



## PRIVACY POLICY

### 1. Introduction

- 1.1 Thank you for visiting the <http://www.chatime.com.au> website (the "**Website**"). Infinite Plus Pty Ltd trading as Chatime Australia (ABN 60 136 677 453) and its related bodies and each of its independently owned franchisees ("**Chatime Franchisees**") (collectively referred to as "**Chatime**", "**we**", "**us**" or "**our**") recognise the importance of protecting the privacy and the rights of individuals in relation to their personal information and are committed to protecting the privacy of personal information in accordance with Australian privacy laws.
- 1.2 This Privacy Policy sets out Chatime's approach to handling personal information and includes information on how we collect, manage and keep secure your personal information.
- 1.3 We respect your rights to privacy under the *Privacy Act 1988 (Cth)* (**Act**) and we comply with all of the Act's requirements in respect of the collection, management and disclosure of your personal information.
- 1.4 The scope of this Privacy Policy covers the personal information handling practices of restaurants owned by Chatime in Australia and Chatime Franchisees. Infinite Plus Pty Ltd does not control the use or disclosure of personal information and may not have access to the personal information held by Chatime Franchisees. Chatime Franchisees are responsible for ensuring that your personal information collected by them is handled in accordance with this Privacy Policy and Australian privacy laws.

### 2. What is personal information?

- 2.1 When used in this Privacy Policy, the term "personal information" has the meaning given to it in the Act. In general terms, it is any information that can be used to personally identify you. This may include your name, address, telephone number, email address and profession or occupation.
- 2.2 If the information we collect personally identifies you, or you are reasonably identifiable from it, the information will be considered personal information.

### 3. What personal information do we collect and how is it collected?

- 3.1 We will only collect personal information from you that we reasonably require for one or more of our business functions or activities, and will do so by lawful and fair means.
- 3.2 The kinds of personal information we may collect from you will depend on what type of interaction you have with us. However it may include amongst other things:

- 3.2.1 Personal information that you provide to us when you participate in a promotion, competition, promotional activity, survey, market research, SMS, MMS and other mobile services, subscribe to our mailing list, participate in or join our loyalty programme, utilise Chatime's Mobile Application or interact or follow our social media pages like Facebook, Twitter, LinkedIn and Instagram. This information may include, for example, your first and last names, postal address, physical address, email address, telephone number, facsimile number, age or date of birth; and loyalty membership details;
  - 3.2.2 Personal information you provide to us when you place an order at one of our shops or kiosks. This information may include, for example, your first and last names, postal address, physical address, email address, telephone number, previous order information, loyalty membership details, credit card details and Internet Protocol (**IP**) address;
  - 3.2.3 Information regarding your interests, preferences, purchasing behaviour and experience with our services, together with any additional information necessary to deliver those services and respond to your enquiries;
  - 3.2.4 If you are applying for a position with Chatime we will collect information as detailed in the section below entitled "Employment Applications";
  - 3.2.5 If you are applying to become a Chatime Franchisee, we will collect information as detailed in the section below entitled "Franchise Applications"; and
  - 3.2.6 Any additional information relating to you that you provide to us directly through your access and use of our Website or indirectly through use of our Websites, applications or online presence, through our representatives or otherwise.
- 3.3 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 anonymous answers to surveys or aggregated information about how users use our Website.
- 3.4 With the exception of when you apply for a position with Chatime or apply to become a Chatime Franchisee, we will not collect sensitive information about you (which includes information about your racial or ethnic groups or political or religious beliefs) unless you have specifically consented to such collection or the collection is required by law.

