

Whispering Brook Privacy Statement

VERSION DATE – September 2015

Whispering Brook Pty Limited, ABN 60126246624 (“we”, ”us” or the “Company”) is bound by the Australian Privacy Principles 2014 (“APP”) set out in the Privacy Act 1988 (Cth) (the “Act”).

This Privacy Policy applies to any personal information the Company collects from you, including via the website (<http://www.whispering-brook.com>) (the “Site”). The Company will only collect, use or disclose such personal information in accordance with the Act and this Privacy Policy.

In this Privacy Policy, “personal information” has the meaning set out in the Act. Essentially, personal information is information or an opinion about an identified individual or an individual who is reasonably identifiable.

1- COLLECTION

1. 1. TYPES OF PERSONAL INFORMATION COLLECTED

The Company will, from time to time, collect and use personal information. The types of personal information collected and the purposes for which that personal information will be used will depend on the circumstances.

For example, the Company may collect personal information from you when you:

- access the Site;
- request certain documents or goods; or
- make a services request or visit booking.

The personal information we collect may include your name, email address, physical address, telephone numbers, date of birth, gender, IP address, details of past transactions/requests you have made and such other information as required in the circumstances. When you use our Site, we may collect usage information such as the IP address you are using, the name of your internet service provider, your browser version, the website that referred you to us and the next website you go to, the pages you request, the date and time of those requests and the country you are in.

The Company does not generally require you to disclose any sensitive information (e.g. details of race, religious beliefs, sexual orientation, health information etc.). If you do provide sensitive information to us for any reason, you consent to us collecting that information and to us using and disclosing that information for the purpose for which you disclosed it to us and as permitted by the Act and other relevant laws.

In addition to the types of personal information identified above, the Company may collect personal information as otherwise permitted or required by the Act and other relevant laws.

If you can't, or won't, provide the Company with the personal information it reasonably requires, the Company may be unable to provide you with the information, goods or services you have requested.

1.2. PURPOSE OF COLLECTION

The Company may use or disclose your personal information for the purposes for which we collected it (and related purposes which would be reasonably expected by you), for other purposes to which you have consented and as otherwise permitted or required by law. In general we collect, use and disclose your personal information so that we can do business together and for purposes connected with our business operations.

Some of the specific purposes for which we collect, use and disclose personal information are set out in section 3.1 below.

In addition to the purposes set out in section 3.1, we may also use and disclose your personal information for the purpose of direct marketing to you where:

- you have consented to us doing so; or
- it is otherwise permitted by law.

Direct marketing involves us (or our related companies, contractors or agents) communicating directly with you for the purpose of promoting goods or services to you and to provide you with special offers. Direct marketing can be delivered by a range of methods including mail, telephone, email or SMS. You can unsubscribe from our direct marketing, or change your contact preferences, by contacting us (see section 7 of this Privacy Policy).

1.3 PAYMENT / FINANCIAL INFORMATION

The Company uses the eWAY Payment Gateway for its online credit card transactions. eWAY processes online credit card transactions for thousands of Australian merchants, providing a means of collecting payments via the Internet. All online credit card transactions performed on this site using the eWAY gateway are secured payments.

- Payments are fully automated with an immediate response.
- Your complete credit card number cannot be viewed by the Company or any outside party.
- All transactions are performed under 128 Bit SSL Certificate.
- All transaction data is encrypted for storage within eWAY's data centre.
- eWAY is an authorised third party processor for all the major Australian banks.
- eWAY at no time touches your funds; all monies are directly transferred from your credit card to the merchant account held by the Company.

For more information about eWAY and online credit card payments, please visit www.eWAY.com.au

2- RIGHT TO ACCESS YOUR PERSONAL INFORMATION

Any person may seek access to personal information which the Company holds about that person and the Company will provide access to that information in accordance with the Act.

There are certain exemptions which may apply to the provision of that information. Further, we may require that the person requesting access provide suitable identification and, while there is no fee for requesting access to your personal information, we may charge you an administration fee for granting access to information.

If you become aware that any personal information we hold about you is incorrect or incomplete or if you wish to update your information, please contact the Company.

If you wish to access, correct or update personal information held by the Company, please contact the Company as described in section 7 of this Privacy Policy.

3- MANAGEMENT AND USE OF PERSONAL INFORMATION

3. 1. USE OF PERSONAL INFORMATION

The Company may use your personal information for the following purposes:

- with your consent, sending you information about the Company and its activities and advertising and marketing materials;
- statistics, studies and analysis, marketing, and improvement of the Site, products and services of the Company;
- to perform the services you request, respond to queries and to book visits; and
- such other purposes as indicated to you at the time we collected your personal information or as otherwise permitted by the Act.

Mandatory information must be entered in the information fields marked with an asterisk in the data collection forms. If these fields are not completed, we may not be able to address your query or to provide the services requested.

