

Privacy Policy

LAST UPDATED JULY 2018

GemLife Administration Pty Ltd ACN 615 334 042

GemLife Assets Pty Ltd ACN 620 057 267

GemLife Communities Pty Ltd ACN 606 449 423

GTH Project No. 1 Pty Ltd ACN 607 590 901

GTH Resorts No. 1 Pty Ltd ACN 606 256 160

GTH Project No. 2 Pty Ltd ACN 606 421 989

GTH Resorts No. 2 Pty Ltd ACN 606 879 010

GTH Project No. 4 Pty Ltd ACN 607 629 149

GTH Resorts No. 4 Pty Ltd ACN 607 066 820

GTH Project No. 6 Pty Ltd ACN 611 090 816

GTH Resorts No. 6 Pty Ltd ACN 608 559 262

GTH Resorts No. 8 Pty Ltd ACN 617 503 394

and its Related Bodies Corporate

(together, the **GemLife Group**).

In this Privacy Policy, the expressions “**GemLife Group**”, “**we**”, “**us**” and “**our**” are a reference to GemLife Administration Pty Ltd ACN 615 334 042, GemLife Assets Pty Ltd ACN 620 057 267, GemLife Communities Pty Ltd ACN 606 449 423, GTH Project No. 1 Pty Ltd ACN 607 590 901, GTH Resorts No. 1 Pty Ltd ACN 606 256 160, GTH Project No. 2 Pty Ltd ACN 606 421 989, GTH Resorts No. 2 Pty Ltd ACN 606 879 010, GTH Project No. 4 Pty Ltd ACN 607 629 149, GTH Resorts No. 4 Pty Ltd ACN 607 066 820, GTH Project No. 6 Pty Ltd ACN 611 090 816, GTH Resorts No. 6 Pty Ltd ACN 608 559 262, GTH Resorts No. 8 Pty Ltd ACN 617 503 394 and its Related Bodies Corporate (as defined by the provisions of the *Corporations Act 2001* (Cth)).

This Privacy Policy applies to personal information collected by us. We are bound by the Australian Privacy Principles and the *Privacy Act 1988* (Cth), which govern the way private sector organisations collect, use, keep secure and disclose personal information.

The purpose of this Privacy Policy is to generally inform people of:

- how and when we collect personal information;
- how we use and disclose personal information;
- how we keep personal information secure, accurate and up-to-date;
- how an individual can access and correct their personal information; and
- how we will facilitate or resolve a privacy complaint.

If you have any concerns or complaints about the manner in which your personal information has been collected, used or disclosed by us, we have put in place an effective mechanism and procedure for you to contact us so that we can attempt to resolve the issue or complaint. Please see **Section 10** for further details.

If you have any concerns or questions, please contact us and our Compliance Officer at privacy@gemlife.com.au or write to us at 7 / 93 Burnside Road, Stapylton, QLD 4209 and our Compliance Officer will then attempt to resolve the issue.

We recommend that you keep this information for future reference.

1. What is personal information?

The *Privacy Act 1988* (Cth) defines “personal information” to mean any information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- whether the information or opinion is true or not; and
- whether the information or opinion is recorded in a material form or not.

2. The kinds of personal information collected, used and disclosed by GemLife Group

We will only use or disclose your personal information for the primary purposes for which it was collected or as consented to by you.

At or around the time we collect personal information from you, we will endeavour to provide you with a notice which details how we will use and disclose that specific information.

We set out some common collection, use and disclosure instances in the table below.

