



## Privacy Policy of GuestCheckIn and NEXUSsoft Pty Ltd

### Application

NEXUSsoft Pty Ltd ACN 164 585 5193 (The Business, NEXUSsoft, GuestCheckIn, us or we)  
The Privacy Policy applies to personal information collected by the business as the business is an applicable organisation under the *Privacy Act 1988* (Cth), which governs the way private sector organisations collect, use, keep secure and disclose personal information.

The Privacy Policy outlines:

- how and when the Business collects personal information;
- how the Business uses and discloses personal information;
- how the Business keeps personal information secure, accurate and up-to-date;
- how an individual can access and correct their personal information; and
- how the Business will facilitate or resolve a privacy complaint.

We recommend that you read and understand the Privacy Policy and access it for future reference. If you require any clarification, you can contact us on the address at the end of the document.

### 1. Personal information

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#### 1.1. What is Personal Information?

- (a) Personal information is defined under the *Privacy Act 1988* to mean information or an opinion, whether true or not, and whether recorded in a material form or not, about an individual whose identity is reasonably identifiable, from the information or opinion.
- (b) Some examples of personal information are your name, residential address, mobile number and email address.

### 2. Sensitive Information

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#### 2.1 What is Sensitive Information?

- (a) Sensitive information is a subset of personal information.
- (b) Some types of personal information are designated as 'sensitive information'. Sensitive information is subject to additional protection under the Privacy Act. For example, this can include information about a person's health an individual's racial or ethnic origin, political opinions, religious beliefs or affiliations, criminal record, health information about an individual.

#### 2.2 Collection of Sensitive Information

- (a) In general, we attempt to limit the collection of sensitive information we may collect from you, but depending on the uses you make of our services this may not always be possible and we may collect sensitive information from you in order to carry out the services provided to you.
- (b) The type of sensitive information we may collect from you or record about you is dependent on the services provided to you by the Business and will be limited to the purpose(s) for which it is collected.

- (c) We do not use sensitive information to send you Direct Marketing Communications (as defined in paragraph 7 below) without your consent.
- (d) We will not collect sensitive information from you without your consent.

### **2.3 Consent to collection of certain types of sensitive information**

We may collect certain types of sensitive information **only where you have consented and agreed to the collection of such information** but only if the sensitive information is necessary for, or incidental to, the purposes of collection set out in paragraph 4.

## **3. Collection of your personal information**

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- 3.1 We will only collect personal information that is necessary for us to provide our products and services to you. This depends ultimately upon the purpose of collection and we have set out the general purposes of collection at paragraph 4 below.
- 3.2 The type of information includes (but is not limited to) the following:
  - (a) your contact information such as full name (first and last), e-mail address, current address and phone numbers;
  - (b) if you are requesting products or services from us or we are purchasing goods or services from you, then any relevant payment or billing information (including but not limited to bank account details, billing address, repayment information and invoice details).
- 3.3 As far as possible or unless provided otherwise under this privacy policy, we will only collect your personal information directly from you
- 3.4 When you engage in certain activities, such as entering a contest or promotion, filling out a survey or sending us feedback, we may ask you to provide certain information, which you may withhold or provide at your own discretion. It is optional for you to engage in these activities.
- 3.5 Depending upon the reason for requiring the information, some of the information we ask you to provide may be identified as mandatory or voluntary. If you do not provide the mandatory data or any other information, we require in order for us to provide our services to you, we may be unable to provide or effectively provide our services to you.
- 3.6 If you use our website, we may utilise "cookies" which enable us to monitor traffic patterns and to serve you more efficiently if you revisit our website. A cookie does not identify you personally but may identify your internet service provider or computer. You can set your browser to notify you when you receive a cookie and this will provide you with an opportunity to either accept or reject it in each instance. Visit [www.allaboutcookies.org](http://www.allaboutcookies.org);

## **4. Use and disclosure of your personal information**

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- 4.1 The primary use of your information is to provide contact details to appropriate authorities to assist with contact tracing with regard to COVID-19 and in compliance with the COVID Safe Plan.
- 4.2 We will only use or disclose your personal information for the primary purposes for which it was collected or as consented to.
- 4.3 You consent to us using and disclosing your personal information to facilitate a purpose in connection with a registered COVID Safe Plan and the requirement for COVID Safe contact tracing:
  - (a) if required, the verification of your identity, including the verification of your date and time of attendance at a registered site, if applicable;
    - (1) provision of our products and services to you, which shall include but is not limited to offer you updates, or other content or products and services that may be of interest to you;

- (b) to facilitate the administration, management and improvement of the Business, including but not limited to:
  - (1) the use of your personal information collected in accordance with paragraph 3.1 in the administration and management of the Business;
- (c) the maintenance and development of our products and services, business systems and infrastructure;
- (d) to provide customer service functions, including handling customer enquiries and complaints;
- (e) to offer you updates, or other content or products and services that may be of interest to you;
- (f) our compliance with applicable laws;
- (g) the transfer, and matters in connection with a potential transfer, of the Business to another entity; and
- (h) any other matters reasonably necessary to continue to provide our products and services to you.

