



Privacy Policy

1 Introduction

Advanced Fresh Concepts Pty Ltd ABN 35 605 455 936 trading as Sushi Izu (**AFC, we, our, us**) recognises the importance of protecting the privacy and the rights of individuals in relation to their personal information in the course of running our business. This document is our privacy policy and it tells you how we collect and manage your personal information.

We respect your rights to privacy under the *Privacy Act 1988 (Cth)* (**Privacy Act**) and we comply with all of the Privacy Act's requirements in respect of the collection, management and disclosure of your personal information.

This Privacy Policy (other than section 15) explains how we manage personal information about individuals other than employees. Section 15 explains the position of employees.

2 What is personal information?

When used in this privacy policy, the term "personal information" has the meaning given to it in the Privacy Act. In general terms, it means information or an opinion about an identified individual or an individual who is reasonably identifiable, whether true or not.

3 What types of personal information do we collect and hold?

The types of personal information we collect about you depends on the circumstances in which the information is collected. Without limitation, we may collect the following types of personal information about you:

- your name and contact details (such as address, email address, telephone, mobile and facsimile numbers);
- payment details such as your debit or credit card details and billing information;
- if you have visited, posted on or interacted with our website located at: www.sushiizu.com.au (**Website**) or our social media pages (including Facebook, Instagram), the information that you have shared with us on those platforms (such as your social media account name, your email address and any photographs that you shared);
- if you download and access our mobile application (**App**), we record your device details, operating system and geographical location of your device (where you have provided us with permission), and details of your activities via the App;
- if you are a customer and have participated in any promotional activities that we or our franchisees may run from time to time (including our Loyalty Program), information that you submit to us as part of the promotional activities;

- if you are a customer and have lodged a complaint or claim against us or one of our franchisees or contractors, any personal information (including date of birth and health information) that you may have submitted as part of the complaint or claim;
- if you are an employee or contractor, your resume, qualifications, birth date, current and former employment details, bank details and health information relating to your employment or engagement with us;
- if you are prospective franchisee or a franchisee, information that you provide to us as part of the application process or during your time as a franchisee (such as the details of your background and experience, your previous employment, your financial information and your credit information);
- if you are a franchisee, information about your franchise with us; and
- any additional personal information relating to you that you provide to us directly through our Website, or through our representatives or otherwise.

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 aggregated information about how users use our Website or App.

4 How do we collect your personal information?

We collect and hold your personal information in a fair and lawful manner. Where it is reasonably practicable to do so, we will collect your personal directly from you. When collecting personal information from you, we may collect it in the following ways:

- when you make an inquiry or order in relation to our goods or services;
- via our App;
- if you are a prospective franchisee or a franchisee, when you submit your franchise application to us, throughout the application process, and also through your franchise relationship with us;
- if you are an employee or contractor or a job applicant, when you submit your application to us, or through your relationship with us;
- when you submit any complaint or claim against us or one of our franchisees;
- when you participate in our promotional activities and Loyalty Program (including online promotional activities conducted on our Website, App or social media pages);
- when you access and upload content or interact in an identifiable manner with our Website, App and our social media pages (including by posting any messages or photographs, or “liking” us); or
- during conversations and correspondence (whether in writing or electronically) between you and our representatives.

Sometimes we may collect your personal information from third parties where it is unreasonable or impractical for us to collect it from you directly, including the following:

- your referees, if you are a prospective franchisee, a franchisee or job applicant;
- AFC franchisees, contractors and insurers, if you have submitted any complaint or claim against us or a franchisee;
- where you download and use the App, from the providers of the Apple App or Google Play stores and from AFC franchisees that you pick up products from after ordering products via the App; and
- more generally, from law enforcement agencies and other government entities.

We only collect sensitive information about you with your consent, or otherwise in accordance with the Privacy Act. "**Sensitive information**" has the meaning set out in the Privacy Act, and includes certain specific types of personal information such as health information, and information about a person's racial or ethnic origin, sexual orientation or practices, criminal record, religious beliefs or affiliations, political opinions, membership of a political, professional or trade association, and biometric and genetic information.

The main types of sensitive information we may collect include:

- details of injuries (ie. health information) that may occur on our premises or arising through the use of our goods or services; and
- details of disabilities or allergies (i.e. health information) so we can accommodate any special requirements.

If you do provide sensitive information to us for any reason (for example, if you provide us with information about a disability or allergy you have), 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 Privacy Act and other relevant laws.

In addition to the types of personal information identified above, we may collect personal information as otherwise permitted or required by law.

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:

- we may not be able to consider your application to become a franchisee;
- we may not be able to continue our relationship with you under the franchise agreement;
- you may not be able to participate in our loyalty program and promotional activities;
- we may not be able to provide you with our goods and services, such as processing your orders and arranging collection of those orders through our App;

- we may not be able to process, manage and/or investigate a complaint or claim made by you against us or our franchisee or contractor; or
- we may be unable to tailor the content of our Website or App to your preferences and your experience of our Website or App 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 to provide best possible quality of customer service. We 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 authorised or required by law.