#### **4. Cookies and Web Beacons**

- 4.1 In some cases we may also collect your personal information through the use of cookies. We, our third party service providers and our partners may send "cookies" to your computer or devices or use similar technologies to enhance your online experience at our Website and across the Internet. "Cookies" are files that can identify you as a unique

customer and store your personal preferences as product preferences to tell us which site pages you have visited and in what order. This enables us to recognise your computer and greet you each time you visit our Website. We use cookies and other technical information to personalise your visit to our Website, to analyse traffic on our Website and to track user trends, patterns and selections for authorised download and for technical reasons connected with your use of our site. Cookies can either be permanent (i.e. they remain on your computer until you delete them) or temporary (i.e. they last only until you close your browser). If you do not wish to receive cookies, you can set your browser so that your computer does not accept them. However, please note that certain areas of our Website can only be accessed in conjunction with cookies or similar devices.

- 4.2 We may also use "web beacons" that monitor your use of our Website. Web beacons (or web bugs) are small strings of code that provide a method for delivering a graphic image on a web page for the purpose of transferring data, such as the IP address of the computer that downloaded the page on which the web beacon appears, the URL (Uniform Resource Locator) of the page on which the web beacons appears, the time the page containing the web beacon was viewed, the types of browser that fetched the web beacon and the identification number of any cookie on the computer previously placed by that server. When corresponding with you via HTML capable e-mail, web beacons let us know whether you received and opened our email. By setting your web browser to display HTML emails as text only, you may be able to prevent the use of some web beacons
- 4.3 On their own, cookies or web beacons do not contain or reveal any personal information. However, if you choose to provide us with personal information, it can be linked to the anonymous data stored in the cookies and/or web beacons.

## 5. **What happens if we can't collect your personal information?**

If you do not provide us with the personal information described above, some or all of the following may happen:

- 5.1 we may not be able to provide the requested services or products to you, either to the same standard or at all;
- 5.2 we may not be able to provide information about products and services that you may want including information about special promotions; or
- 5.3 we may be unable to tailor the content of our websites to your preferences and your experience of our Website may not be as enjoyable or useful.

**6. For what purposes do we collect, hold, use and disclose your personal information?**

We collect personal information about you so that we can perform our business activities and functions and provide the best possible quality of customer service. We generally collect, hold, use and disclose your personal information for the following purposes:

- 6.1 Processing drinks orders and orders for gift cards that you place with us in our shops and kiosks, providing you with our products and services and processing drink refunds where applicable;
- 6.2 Where you choose to receive mobile services and content via SMS, MMS and other mobile services, we use this information to deliver such mobile services and content to you, to carry out market research, to track sales data and to inform you of upcoming events and plan other promotional activities which may be of interest to you;
- 6.3 To respond to any queries you may have and to process and respond to any complaint made by you;
- 6.4 Promoting and marketing our current and future products, services, promotions, offers, games and competitions to you;
- 6.5 To improve the operation or navigation of our Website and inform you of changes made to our Website;
- 6.6 Assisting you with remembering and re-ordering from our menu in the future and developing an online customer profile and keeping your contact details up to date;
- 6.7 Processing and considering your employment application (see Employment Application section below);
- 6.8 Providing information that you request about our franchises and processing and considering your franchise application (see Franchise Application section below); and
- 6.9 Facilitating our internal business operations, including fulfilment of any legal, security, and regulatory requirements.

We may also use your personal information for other purposes not listed above which will be made clear to you at the time we collect your personal information, or for such other purposes as may be required or permitted by law.

**7. To whom may we disclose your information?**

For the purposes described in the section above, We may disclose your personal information to and share personal information with:

- 7.1 Chatime Franchisees, subsidiaries and related bodies corporate;
- 7.2 Our employees, contractors or agents for the purposes of operation of our business or our Website, fulfilling requests by you, and to otherwise provide products and services to you including, without limitation, web hosting providers, IT systems administrators, advertisers

and business partners, payment processors, data entry service providers and professional advisors such as accountants, legal advisors, business advisors and consultants;

- 7.3 Suppliers and other third parties with whom we have commercial relationships, for business, marketing and related purposes;
  - 7.4 Chatime Franchisees if you have made an enquiry or complaint relating to a store that is owned and operated by one of our Chatime Franchisees;
  - 7.5 Third parties where the law requires or authorises us to do so;
  - 7.6 Any organisation for any authorised purpose with your express consent;
- We may combine or share any personal information that we collect from you with information collected by any of our related bodies corporate (within Australia).

