

Emprja Pty Ltd ACN 135 384 039 as trustee for the Darrouzet Property Trust (“We/Us/Our”)

1. Who are we?

- (a) We own and operate the Abell Point Marina located at Shingley Drive, Airlie Beach QLD 4802 (“*the Marina*”).
- (b) The Marina consists of various floating mooring berths, waterways and adjacent land containing marine facilities, shops, restaurants and function areas, some of which are operated by us and some of which are leased or licensed to (and operated by) non-related entities.
- (c) We operate Lure Abell Point Marina (“*Lure*”) and Hemingways at Abell Point (“*Hemingways*”), both of which are situated on, and form part of, the Marina.
- (d) The Marina is a premier destination on Australia’s east coast with 80% of all marine tourism in the Whitsundays region being based at the Marina. This makes the Marina the ideal destination to stay, play and explore the natural wonders of Australia.
- (e) The Marina and surrounding precinct is renowned for its world-class facilities and award-winning team of businesses who deliver memorable experiences that reflect excellence in quality and value.
- (f) The Marina is also the largest marina of its type in Australia, with 520 wet berths and two waterfront villages hosting over 20 businesses.

2. What is the purpose of this Policy?

- (a) We recognise the importance of your right to privacy in relation to any information or opinion which identifies you as an individual (your “*personal information*”).
- (b) We are committed to being open and transparent about how we collect, use and share your personal information and ensuring compliance with the Australian Privacy Principles contained in the *Privacy Act 1988* (Cth).
- (c) The purpose of this Policy is to help you to better understand how and why we collect, hold and secure personal information about you, what types of personal information we collect, how we use it and how you can access it or make a complaint.
- (d) This Policy applies to any individual who uses the services we provide at the Marina, including at Lure and Hemingways, or who otherwise interacts with us in the ordinary course of our business.

3. What types of personal information do we collect about you?

- (a) The types of personal information that we collect about you will differ depending on the nature of your dealings with us.
- (b) For example, if you enter into a general Berthing Agreement with us at the Marina, the personal information we will collect about you will include your name, address, phone number, email address and signature. If you book a function at Lure or make a booking at Hemingways, we will also likely require this information, along with your credit card details.
- (c) It may also be necessary for us to collect information relating to your gender, date of birth, driver’s licence, occupation, job description, travel itinerary and/or your bank account details.

4. Why do we collect and hold personal information about you?

- (a) We collect and hold personal information about you so that we can properly conduct our business, provide services to you (and others) at the Marina and comply with our legal obligations. We also collect and hold your personal information so we can keep you updated of developments at the Marina and notify you of new opportunities or initiatives at the Marina from time to time.
- (b) We know your personal information is important to you. For this reason, we will only collect personal information about you which:
 - (i) is reasonably necessary for us to carry on the functions of our business; and
 - (ii) you (or your agent) discloses to us, unless it is unreasonable or impracticable for this to occur.
- (c) You may choose to remain anonymous or adopt a pseudonym when dealing with us. However, please note that (in many cases) if you are unable to provide the personal information we request from you, we may be unable to provide you with the services we offer at the Marina or otherwise conduct business with you, either because it is impracticable to do so or not permitted by law.

5. How do we collect personal information about you?

- (a) We collect personal information about you when you provide it to us or when you use the services we offer at the Marina.
- (b) The usual way we collect your personal information is through the forms you fill out (whether in physical form or through our websites), your agreement/s with us, our telephone or face-to-face conversations with you, any emails you might send to us from time to time and/or any interaction you have with us through our social media pages or when you sign up to our e-newsletter.

6. How do we hold, store and secure personal information about you?

- (a) The personal information which we collect about you is generally held electronically on secure servers and platforms (hosted on servers in Australia) or in hard-copy form in a secure location at the Marina.
- (b) We take the security of your personal information seriously. We have therefore implemented a range of physical and electronic security measures to protect your personal information from unauthorised access, use, modification, disclosure or misuse (including the implementation of firewalls).
- (c) Our employees are also bound by confidentiality obligations as a condition of their employment, which extends to your personal information collected by us.
- (d) In relation to personal information which you submit to us electronically, whether by email or via our websites, you need to be aware of the inherent risks associated with the transmission of information over the internet. No data transmission over the internet can be guaranteed to be secure or protected in transit. For that reason, we are unable to guarantee or warrant the security of any personal information which you submit to us electronically.
- (e) In relation to our websites, we are also unable to guarantee the security of any external sites linked to our website or of the privacy practices or policies they might employ.
- (f) We may collect anonymised data about you when you visit our websites to read, browse or download information (such as your IP address, the date and time of your visit to the website/s, the pages accessed and any information downloaded) and/or implement the use of 'cookies' to recognise your browser. Any information collected about you in this way will not be used to identify you, unless required by law. You can choose to turn off 'cookies' in your browser. If you choose to do so, the functionality of our websites (and other websites) may be limited.

7. How do we use and disclose the personal information we collect about you?

- (a) We use and disclose the personal information we collect about you in order to properly conduct our business, provide services to you (and others) at the Marina and for marketing purposes.
- (b) We will only use and disclose your personal information for the primary purpose for which it was collected or to provide you with marketing material from time to time (which you can opt out of), unless we have obtained your consent, we are required to do so by law or the use or disclosure relates to a secondary purpose for which it could reasonably be expected to be used.
- (c) We may disclose your personal information to third parties who assist us from time to time or who perform functions on our behalf, for example our agents, contractors, external service providers, business partners and/or tourism authorities.
- (d) We will take all reasonable steps to ensure that any third parties to whom your personal information is disclosed undertakes to comply with the Australian Privacy Principles.
- (e) We will not disclose any of your personal information to overseas recipients, unless it is required in the circumstances (for example to your office which may be located overseas) or as otherwise requested by you.
- (f) We will not sell your personal information to any third parties.

8. How can you access or correct your personal information that we hold?

- (a) You may request access to the personal information we hold about you by contacting our Privacy Officer (see contact details below).
- (b) Before providing you with access, we may require that you submit a written request and provide evidence of your identity.
- (c) We will endeavour to respond to your access request in writing within 14 days of you first contacting the Privacy Officer or providing what is contemplated in (b), whichever is later.
- (d) We may charge you a reasonable (and not excessive) fee to access your information depending on the time to locate, collate and provide the information to you. You will be advised of the fee (if any) in advance.
- (e) If you believe that the information we hold about you is inaccurate, incomplete or out of date, we encourage you to contact us and we will take reasonable steps to correct the information we hold.
- (f) In some circumstances, we may not be required by the Australian Privacy Principles or at law to provide you with access to, or to correct, the personal information we hold about you. If this is the case, we will outline the reasons for that decision to you in writing.

9. How can you contact us or make a complaint?

- (a) If you wish to contact us, make a complaint about the way in which we have handled your personal information or if you have any queries about this Policy, please contact our Privacy Officer as follows:
 - (i) *By phone* - +61 7 4946 2400
 - (ii) *By email* - privacy@abellpointmarina.com
 - (iii) *By post* - PO Box 579 AIRLIE BEACH QLD 4802
- (b) If you are dissatisfied with our response to any complaint you may raise with us, you are entitled to lodge a written complaint with the Office of the Australian Information Commissioner (OAIC).
- (c) If you do not agree with any part of this Policy, please advise our Privacy Officer in writing. If this is the case, we may be unable to provide, or continue to provide, you with the services we offer at the Marina.

10. Updates

- (a) This policy is current as at December 2018. We will periodically review and update this Policy as necessary from time to time. We will not separately notify you of any such changes. An updated copy of this Policy will however be uploaded to our websites.