

HSW NOMINEES – PRIVACY POLICY

This site is owned and operated by HSW Nominees Pty Ltd (ABN 19 166 209 874) trading as “Howard Smith Wharves” (referred to as “Howard Smith Wharves”, “HSW”, “we”, “us” and “our”). Your privacy is of the utmost importance to us.

Our Privacy Policy outlines the ways in which we collect, use, disclose and protect any personal information that you provide to us. It serves as a communication of our commitment to protecting your personal information, but is not a contract between you and us.

Your consent

By using this site, you consent to the collection and use of your personal information by Howard Smith Wharves in the manner set out in our Privacy Policy. By using our websites and our social media channels, posting comments about us in any forum, providing any personal information to us, making enquires with us, visiting our venues, or booking with us, you confirm that you agree to and consent to the terms of this Privacy Policy and our collection and use of your personal information, to the extent that your consent is required by any applicable law.

What Is Personal Information?

“Personal information” is information or an opinion that is capable of reasonably identifying you, whether that information or opinion is true or not and whether the information or opinion is recorded in a material form or not.

How We Collect Or Generate Your Personal Information

This section sets out the ways in which we may collect or generate personal information concerning you, as well as other information which may not identify you personally.

Visiting our website

By visiting our websites, your computer or device may provide personal information and other information. This includes: information which is automatically provided by your browser to our servers; information recorded on our web servers about your interaction with our website and pages viewed; geolocation data if your device is geolocation enabled; information we capture or place on your computer or generate using cookies or other technologies on our website; and information you input into forms and fields on our website.

Information you provide

Your personal information will include information you provide (or later amend), whether: from correspondence with you; verbally to us over the phone or in person; by filling in any field or form on a website; by posting on any of our social media channels; by posting on any forum referencing us; by filling in any printed form we provide you; by e-mail; from documents you provide; and from updates to any information you provide from time to time. This includes when you: register or

subscribe for any service, make an enquiry whether in person, by phone, through our websites or otherwise; visit the reception of our head office, purchase tickets to any event we organise; send us your comments or suggestions; subscribe to any newsletter or other publication; and request sales and advertising information, including brochures.

If you do not provide us with your personal information, we may be unable to provide you with, for example, the information you require or make a booking on your behalf.

Video Surveillance

In order to provide a safe and secure environment for our patrons and employees, some of our venues are under constant video surveillance. Video footage is retained for 28 days unless required for an investigation in respect of, for example, a breach of security or suspected illegal or suspicious activities. Please note that retaining the video footage is a licensing requirement.

Information obtained from third parties

We may obtain personal information concerning you from third parties, including from: people making enquiries or bookings on your behalf, providers of any meetings or event services which are enquired about or booked with us, and people referencing you in posts on our social media channels. Examples of third parties are provided below.

- Cookies collect information that includes the server your computer or device is logged onto, your browser type and how you gained entry to our website. Therefore, when you visit our websites anonymously, details are recorded about your visit, such as time and date, pages accessed and time spent on the website, in addition to the matters described above. This information is used in an anonymous form for statistical purposes and, as such, cannot be used to identify you individually.

WHAT TYPES OF PERSONAL INFORMATION DO WE PROCESS?

This section summarises the types of personal information that we process:

Information concerning you as an individual

Personal information collected may include, for example, your name, age, gender, address, phone number, fax number, e-mail address, social networking contact details and any other information provided to us by or in relation to you which concern you as an individual.

Electronic newsletters – We offer a free electronic newsletter to users. Howard Smith Wharves gathers the email addresses of users who voluntarily subscribe. Users may remove themselves from this mailing list by following the link provided in every newsletter that points users to the subscription management page.

Business related information

If you are an individual associated with a business or other organisation that is our customer, then your personal information may include the following information that we link to you: business or organisation details (such as name, address, telephone numbers, payment arrangements, financial information, etc.), your relationship with that business or organisation (such as owner, partner, director, shareholder, employee, or agent), and your contact details within that business (such as work address, work telephone and mobile numbers, work fax number, and work e-mail address).

Survey Information

Information collected or generated out of any surveys we conduct.

Feedback and user generated content (UGC)

Feedback or content submitted by you in relation to services we provide.

Competition information

Information collected or generated out of any competitions or promotions we run. Our competitions and promotions are usually subject to their own terms and conditions, which may also address additional privacy matters.

Account, registration and loyalty information

Information concerning any accounts, registrations, or memberships with us, or participation in any loyalty program.

