

## **HEDONISTIC HIKING PTY LTD PRIVACY POLICY STATEMENT**

This Privacy Policy sets out the policy of Hedonistic Hiking Pty Ltd ("**we**", "**us**", "**Hedonistic Hiking**") with respect to the way we obtain, use and disclose information about you including through our websites at [www.hedonistichiking.com.au](http://www.hedonistichiking.com.au) and [www.hedonistichiking.com](http://www.hedonistichiking.com). We adopt and are bound by the Australian Privacy Principles ("APPs") contained in *Privacy Act 1988* (Cth) ("**the Act**"). For those individuals that are based in the European Union who enquire about or purchase tours from us or otherwise to whom this policy applies, we will comply with the General Data Protection Regulation (EU 2016/679) (the "**GDPR**") as far as we are required to do so.

We understand and appreciate that you are concerned about privacy, particularly in relation to the use and disclosure of Personal Information. We are committed to providing a high level of privacy in relation to all Personal Information that is collected by us.

This Privacy Policy applies to Hedonistic Hiking but not to other companies or organisations or websites to which Hedonistic Hiking is linked.

For the sake of clarity, this Privacy Policy covers Personal Information collected and used by Hedonistic Hiking in relation to any of the following:

- customers or prospective customers;
- suppliers or prospective suppliers; and
- independent contractors or any person who applies to become an employee or independent contractor;
- employees, except where the use or disclosure is directly related to the relationship between us as employer and you as the employee and relates to an "employee record" about you as a present or past employee.

### **What is Personal Information?**

For the purposes of this Privacy Policy, "Personal Information" is information or an opinion about you as an identified individual or an individual who is reasonably identifiable, whether or not the information or opinion is true and whether or not it is recorded in a material form.

"Personal Information" includes Sensitive Information which includes information about your health, racial or ethnic origin, sexual orientation and details of criminal convictions.

Personal Information does not include an "employee record". An "employee record" is a record of personal information relating to the employment of the employee. This includes health information and personal information relating to the:

- engagement, training, disciplining of an employee,
- resignation or termination of an employee;
- terms and conditions of employment of an employee;
- employee's performance or conduct;
- hours of employment, salary or wages;
- personal and emergency contact details;
- employee's membership of professional or trade associations or trade union membership;

- employee's recreation, long service, sick, personal, maternity, paternity and other leave; and
- employee's taxation, banking and superannuation affairs.

Having said that, we treat the personal and health information of each of our employees with absolute confidentiality and strict controls are placed on who has access to such information. We will not disclose your employee records to any third party other than as permitted by law or this Privacy Policy without your prior consent. If a request is made in writing from a third party and you consent to disclosure, we will only confirm or deny information that they have already received from you.

### **What Personal Information do we collect from you?**

The type of Personal Information collected by us may differ, depending on whether you are or would like to become a customer, supplier, employee or independent contractor. Generally, the type of Personal Information collected by us from customers or prospective customers includes your name, date of birth, gender, address, dietary requirements, telephone numbers, email addresses, emergency contact details, passport information, visa and immigration information and medical and health information.

From our employees and/or prospective employees, we collect several types of information, including, but not limited to, commencement dates, employment status, location, gender, bank account details, emergency contact details, qualifications, previous employment details, driver's licence numbers, car registration numbers, medical and health information, passports, leave summaries, wages and salary information, date of birth, superannuation information, tax file numbers, where relevant visa and immigration information, information relating to performance and conduct.

From time to time, photos may be taken and used for marketing and promotional purposes which may include images of employees and/or customers, from which individuals may be able to be identified. As an employee, your photo may be used within Hedonistic Hiking to identify you, including by being electronically attached to your email address.

By visiting any website or social media site established by us, including but not limited to Facebook, Pinterest, Instagram, YouTube, Flipagram and Flickr ("**Social Media Sites**"), we may be able to obtain other information about you which may itself constitute Personal Information or which, when combined with other information, is capable of identifying you, including photos, videos and any other information that you include on our Social Media Sites or sites linked to our Social Media Sites ("**Other Sites**"). The level of information to which we have access may depend on your privacy settings on such Other Sites.