## **8. Direct marketing materials**

- 8.1 We may send you direct marketing communications and information about our own products and services and on behalf of other companies within Chatime that we consider may be of interest to you. These communications may be sent in various forms, including mail, SMS, fax and email in accordance with applicable marketing laws. You consent to us sending you those direct marketing communications by any of those methods.
- 8.2 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 the details below) or by using opt-out facilities provided in the marketing communications and we will ensure that your name is removed from our mailing list.
- 8.3 If we obtain your prior consent, we may use your personal information for the purposes of direct marketing of products and services on behalf of selected third parties, provided you have agreed to your details being passed on to third parties.

## **9. Employment Applications**

- 9.1 Generally, the type of personal information that we collect about applicants is the information included in your application for employment, for example your name, postal address, telephone number, email address, education details, employment history and other information relating to your work experience.
- 9.2 In considering your application, we may also obtain personal information about you from third parties, for example, from your previous employers or nominated referees. Subject to your consent, we may also collect sensitive information about you such as information about your health (including any disability) or any criminal record you may have.
- 9.3 We collect personal information for any one or more of the following purposes:
  - 9.3.1 Assessing you for a position with us or one of our related entities;

9.3.2 Assessing whether you are suitable to progress to each stage of the recruitment process for a vacant position;

9.3.3 Storing your information for future employment opportunities.

If you do not provide us with the information we request, we will be unable to do one or more of the above.

9.4 We may disclose your information to:

9.4.1 Referees or previous employers;

9.4.2 Recruitment agencies or agencies or contractors acting on our behalf;

9.4.3 Our related entities and Chatime Franchisees;

9.4.4 Employees of Chatime in other locations, franchisees of Chatime in other locations or other Chatime entities worldwide; and

9.4.5 Law enforcement agencies to verify whether you have a criminal record.

If we engage third party contractors to perform services for us which involves handling personal information, we will take reasonable steps to prevent the contractor from using the personal information except for the purpose for which it was supplied.

## 10. **Franchisee Applications**

10.1 Generally, the type of personal information that Infinite Plus Pty Ltd collects about franchise applicants is the information included on the Franchise Application Form for example your name, postal address, telephone number, email address, education details, residency status, employment history, financial capacity and other information relating to your qualifications and experience. Should your application be successful, Infinite Plus Pty Ltd will also obtain further information from you such as your bank account details for the purposes of monthly direct debits.

10.2 In considering your application, Infinite Plus Pty Ltd may also obtain personal information about you from third parties, for example, from your previous employers or nominated referees. Subject to your consent, Infinite Plus Pty Ltd may also collect sensitive information about you such as information about any criminal record you may have or your credit rating.

10.3 Infinite Plus Pty Ltd collects personal information for any one or more of the following purposes:

10.3.1 Assessing your application to become a Chatime Franchisee;

10.3.2 Assessing whether you are suitable to progress to each stage of Chatime's franchise recruitment process;

10.3.3 Storing your information for future franchise opportunities;

If you do not provide the information requested, Infinite Plus Pty Ltd will be unable to do one or more of the above.

10.4 Infinite Plus Pty Ltd may disclose your information to:

10.4.1 Referees or previous employers;

10.4.2 our related entities; and

10.4.3 Law enforcement agencies to verify whether you have a criminal record; or

If Infinite Plus Pty Ltd engages third party contractors to perform services for us which involves handling personal information, Infinite Plus Pty Ltd will take reasonable steps to prevent the contractor from using the personal information except for the purpose for which it was supplied.