Correspondence

Correspondence, communications and messages, including between you and us, and between us and third parties, including relating to any booking or booking enquiry, or performance of any contract.

Social media

Any information (including your social media user details, feedback, comments and photos) you post on our social media channels or any forum which relates to us.

Website usage information

We may collect information about your visits to, browsing of, and use of our websites, unless your web browser blocks this. The range of information we collect will depend on how you interact with our websites.

This will normally be collected and used anonymously, and aggregated for analysis, with your name and any characteristics identifying you remaining anonymous. Our

Privacy Policy will apply to this information, and it will be treated as your personal information, if this information is in any way linked to you personally.

Additional website information which is collected may also include: information inputted into forms and field; registrations for any accounts, forum, feedback mechanism, social functionality, newsletters or other features of our site; and posts to any forum, feedback, review or other social functionality on our websites.

WHAT DO WE USE YOUR PERSONAL INFORMATION FOR?

This section sets out the uses which we make of your personal information:

Operate our websites

To operate and provide the search and other services, facilities and functions of our websites. This includes customising your online experience by providing you with more relevant online offers and updates.

Provide information and respond to enquiries

To provide information to you about our websites, systems and services, including to respond to enquiries and searches for restaurants, meetings, events or weddings, and to keep you updated generally.

Bookings and other contracts

To enable you to make bookings, redeem gift certificates and to fulfil, provide, perform, administer, manage, and enforce all bookings, orders, and other contracts which relate to you, and to process any transactions authorised or made with us which relate to you.

Payments

To collect and make payments due and administer our accounts.

Communication with customers

To communicate with you concerning any enquiries, services provided, problems and complaints, and to respond to any submissions, enquiries or requests from you.

Record keeping

To keep internal records and maintain reasonable archives, including in respect of enquiries, bookings, contracts, services, and complaints.

Manage and improve our business

To analyse, audit, provide, operate, administer, maintain and improve our business, websites, systems, and services; to carry out surveys and analyse the results; to run promotions and competitions; for security purposes at venues; to undertake product or customer research/development; to assist us in and help us to improve our sales, editorial, advertising and marketing processes; to carry out other business development and improvement activities; and to provide training to our staff, sub-contractors and suppliers.

Direct marketing

To carry out direct marketing to you. See below for further information.

User Generated Content (UGC)

Use of Reviews: By submitting UGC to our websites by electronic mail, posting on our websites or otherwise, including any reviews, questions, comments, suggestions, ideas, photos or the like contained in any submissions (collectively, "Submissions"), you grant Howard Smith Wharves and its affiliates a nonexclusive, royalty-free, perpetual, transferable, irrevocable and fully sub-licensable right to

(a) use, reproduce, modify, adapt, translate, distribute, publish, create derivative works from and publicly display and perform such Submissions throughout the world in any media, now known or hereafter devised; and

(b) use the name that you submit in connection with such Submission.

Use of User Generated Content (UGC): By submitting UGC to our social media channels or websites you grant us a non-exclusive licence to use the Submissions you add to our websites. For example, we may use this information in any of our brochures or for our campaigning purposes or marketing materials.

Legal obligations

To meet our legal obligations including, for example, to comply with licensing requirements under the Liquor Act 1992 (QLD).

Anything you have specifically consented to

Any purpose for which we have obtained your consent.

Use Of Your Personal Information For Direct Marketing

We do not use or disclose your personal information for direct marketing purposes unless we have obtained your consent to this, such as through an opt-in tick box on any form or website of ours.

Direct marketing by us

Where you have consented to this, we may use your personal information to carry out direct marketing and send you marketing messages, materials, adverts and promotions relating to services we provide.

We give you options wherever necessary and/or practical. Such choices include:

- opting in to register to receive our electronic newsletters; and

You have the right to ask us to stop using your personal information to carry out direct marketing to you. To opt-out of receiving direct marketing from us, please follow the instructions detailed at the bottom of all our email marketing communications or email us at info@hswco.com. In any e-mail you send, we would ask you to insert “unsubscribe” as the subject heading.

To whom will we disclose your personal information?

Howard Smith Wharves uses the above-described information to tailor our content to suit your needs and us better understand our audience’s demographics. This is essential to keeping our service free.