In some circumstances, you may deal with us anonymously or using a pseudonym. However, in most circumstances it is impracticable to do so because if you do not provide us with the Personal Information that we require or if you provide it in a way that does not identify you, we are likely to be unable to carry out the services requested by you.

### **How do we collect your Personal Information?**

We collect Personal Information (including Sensitive Information) in a number of ways, including:

- from you when you provide us with a completed Booking Form for a tour;
- from your healthcare professional when they provide us with an assessment of your medical condition (if applicable);

- from you when you make a general or specific enquiry via telephone or email including but not limited to when you lodge a complaint;
- from you when you provide us with such information to us via customer feedback forms, business cards, contracts or any other document provided by you to us;
- by including you in advertising and marketing images, where relevant;
- through analysis of the Social Media Sites conducted by us or by third parties on our behalf;
- from third parties such as your suppliers, credit reporting agencies, recruitment agencies, insurers and insurance brokers, referees nominated by you, or your representatives;
- from publicly available sources of information; and
- from our own records.

Through our website we can obtain Personal Information if you send such information in an email or complete an enquiry form on any Tour page of the website.

When you look at our website, we may make a record of your visit. The following information may be logged for statistical purposes and for the purposes of marketing and advertising to you:

- your internet protocol address;
- the date and time of your visit to our site;
- the pages that you have accessed and the documents downloaded; and
- the type of browser you were using.

This type of statistical information does not identify you.

Tracking technologies such as cookies may be used on our website to recognise a user's browser each time that user visits our site and to track which pages the user visits whilst on our site and also to send Hedonistic Hiking advertisements to your internet protocol address. Cookies are pieces of information that a website transfers to a computer's hard disk for record keeping purposes. Most web browsers are set to accept tracking technologies such as cookies. These tracking technologies do not personally identify the user. If you do not wish to receive any cookies you may set your browser to refuse them. However, your use of our website may be affected.

### **How do we use your Personal Information?**

We will use your Personal Information for purposes that relate to the operation of our business and the provision of our services to you.

These purposes generally include:

- supplying our products and services to you;
- providing quality assurance for our products and services;

- responding to your enquiries and feedback regarding our business, our products and services;
- monitoring the performance of our business;
- marketing including email marketing, promotional and educative activities (however we will only market to EU customers where opt-in consent has been provided);
- enforcing the terms and conditions of our engagement with you;
- for the management of our database; and
- ensuring compliance with statutory obligations.

In relation to the Personal Information of customers, the purposes include the general purposes mentioned above and also include verifying, notifying and/or responding to you in relation to any enquiries or complaints.

We use and disclose information we hold about you as an employee, of or incidental to our role as your employer and in accordance with applicable laws.

### **Direct Marketing**

We may from time to time, communicate with you directly to promote our products or services. For individuals based in the European Union, we will only send direct marketing to you if you have provided your opt-in consent for us to do so. We will also continue to send updates on tour dates and news from Hedonistic Hiking if you have subscribed to our newsletter.

On each communication, we will advise how you may unsubscribe or opt out of receiving such communications. You may, at any time, request not to receive direct marketing communications from us and we will comply with that request.

### **How is your Personal Information disclosed by Hedonistic Hiking?**

Your Personal Information may be disclosed to third parties as necessary to facilitate any of the above mentioned purposes.

We do not and will not rent, sell or otherwise disclose your Personal Information to any other company or organisation, without your prior consent, where that consent is required by law.

You do, however, consent to our collection, use and disclosure of your Personal Information in the following ways:

- being shared with third party suppliers of goods and services to you as customers in respect of your tour. This includes, for example, hotels, travel providers, tour guides and drivers, food and beverage providers and attractions that form part of your tour. Your Sensitive Information (medical and health information) will only be actively used and disclosed by us (as and if required) for you to participate in a tour;
- to third parties as necessary to supply our goods to you, respond to your requests, deliver products and services you request, to send communications to you about promotions, updates, or special offers (which may be offered by us or one of our business partners) that may be of interest to you. For example, Melissa Norfolk Web Design based in Australia provides us with email marketing services;