Some of the specific purposes for which we collect, hold, use and disclose your personal information include the following:

- if you are a prospective franchisee or job applicant, to consider your application and to manage the application process;
- if you are a franchisee, employee or contractor of us, to manage and maintain our relationship with you;
- if you are a customer or potential customer, to provide you with our goods and services and to conduct promotional and marketing activities (such as managing our loyalty program);
- if you have interacted with our Website or social media pages, to respond to your posts and comments and to conduct promotional, marketing and advertising activities;
- if you download and use the App, so that we can provide and allow you to access and have the benefit of the App and its functionality;
- to conduct business processing functions including providing personal information to our related bodies corporate, contractors, service providers or other third parties;
- for the administrative, marketing (including direct marketing), planning, product or service development, quality control and research purposes of us and our franchisees;
- to update our records and keep your contact details up to date;
- if you have submitted a complaint or claim against us or one of our franchisees, to process, investigate, manage and respond to the complaint or claim, to inform and liaise with our insurer;

- to comply with any law, rule, regulation, lawful and binding determination, decision or direction of a regulator, or in co-operation with any governmental authority; and
- to contact you regarding the above, including via electronic messaging such as SMS and email, by mail, by phone or in any other lawful manner.

Your personal information will not be shared, sold, rented or disclosed other than as described in this privacy policy.

7 Our online and social media presence

Our privacy policy also applies to our Website , App and our social media pages.

Website logs

We or our hosting service provider may log IP addresses (that is, the electronic addresses of computers connected to the internet) date and time of your visit to the site or App, pages you accessed, type of browser you are using and referring site to administer our Website and gather broad demographic information.

Security

As our Website and App is linked to the internet, and the internet is inherently insecure, we cannot provide any assurance regarding the security of transmission of information you 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.

Links

Our Website or App may contain links to other websites operated by third parties. We make no representations or warranties in relation to the privacy practices 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.

Social media platforms

We do not operate, host or control any social media platforms on which we may have a presence. We therefore make no representations or warranties in relation to the privacy practices of the social media platform operators, and we are not responsible for how the social media platform operators may collect, use, store or host your personal information. You should inform yourself about their privacy practices.

8 Who do we disclose your information to?

We may disclose your personal information to:

- our employees, related bodies corporate, franchisees, suppliers, contractors or service providers for the purposes of operation of our Website, App or our business, fulfilling requests by you, and to otherwise provide services to you including, without limitation, web hosting providers, IT systems

administrators, mailing houses, couriers, payment processors, data entry service providers, electronic network administrators, debt collectors, and professional advisors such as accountants, solicitors, business advisors and consultants;

- our insurers for claims management purposes;
- suppliers and other third parties with whom we have commercial relationships, for business, marketing, and related purposes; and
- any organisation for any authorised purpose with your express consent.

We may combine or share any information that we collect from you with information collected by any of our related bodies corporate.

We may also disclose your personal information in accordance with any consent you give or where disclosure is authorised, compelled or permitted by law.

9 Direct marketing materials

If you are a customer, we may send you direct marketing communications and information about our products that we consider may be of interest to you. These communications may be sent in various forms, including mail, SMS, fax and email and if applicable, social media platforms, in accordance with applicable marketing laws, such as the *Spam Act 2003* (Cth).

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 then ensure that your name is removed from our mailing list.

10 Do we disclose your personal information to anyone outside Australia?

We may disclose personal information to our related bodies corporate and third party suppliers and service providers located overseas for some of the purposes listed above.

We take reasonable steps to ensure that the overseas recipients of your personal information do not breach the privacy obligations relating to your personal information.

We may disclose your personal information to entities located outside of Australia, including our related bodies corporate, located in the United States.

11 Security and data quality

We take reasonable steps to ensure 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. Personal information is destroyed or de-identified when no longer needed or when we are no longer required by law to retain it (whichever is the later).

12 How can you access and correct your personal information?

You may request access to any personal information we hold about you and/or to make corrections to that information at any time by contacting us (see the contact details in section 14 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 you a reasonable fee to cover our administrative and other reasonable costs in providing the information to you. We will not charge for simply making the request and will not charge for making any corrections to your personal information. As part of this request, we may need to verify your identity.

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.

If you believe that personal information we hold about you is incorrect, incomplete or inaccurate, then you may request us to amend it. We will consider if the information requires amendment. If we do not agree that there are grounds for amendment, then we will provide written notice to you stating our reasons for refusing your correction request.

13 What is the process for complaining about a breach of privacy?

If you believe that your privacy has been breached, please contact us using the contact information in section 14 below and provide details of the incident in writing so that we can investigate it. We will treat your complaint confidentially, investigate your complaint and respond to your complaint within a reasonable time (and in any event within the time required by the Privacy Act, if applicable).

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.

If you are dissatisfied with the handling of your complaint, you may contact the Office of the Australian Information Commissioner:

Office of the Australian Information Commissioner
GPO Box 5218, Sydney NSW 2001
Telephone: 1300 363 992
Email: enquiries@oaic.gov.au

14 Contacting us

The contact details for our Privacy Officer are as follows:

Post: Privacy Officer
Unit 19 512 Gardeners Road
Mascot NSW 2020

Tel: (02) 9667 5800

Email: privacy@afcsushi.com.au

15 Employees

We collect information in relation to employees as part of their application and during the course of their employment, either from them or in some cases from third parties such as recruitment agencies. Such information may include contact details, qualifications, resume, current and former employment details, pay rate and salary, bank details, feedback from supervisors, training records and logs of your usage of our equipment (e.g. phones, computers and vehicles).

Under the Privacy Act, personal information about a current or former employee may be held, used or disclosed in any way that is directly connected to the employment relationship. We handle employee information in accordance with legal requirements and our applicable policies in force from time to time.

16 Changes to our privacy policy

We may change this privacy policy from time to time. Any updated versions of this privacy policy will be posted on our Website and will be effective from the date of posting.

Where applicable privacy laws provide for exceptions or exemptions, we may rely on those exceptions or exemptions in our information handling practices.

This privacy policy was last updated on 21 January 2021.