We may disclose your personal information for the purposes described in this Privacy Policy to:

- our employees and related bodies corporate;
- third party suppliers and service providers including those who assist with the operation of our websites and/or our venues or in connection with providing our services to you. For example, your personal information may be shared with:
 - third parties who provides us with data analytics, marketing and market research services that we use to shape our business strategies and marketing campaigns;
 - suppliers of services, such as live entertainment or audio-visual services when used at functions at our venues, such as weddings;
 - our professional advisers, such as lawyers and accountants;
 - payment system operators, for example, merchants receiving payments;
 - our existing or potential agents or business partners, such as companies we enter into arrangements with for the operation of events at our venues
 - sponsors or promoters of any competition that we conduct via our services;
 - anyone to whom our assets or businesses or any part of them are transferred;
 - specific third parties authorised by you to receive information held by use; and /or
- other persons, including government agencies, regulatory bodies and law enforcement agencies, or as required, authorised or permitted by law.

These third parties are usually Australian-based. Before we disclose any personal information to a third party, we take reasonable steps to ensure that the third party will protect your personal information in accordance with Australian privacy laws and in a manner consistent with this Privacy Policy. Third parties are required to restrict their use of this information to the purpose for which the information was provided.

Security

Howard Smith Wharves operates secure data networks protected by industry standard firewall and password protection systems. Our security and privacy policies

are periodically reviewed and enhanced as necessary and only authorized individuals have access to the information provided by our customers.

The personal information we collect from you online is stored by us and/or our service providers on databases protected through a combination of physical and electronic access controls, firewall technology and other reasonable security measures.

Third Party Links

Our websites may contain links to websites operated and maintained by third parties over which we have absolutely no control. These third party websites are not subject to this Privacy Policy or our privacy standards and procedures. Any information you provide to third party websites will be governed by the terms of the websites' privacy policies. We have no responsibility or liability whatsoever for the content, actions or policies of third party websites. The inclusion of third party links on our websites in no way constitutes an endorsement of such websites' content, actions or policies.

How Long Do We Keep Your Personal Information For?

We keep your personal information for so long as reasonably necessary for the purposes for which we use it, and if longer, for any duration required by law, and for statutory claims limitation periods where your personal information may be relevant to any possible liability we may have to you.

WHAT LAWS WE COMPLY WITH

Privacy laws

We process your personal information in accordance with the following privacy law(s): the Australian Privacy Principles contained in the Privacy Act, 1988 which regulates the handling of personal information about individuals. This includes the collection, use, storage and disclosure of personal information. Our regulator is the Office of the Australian Information Commissioner (OAIC) (<http://www.oaic.gov.au/>).

Other laws

We also comply generally with the laws of Australia in relation to the processing of your personal information, and not any other laws.

Requests for Access and Correction

You are entitled to access and correct the personal information we hold about you and to have any inaccuracies in the information corrected. However, in order to maintain the accuracy of your personal information, we rely on the quality of the personal information you provide to us.

If you would like to access, update or correct any of the personal information we hold about you, you may do so using the Contact Details below and informing us that you wish to access or correct your personal information.

There are some circumstances specified by law where we may refuse your request for access to and/or the correction of your personal information. However, if one of these circumstances applies, we will provide you with a written explanation of the reasons for refusal, unless it would be unreasonable to provide that notice.

Once we receive your request for access or correction, we will endeavour to respond to your request within a reasonable period after the request is made. We may also charge reasonable costs for responding to your request.

Complaints

If you have any concerns or a complaint about a breach of your privacy or the way we have handled your personal information, please contact us using the Contact Details below and inform us of the nature of your complaint.

We will then investigate your complaint and endeavour to provide you with our response within a reasonable time. If, after receiving our response you still consider that your privacy complaint remains unresolved, you may then, for example, refer your concern to the Office of the Australian Information Commissioner at www.oaic.gov.au.

Contacting Us

If you have any questions about our Privacy Policy or about how we process your personal information, please contact us either by e-mail to info@hswco.com.au telephone on 07 3188 9090 or by post to: PO Box 2010, Fortitude Valley BC Q 4006

Changes To This Privacy Policy

We may change this Privacy Policy at any time and from time to time without notice to you, including by publishing a new version on our websites. You should check this Privacy Policy for updates each time you visit our websites to be sure that you are aware of any changes. You should check the top of the document to see the latest version in force. Any change will be prospective only, and we will not make any changes that have retroactive effect unless legally required to do so.

Applicable Law And Disputes

This Policy is subject to the law of Australia. You may obtain further information regarding privacy issues in Australia by visiting the Australian Information Commissioner's website at <http://www.oaic.gov.au/>.