- to third party consultants who may from time to time manage all or part of our database or computer systems or internet sites;
- to a third party where we outsource any of our functions, including but not limited to development, production and/or printing of advertising and marketing material and campaigns, including where such material contains photos or video of individuals and customer satisfaction surveys;
- of or incidental to a sale of all or part of our business, to prospective purchasers and their legal and accounting representatives;
- to the general public, for example, via internet or media when photographs or video are used in advertising material or campaigns;
- some employees' Personal Information will be supplied to third parties to enable such employees to carry out their roles as our employees. For example, to facilitate a corporate credit card (where relevant);
- Employees' Personal Information will be submitted to the superannuation fund nominated by each employee; and
- as required by law.

We require all third parties to respect the security of your Personal Information and to treat it in accordance with the law. We do not allow our third-party service providers to use your Personal Information for their own purposes and only permit them to process your Personal Information for specified purposes and in accordance with our instructions.

### **Disclosure of your Personal Information via Social Media Sites**

By engaging in any activity on a Social Media Site including but not limited to subscribing to our newsletter, posting, pinning or uploading any material on any Social Media Site, following, liking and/or commenting on us or anything on any Social Media Site ("**Social Media Activity**"), you agree to and are subject to the terms and conditions of such Social Media Sites. Any Personal Information pinned or posted or uploaded by you onto Social Media Sites can be disclosed in accordance with the terms and conditions and privacy policies of such Social Media Sites.

Generally, photos and other material pinned or posted to Social Media Sites will be able to be viewed by the general public. Such photos and other material may be re-pinned and re-posted by others indefinitely and will be visible by anyone visiting the locations to which the photos or other material have been re-pinned. You may be able to remove the photos or other material that you have pinned or posted from the location at which you pinned or posted it. However, any material that has been re-pinned will be out of our control and neither you nor we will be able to remove it from any re-pinned location. We are not responsible for any material that has been re-pinned or re-posted.

We reserve the right to remove any photos, comments or other material that is in any way inappropriate or offensive (in our opinion) from our Social Media Sites.

### **Cross Border Disclosure**

Some of your Personal Information may be disclosed overseas to entities located or operating in Austria, Slovenia, France and/or Italy to enable us to carry out our functions as a tour provider to you ("**Overseas Entities**").

Some programs, software, online tools or Social Media Sites used by us, are based in and/or housed overseas. Whilst we do not actively disclose your Personal Information to such organisations, the use of such programs by us may involve disclosure of your Personal Information (including Sensitive Information if relevant) to such organisations overseas. Use and disclosure of your Personal Information by such organisations is in accordance with the terms and conditions and privacy policies of such organisations.

If you consent to disclosure of your Personal Information as described above, we are not required to take reasonable steps to ensure that the Overseas Entities do not breach the APPs in relation to the disclosed information. Having been informed of the possibility that such disclosure may occur, you consent to that disclosure by undertaking the type of activities specified above which indicate your consent.

### **Cross Border Disclosure – EU customers**

Some of our external third party service providers or partners are based outside the European Economic Area (**EEA**), therefore our processing of your Personal Information will involve a transfer outside the EEA.

Whenever we transfer your Personal Information to an organisation which is outside of the EEA, we ensure a similar degree of protection is afforded to it by ensuring that at least one of the following safeguards is implemented:

- We will only transfer your Personal Information to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission (such as New Zealand or Switzerland).
- Where we use certain service providers, we may use specific contracts approved by the European Commission which give Personal Information the same protection as it has under EU data protection law.
- Where we use service providers based in the US, we may transfer Personal Information to them if they are part of the Privacy Shield which requires the service provider to apply a similar standard of protection to Personal Information shared between the EU and the US.

Alternatively, we may transfer your Personal Information to an organisation outside the EEA where the GDPR allows or requires us to do so.

Please contact us if you would like further information on the specific mechanism used by us when transferring your Personal Information to organisations outside the EEA.

### **Security**

We are committed to ensuring the security of your Personal Information and we will take all reasonable steps to protect this Information from misuse, interference, loss, unauthorised access, modification or disclosure, including:

- having a robust physical security of our premises and databases/records;
- taking measures to restrict access to personnel who need that information in order for us to be able to provide our products and services; and
- technological measures, such as computer passwords, data back-up, anti-virus software and firewalls.

