient does not breach the APP or you have expressly consented to the disclosure after being informed that APP 8.1 will not apply.



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## Correction

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.

If you believe the personal information we hold about you is incorrect and you seek correction of that information, please advise us in writing by sending a 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. We will advise you of the outcome of any request to correct your personal information.

## Access

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 about you, please provide a written request to the Privacy Officer using the details below. The Club will respond to your request within thirty (30) days and 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. If we refuse your request for access, we will provide you with written reasons for the refusal (unless it would be unreasonable to do so) and information about how you may complain about the refusal. The Club may charge a reasonable fee for providing access to your personal information, and we will inform you of any applicable fees before processing your request.

To change your name on the membership database, supporting documentation from a government source, such as passport or driver's licence is required. Change of addresses can be done by contacting Club reception.

## Complaints

If you wish to make a complaint about the Club's use of your personal information or you believe there may be a breach of this privacy policy, 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.



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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.

If you are not satisfied with the Club's response, you have the right to forward your complaint to the Office of the Australian Privacy Commissioner.

## Changes to Our Privacy Policy

The Club reserves the right to make changes to this Privacy Policy from time to time. When material changes are made to this policy, we will notify members by email (where email addresses are held) and/or by prominent notice on our website and premises at least thirty (30) days before the changes take effect. It is your responsibility to review this policy to stay informed about our privacy practices.

Material changes to this Privacy Policy will not apply to personal information collected before the changes take effect unless you provide express consent to the new terms. 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 and after the notice period has expired, you confirm your acceptance of these changes for information collected after the effective date.

## Data Breach Response

In the event of an eligible data breach that is likely to result in serious harm to individuals, the Club will:

- a) notify the Office of the Australian Information Commissioner within seventy-two (72) hours of becoming aware of the breach;
- b) notify affected individuals as soon as practicable where the breach is likely to result in serious harm, unless it would be unreasonable to do so;
- c) include in notifications: description of the breach, kinds of information involved, recommendations about steps individuals should take, and our contact details;
- d) maintain records of all data breaches for a minimum of five (5) years; and
- e) conduct a post-breach review to prevent similar incidents.

Given the sensitive nature of biometric data collected by the Club, any breach involving such data will be treated as high priority and individuals will be notified directly where contact details are available.



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## Contact Us

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

Privacy Officer  
Anthony Bouggas

Postal Address: 1 Vickery Avenue, Rose Bay, NSW 2029

Email: [management@clubrosebay.com.au](mailto:management@clubrosebay.com.au)