4.4 Unless you consent to receiving further information from us or wish to be remembered by the website, your data relating to each visit to a registered site will only be retained by us for 8 weeks and after that date all information is deleted.

- (a) We may also use or disclose your personal information and in doing so we are not required to seek your additional consent when it is disclosed or used for a purpose related to the primary purposes of collection detailed above and you would reasonably expect your personal information to be used or disclosed for such a purpose (secondary use);

4.5 In the event we propose to use or disclose such personal information other than for reasons in 4.1, 4.2, and 4.3 above, including Direct Marketing we will first seek your consent prior to such disclosure or use.

4.6 If you have received communications from us and you no longer wish to receive those sorts of communications, you should contact us via the details set out at the end of this document and we will ensure the relevant communication ceases. Any other use or disclosure we make of your personal information will only be as required by law or as permitted by the Privacy Act 1988 or by this privacy policy or otherwise with your consent.

## **5. The types of organisations to which we may disclose your personal information**

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5.1 We may disclose your personal information to other organisations. Examples of organisations and/or parties that your personal information may be provided include:

- (a) related entities and subsidiaries of the Business; and
- (b) our contractors and agents, including but not limited to our professional advisors such as accountants, solicitors and auditors or other companies who assist us in providing our products and services to you.

5.2 Your personal information is disclosed to these organisations and/or parties only in relation to the goods or services we provide to you or for a purpose permitted by this privacy policy.

5.3 We take such steps as are reasonable to ensure that these organisations and/or parties are aware of the provisions of this privacy policy in relation to your personal information.

## **6. Data quality and security**

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- 6.1 We have taken steps to help ensure your personal information is safe. You will appreciate, however, that we cannot guarantee the security of all transmissions or personal information, especially where the Internet is involved.
- 6.2 Notwithstanding the above, we will take reasonable steps to:
- (a) make sure that the personal information we collect, use or disclose is accurate, complete and up to date;
  - (b) protect your personal information from misuse, loss, unauthorised access, modification or disclosure both physically and through computer security methods; and
  - (c) destroy or permanently de-identify personal information if it is no longer needed for its purpose of collection.
- 6.3 However, the accuracy of personal information depends solely on the information you provide to us, so we recommend that you:
- (a) let us know if there are any errors in your personal information; and
  - (b) keep us up-to-date with changes to your personal information.

## **7. Access to and correction of your personal information**

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- 7.1 You are entitled to have access to any personal information relating to you which we possess, except in some exceptional circumstances provided by law. You are also entitled to edit and correct such information if the information is inaccurate, out of date, incomplete, irrelevant or misleading.
- 7.2 If you would like access to or correct any records of personal information, we have about you, you are able to access and update that information by contacting us via the details set out at the end of this document.

## **8. Venues' privacy policies and practices**

Venues and their owners and operators are independent of GuestCheck and may have privacy policies and practices which differ from ours. They are responsible for their own privacy policies and practices. Please contact Venues (or their owners or operators) directly for further information.

## **9. Consent**

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- 9.1 You are agreeing to the terms of this privacy principle if you visit a registered Business, use our website or by accepting the terms of one of our terms and conditions (relating to a product or service offer) which refer to this privacy policy.
- 9.2 We reserve the right to modify the privacy policy as our business needs require. We will notify you of such changes (whether by direct communication or by posting a notice on our website), after which, your continued use of our products, services or website or your continued dealings with us shall be deemed to be your agreement to the modified terms. If you do not agree to our continued use of your personal information due to the changes in our privacy policy, please contact us via the details set out at the end of this document.

## **10. Resolving Privacy Complaints**

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- 10.1 We have put in place an effective mechanism and procedure to resolve privacy complaints. We will ensure that all complaints are dealt with in a reasonably appropriate timeframe so that any decision (if any decision is required to be made) is made expeditiously and in a manner that does not compromise the integrity or quality of any such decision.
- 10.2 If you have any concerns or complaints about the manner in which we have collected, used or

disclosed and stored your personal information, you can tell us by contacting us.

- Telephone: +61-424 034 594
- Email: [admin@nexusmail.com.au](mailto:admin@nexusmail.com.au)
- Post: PO Box 3068 Newstead 4006

Please mark your correspondence to the attention of the Business manager or Michael Yates our privacy officer.

10.3 In order to resolve a complaint, we:

- (a) will liaise with you to identify and define the nature and cause of the complaint;
- (b) may request that you provide the details of the complaint in writing;
- (c) will keep you informed of the likely time within which we will respond to your complaint; and
- (d) will inform you of the legislative basis (if any) of our decision in resolving such complaint

10.4 We will keep a record of the complaint and any action taken in a privacy register.

**Date of Effect: 30 June 2020**

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