## **11. How can you access and correct your personal information?**

11.1 You may request access to any personal information we hold about you at any time by contacting us (see the details below). Where we hold information that you are entitled to access, we will try to provide you with suitable means of accessing it (for example by mailing or emailing it to you). We may charge a reasonable administration fee to cover the costs of meeting your request. We will not charge for simply making the request and will not charge for making any corrections to your personal information.

11.2 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. If that happens, we will give you written reasons for any refusal.

11.3 If you believe that personal information we hold about you is incorrect, incomplete or inaccurate, then you may request us to amend it.

11.4 To protect your privacy and security we will take reasonable steps to verify your identity before granting access.

## **12. What is the process for complaining about a breach of privacy?**

12.1 If you believe that your privacy policy has been breached, please contact our Privacy Officer using the contact information below and provide details of the incident so that we can investigate it.

12.2 We request that complaints about breaches of privacy be made in writing so that we can be sure about the details of the complaint. 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 inform you whether we will conduct an investigation, the name, title and contact details of the investigating officer and the estimated completion date for the investigation process.

12.3 After we have completed our enquiries, we will contact you, usually in writing to advise the outcome and invite a response to our conclusions about the complaint. If we receive a response from you, we will assess it and advise if we have changed our view.

### 13. **Do we disclose your personal information to anyone outside Australia?**

13.1 In some cases, Chatime may disclose your personal information to entities located outside of Australia including the following:

13.1.1 Our related bodies corporate located overseas; and

13.1.2 Other third parties located overseas.

Where we share your personal information with such entities, we will do so in compliance with Australian privacy laws and we will take reasonable steps to ensure that the overseas recipients of your personal information do not breach the privacy obligations relating to your personal information.

### 14. **Security**

14.1 Where we store your personal information depends on what interaction you have had with us. Some areas may include databases for processing customer enquiries or feedback, mail exchange servers or email databases for marketing communications.

14.2 We take reasonable steps to ensure that your personal information is protected from misuse and loss and from unauthorised access, modification or disclosure. We may hold your information in either electronic or hard copy form. We only keep your personal information for as long as it is required for the purposes for which it was collected or as otherwise required by law. We will take appropriate measures to destroy or permanently de-identify your personal information if we no longer need to retain it. These measures may vary depending on the type of information concerned, the way it was collected and how it was stored.

14.3 As our Website is linked to the internet and the internet is inherently insecure, we cannot provide any assurance regarding the security of transmission of information you will communicate to us online. We also cannot guarantee that the information you supply will not be intercepted while being transmitted over the internet. Accordingly, any personal information or other information which you transmit to us online is transmitted at your own risk.

### 15. **Links**

15.1 Our Website may contain links to other Websites operated by third parties which may be of interest to you. We make no representations or warranties in relation to the privacy policies of any third party Website and we are not responsible 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.

15.2 We may use third party advertisements on our Website. Third party advertisements are not recommendations or endorsements by Chatime or any of its affiliates. To the extent permitted by law, Chatime is not responsible for the content (including representations) of



any third party advertisement on the Website. These third parties may view, edit or set their own cookies. The use of these technologies by such third parties is subject to their own privacy policies and is not covered by this Privacy Policy.

16. **Franchisee privacy policies**

As mentioned above, number of Chatime shops and kiosks are owned and operated by franchisees who are independent businessmen and businesswomen. Some franchisees may also operate websites and are required to follow this Privacy Policy.

17. **Changes to this Privacy Policy**

From time to time, we may revise this Privacy Policy. Any updated version of this privacy policy will be posted on our Website. Please review it regularly.

18. **Contacting us**

If you have any questions or comments about this Privacy Policy please use the contact link on our website or contact our Privacy Officer using the details set out below:

Chatime Privacy Officer

Address: Level 7, 66 Goulburn Street, Sydney NSW 2000

Telephone: (02)9280 0880

Email: info@chatime.com.au

Our Privacy Officer will consider your question or complaint and respond to you in a reasonable timeframe.

**This privacy policy was last updated on 28/11/2017**