3. 2. RETENTION OF PERSONAL INFORMATION

Your personal information will be retained for a period appropriate to the purposes for which it was collected and as otherwise might be required by law. After such period, your personal information will be either de-identified or permanently destroyed in accordance with the Act and the Company's document retention policies.

3. 3. DISCLOSURE OF PERSONAL INFORMATION

The Company may disclose your personal information to its related entities located anywhere in the world. The Company may also disclose your personal information (including to entities located outside Australia):

- where you have given your prior consent to such communication to a third party, or
- where the Company has to share such information with third parties in order to provide the products or service you have requested, or in order for the third parties to otherwise perform services for the Company (e.g. to provide website hosting and data storage services), or
- where the Company is required or authorised to do so by law or a court order (this may also include disclosure to certain government bodies such as law enforcement authorities and other emergency services organisations) or to third parties that require the information for law enforcement purposes or to prevent a serious threat to public safety, or
- to companies that may use your personal information in order to tailor electronic advertising to you (e.g. on a webpage) in relation to our products and services, or
- to our accountants, insurers, lawyers, auditors and other professional advisors, or
- if we or our assets are acquired or considered for acquisition by a third party, that third party and its advisors, or
- otherwise as permitted or required by law.

Where we disclose your personal information to third parties we will use reasonable commercial efforts to ensure that such third parties only use your personal information as reasonably required for the purpose we disclosed it to them and in a manner consistent with this Privacy Policy and the Act.

If you post information to public parts of our Site or to our social media pages, you acknowledge that such information (including your personal information) may be available to be viewed by the public. You should use discretion in deciding what information you upload to such sites.

3. 4. OVERSEAS TRANSFER OF PERSONAL INFORMATION

Some of the third parties to whom we disclose personal information may be located outside Australia. For example, we may disclose personal information to our related entities overseas and to our overseas service providers.

The countries in which these third parties are located will depend on the circumstances. Except in some cases where we may rely on an exception under the Act, we will take reasonable steps to ensure that such overseas recipients do not breach the Privacy Principles in the Act in relation to such information.

3. 5. DATA SECURITY AND PRIVACY

The Company does not control each and every risk related to the use of the internet and the Site, and therefore warns Site users of the potential risks involved in the functioning and use of the internet and the risk of unauthorised and fraudulent activities associated with the internet. Except to the extent liability cannot be excluded due to the operation of statute, the Company excludes all liability (including in negligence) for the consequences of any unauthorised access to, disclosure of, misuse of or loss or modification of your personal information. Nothing in this Privacy Policy restricts, excludes or modifies or purports to restrict, exclude or modify any statutory consumer rights available to you under any applicable law. Please notify us immediately if you become aware of any breach of security.

4- COOKIES

Cookies are data files stored on your computer after you access certain websites (“Cookies”). The Company uses Cookies or similar files on the Site in order to facilitate your ongoing access, navigation and use of the Site which may be stored on your computer. These Cookies allow us to track usage patterns and to compile data that helps us to provide a better quality of service at the Site, improve our content and target advertising and may include the collection of the following information (pages seen, date and time of connection, your IP address, type of browser and operating system you are using and other technical information). The Company may transfer this data overseas to service providers we use from time to time. Please refer to section 3.4 for more detail on the transfer of personal information outside Australia.

We may utilize third party companies in an effort to deliver you tailored content and advertising that matches your interests when you visit our website as well as other websites. You may opt-out of the use of anonymous information for tailored advertising purposes. If you delete your Cookies, use a different browser, or buy a new computer, you will need to renew your opt-out choice.

You can disable Cookies in your web browser. However, this may disable all Cookies used by your browser, including those from other websites, which may cause certain settings or information to be altered or lost. Disabling Cookies may change your browsing experience on the Site, may cause it to not function properly or optimally or may make navigating around the Site more difficult.

5- CHANGES TO OUR PRIVACY POLICY

The Company may make changes to this Privacy Policy at any time and for any reason. At any time the latest version of our Privacy Policy is available from the Site. The Company may, but is not obliged to, inform you of such changes, via a special message on the Site, via email or via a customised notice, for example when we send you newsletters.

6- PERSONS UNDER LEGAL ALCOHOL CONSUMPTION AND PURCHASING AGE

Access to the Site is governed by [Terms & Conditions](#) . The Company does not permit persons who are under legal alcohol consumption and/or purchasing age in their country of residence to use the Site and such persons must not fraudulently misstate their age to obtain access to the Site or in providing us with any personal information. For Australian residents, only those aged 18 years and over may access and use the Site.

7- CONTACT US

If you wish to access and update your personal information, or if you have any queries or complaints regarding the collection, use or disclosure of your personal information or if you believe we have not complied with this Privacy Policy or the Act, please contact us at: info@whispering-brook.com.

When contacting us please provide as much detail as possible in relation to your question, comment or complaint.

The Company will take any privacy complaint seriously and any complaint will be assessed by an appropriate person with the aim of resolving the issue in a timely and efficient manner. We request that you cooperate with us during this process and provide us with any relevant information that we may need.