We will take all reasonable steps to ensure your Personal Information is accurate and kept up-to-date and complete and is relevant for the purposes for which it may be used pursuant to this Privacy Policy.

Please note that our website does not provide systems for secure transmission of Personal Information across the internet, except where otherwise indicated. When emailing Personal Information to us, please be aware that there are risks involved in transmitting Personal Information via the internet. Our website may contain links to other websites. We have no control over the privacy practices employed at other websites and we accept no responsibility for Personal Information provided via unsecured websites.

We cannot provide a guarantee with respect to the security of your Personal Information and we will not be liable for any breach of security or unintended loss or disclosure of information due to the website being linked to the internet.

#### **Data retention – EU customers only**

We will only retain your Personal Information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for Personal Information, we consider the amount, nature, and sensitivity of the Personal Information, the potential risk of harm from unauthorised use or disclosure of your Personal Information, the purposes for which we process your Personal Information and whether we can achieve those purposes through other means, and the applicable legal requirements.

Details of retention periods for different aspects of your personal data are available on request by contacting us using the details below.

#### **Your legal rights – EU customers only**

Under certain circumstances, you have rights under the GDPR in relation to your Personal Information. These rights are as follows:

- Request access to your personal data.
- Request correction of your personal data.
- Request erasure of your personal data.
- Object to processing of your personal data.
- Request restriction of processing your personal data.
- Request transfer of your personal data.

- Right to withdraw consent.

If you wish to exercise any of the rights set out above, please contact us.

### **How to check or change your details**

If you wish to view the Personal Information we hold about you, please send your request to our Privacy Officer by email, mail or fax using the contact details at the end of this Privacy Policy. A fee may apply for such access. If we deny your request for access, we will let you know why.

If you wish to amend the Privacy Information because it is inaccurate, out of date, incomplete, irrelevant or misleading, or if you wish your Personal Information to be deleted, please contact our Privacy Officer. If we refuse to comply with your request, we will let you know why.

### **Changes to our Privacy Policy**

From time to time we may decide to amend or update this Privacy Policy. When this occurs, we will post the new version of the Privacy Policy on our website. We encourage you to periodically review this Privacy Policy so that you remain informed as to how we are protecting your Personal Information.

### **Complaints**

If you believe that we have not complied with our obligations pursuant to the Act (or under the GDPR if you are based in the EU), or have a complaint about the use or disclosure of your Personal Information by us, please contact our Privacy Officer. We will discuss your concerns with you and take action as necessary to address such concerns which may include contacting us to take the matter further.

We will endeavour to resolve your complaint as soon as possible. However, the length of time will depend on the nature and complexity of the issues you have raised.

You will receive an acknowledgement of receipt of the complaint from us within five business days. We will give you an estimate of how long it may take us to deal with the matter but we will endeavour to finalise the matter within 30 days.

If we decide that your complaint is justified, we will then decide what action we should take in response. We will always try to match our response to the nature of your complaint and your desired outcome, but this may not always be possible.

Some of the things that we may decide to do include:

- take steps to rectify the problem or issue you have raised;
- provide you with you additional information or advice so that you can understand what happened and how we have dealt with it;
- take steps to change our policies or procedures if your complaint identifies a problem in the way we are doing things.

It will not always be possible to resolve a complaint to everyone's satisfaction. In that case, you might want to escalate the matter to the Privacy Commissioner via an online privacy complaint form which can be found at: <http://www.oaic.gov.au/privacy/making-a-privacy-complaint>.

If you are based in the EU, you have the right to make a complaint at any time to the relevant supervisory authority in your member state. If you are in the UK, the relevant supervisory authority is the Information Commissioner's Office ([www.ico.org.uk](http://www.ico.org.uk)). We would, however,

appreciate the chance to deal with your concerns before you approach a supervisory authority so please contact us in the first instance.

We welcome your questions and comments regarding this Privacy Policy. If you have any suggestions as to how we may improve our Privacy Policy, please contact our Privacy Officer.

**Privacy Officer Details**

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