

SUSHI SUSHI PRIVACY POLICY STATEMENT

This Privacy Policy sets out the privacy policy of the Sushi Sushi group, including but not limited to Sushi Sushi Franchising Pty Ltd, Sushi Sushi Realty Pty Ltd, Sushi Sushi Warehouse Pty Ltd, Carroll Resources Pty Ltd and each Sushi Sushi franchisee in Australia (together "we", "us", "Sushi Sushi") with respect to the way we obtain, use and disclose information about you including through our website at www.sushisushi.com.au. We adopt and are bound by the Australian Privacy Principles ("APPs") contained in *Privacy Act 1988* (Cth) ("the Act").

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 Sushi Sushi and each of its franchisees but not to other websites to which Sushi Sushi is linked.

For the sake of clarity, this Privacy Policy covers Personal Information collected and used by Sushi Sushi (including by Sushi Sushi franchisees) in relation to any of the following in Australia:

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

Your Consent

You consent to your Personal Information being used in accordance with this Privacy Policy by any one or more of the following:

- by providing us with your Personal Information in relation to requesting a quote or placing an order, entering a competition, participating in a promotional campaign, making a complaint or for any other reason;
- by making enquiries about or submitting an application to become a franchisee, an employee, an independent contractor or a supplier of us or any of our franchisees;
- by visiting our website or participating in an online enquiry, by becoming a member of our Double Happy Club which means subscribing to our electronic mailing list and becoming a member of our loyalty club;

- by visiting any website or social media site established by us, including but not limited to Facebook, Twitter, Instagram, ("Social Media Sites") or downloading and/or using any online App related to Sushi Sushi; and
- by participating in any activity on a Social Media Site including but not limited to entering competitions, subscribing to our blog, sharing any material on any Social Media Site, following, liking and/or commenting on us or anything on any Social Media Site ("Social Media Activity").

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.

An act done or practice engaged in by us as an employer that is directly related to an "Employee Record" is exempt from the Privacy Act. An "Employee Record" 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 annual, 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 as confidential 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 franchisee, customer, supplier, employee or independent contractor. Generally, the type of Personal Information collected by us includes your name, address, telephone number and email address.

From our franchisees, we also require company details including ABN and/or ACN, financial information including bank account and credit card details, profit and loss statements, balance sheets, weekly takings information, sales data and other business related information which may contain Personal Information.

From our employees and/or prospective employees, we may also collect the following information: commencement dates, employment status, location, gender, bank account statements, 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, visa and immigration information and where relevant, information relating to performance and conduct. Some biometric data may be collected via vein scanner to accurately identify employees as they commence and finish work to facilitate remuneration. The biometric data will not be used for any other purpose.

From time to time, photos may be taken and used for marketing and promotional purposes which may include images of franchised businesses, franchisees, employees or employees of franchisees and/or customers, from which individuals may be able to be identified. As an employee, your photo may be used within Sushi Sushi to identify you.

Closed circuit television ("CCTV") may be installed in any of our premises. Images and video from CCTV may be used by us for security purposes and to identify and deal with non-compliance by any individuals or franchisees with law and/or their agreements with us. Where relevant, CCTV may be made available to relevant authorities including police.

Via 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 provide the goods or carry out the services requested by you.

How do we collect your Personal Information?

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

- from you when you make a general or specific telephone or online enquiry, seek a quote or order online or via phone, enter a competition, participate in a promotional campaign, activate your Double Happy Club membership, lodge a complaint or participate in Social Media Activity;
- from you when you provide us with such information to us via application forms, customer feedback forms, business cards, contracts or any other document provided by you to us;
- through analysis of the Social Media Sites conducted by us or by third parties on our behalf;

- from third parties such as credit reporting agencies, recruitment agencies, insurers and insurance brokers, health professionals, 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 when you complete an online enquiry.

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. 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;
- seeking or responding to your enquiries and feedback regarding our business, our products and services;
- monitoring the performance of our websites, our business and our franchisees;
- marketing including email marketing, promotional and educative activities including keeping you up-to-date with products, services, events and promotions we think would be of particular interest to you;

- planning, product development or research purposes;
- 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 franchisees, the purposes include those mentioned above and the following:

- conducting appropriate credit checks;
- verifying information required under the franchise agreement, including by accessing and assessing information received from suppliers, trade referees, insurers, banks, local municipal council or any other entity;
- to confirm and enforce compliance with the franchise agreement;
- providing franchisee support;
- to comply with disclosure requirements under the Franchising Code of Conduct; and
- all things of or incidental to carrying out our role as a franchisor.

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, complaints, or if you win a competition.

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.

How is your Personal Information disclosed by Sushi Sushi?

Your Personal Information will be disclosed to us as franchisor and to third parties as necessary to facilitate any of the above mentioned purposes and this includes information on franchisees' employees where required to facilitate such purpose.

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 use and disclosure of your Personal Information in the following ways:

- franchisees' details will to be provided to landlords and some suppliers, to enable them to contact franchisees for purposes related to their function as landlord or supplier;

- franchisees' details will be provided to our lawyers, for the production of legal franchising documentation and in relation to any matter requiring us to seek legal advice or assistance;
- 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 processing online payments, IT and cloud storage service providers and processors, SMS and email marketing services providers, for the development, production and/or printing of advertising and marketing material and campaigns, including where such material contains photos or video of individuals; mystery shopping 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 when notifying of competition results or via media when photographs or video are used in advertising material or campaigns; and
- as required by law.

Disclosure of your Personal Information via Social Media Sites

By engaging in any Social Media Activity on our Social Media Sites, you agree to and are subject to the terms and conditions of such Social Media Sites. Any Personal Information shared by you on 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 shared to Social Media Sites will be able to be viewed by the general public. Such photos and other material may be further shared by others indefinitely and will be visible by anyone visiting the locations to which the photos or other material have been shared. You may be able to remove the photos or other material that you have shared from the location at which you shared it. However, any material that has been further shared will be out of our control and neither you nor we will be able to remove it from any such location. We are not responsible for any material that has been shared.

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 programs, software, online tools or Social Media Sites used by us, are based in and/or housed overseas. For example, Facebook, LinkedIn, Instagram and MailChimp are based in the United States of America. 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 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 some of your Personal Information to the United States of America as mentioned above, we are not required to take steps, as are reasonable in the circumstances, to ensure that such organisations 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 or continuing to undertake the type of activities indicating your consent, as specified above.

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:

- ensuring the 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 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 or providing Personal Information to us via our website, 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.

How to unsubscribe from our direct marketing

In each email or piece of marketing material that you receive from us, we will endeavour to attach simple instructions on how you can immediately unsubscribe from our mailing list. In any event, you can opt out from receiving promotional material by emailing our Privacy Officer and asking to be removed from the mailing list.

How to check or change your details

Our Privacy Officer will ensure that your Personal Information is accurate, complete and up to date and relevant to the purpose for which we are able to use your Personal Information.

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 have a complaint about the use or disclosure of your Personal Information by us or any of our franchisees, 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 additional information or advice so that you can understand what happened and how we have dealt with it and/or;
- 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>.

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

Privacy Officer Contact Details

Anne Edwards

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