Purpose	Type of Information	Uses	Disclosures
Sales and enquiries	<ul style="list-style-type: none"> • Contact information from residents: Such as your name, postal address, email address, phone numbers and signature. • Contact information from prospective residents: Such as your name, email address and phone numbers. • Any other information that you may provide to us as part of your enquiry, including comments, questions or further information about yourself. • Transaction Sales: Such as: <ul style="list-style-type: none"> - Billing and account details. - Payment card details. • Customer Service: Information collected in connection by our customer services and sales department or sales managers. 	<p>The types of uses we will make of personal information collected for this type of purpose include:</p> <ul style="list-style-type: none"> • Identity verification: if required, the verification of your identity. • Homes and Services: the provision of our information about our homes, purchase of a home, construction of a home and ancillary services to you including: <ul style="list-style-type: none"> - Using your personal information in order for you to use the products and services offered. - Payment processing, including charging, credit card authorisation, verification and debt collection. - To provide customer service functions, including handling customer enquiries and complaints. • Marketing: using your personal information for the purposes set out in “<i>Marketing Services</i>” section below. • General administrative and security use: <ul style="list-style-type: none"> - To protect GemLife Group’s website from security threats, fraud or other criminal activities. - The use for the administration and management of GemLife Group. - The maintenance and development of our products and services, business systems and infrastructure. - In connection with the sale of any part of GemLife Group’s business or a company owned by a GemLife Group’s entity. - To provide customer services and our products to clients and for quality assurance purposes. 	<p>The types of disclosures we will make of personal information collected for the type of purposes listed include, without limitation, to:</p> <ul style="list-style-type: none"> • Third parties connected with the sales or construction process, or both including ecommerce, payment gateway providers and financial institutions, constructions companies, contractors and service providers. • Service providers (including IT service providers and consultants) who assist GemLife Group in providing our products and services. • Related bodies corporate of GemLife Group (including related entities). • Third parties in connection with the sale of any part of GemLife Group’s business or a company owned by a GemLife Group’s entity. • As required or authorised by law.
Suppliers	<ul style="list-style-type: none"> • Contact information: Such as your company name, contact person’s name and number, name of person(s) who will be completing work for us, email address, phone numbers, current postal address. • Payment information: Such as your account number, payment details and obligations. 	<ul style="list-style-type: none"> • Products and Services: To on-supply products and services to our clients or prospective clients. • General administrative and security use: <ul style="list-style-type: none"> - The use for the administration and management of GemLife Group. - The maintenance and development of our products and services, business systems and infrastructure. - In connection with the sale of any part of GemLife Group’s business or a company owned by a 	<p>The types of disclosures we will make of personal information collected for the type of purposes listed include, without limitation, to:</p> <ul style="list-style-type: none"> • Third parties connected with the construction process including ecommerce, payment gateway providers and financial institutions. • Service providers (including IT service providers and consultants) who assist GemLife Group in providing our products and services.

Purpose	Type of Information	Uses	Disclosures
Marketing Services	<ul style="list-style-type: none"> • Contact information: Such as your name, email address, current postal and residential addresses, phone numbers (and, if applicable, age). • Website, email or phone enquiries: Such as your name, email address, phone number and any information you provide to us as part of your message. • Any other information that you may provide to us as part of your request to receiving our marketing services, including comments, questions or further information about yourself. • GemLife Group Social media activity: Including "likes", comments posted, any of your oppositions or feedback, photos posted or uploaded and other information pertaining to your social media activities which concern, or relate, to GemLife Group. 	<p>GemLife Group's entity.</p> <ul style="list-style-type: none"> • To provide customer services and our products to clients and for quality assurance purposes. <ul style="list-style-type: none"> • General marketing and consumer analytics: using your personal information: <ul style="list-style-type: none"> - To aggregate with other information and to then use it for marketing and consumer analytics. - To offer you updates on products, events or information that may be of interest to you. - For Marketing and promotional activities by us (including by direct mail, telemarketing and email) such as our email alerts, product awareness information and newsletters. - For the Uses detailed above in "<i>Sales and enquiries</i>". • Online accounts or social media: If you create an account with GemLife Group or participate in our social media platforms (such as Facebook, Twitter and LinkedIn) and you provide us your personal information, we will use it for: <ul style="list-style-type: none"> - Adding account holders to the marketing database. - Customer service related contact. - Responding to social media messages. - Fulfilling social media platform rules. 	<ul style="list-style-type: none"> • Related bodies corporate of GemLife Group (including related entities). • Third parties in connection with the sale of any part of GemLife Group's business or a company owned by a GemLife Group's entity. <p>As required or authorised by law.</p>
Human resources	<ul style="list-style-type: none"> • Contact information: Such name, e-mail address, current postal and residential address, phone numbers, next of kin contact details, driver's licence. • Employee record information • Identifying information: Such as your photo, passport and residency details, date of birth and signatures. • CV, resume or application related information: Such as the details provided in your resume or CV, your eligibility to work in Australia, your education, previous employment details, professional memberships, machinery operation tickets (e.g. to 	<ul style="list-style-type: none"> • Background checks: Utilising the information collected for the purpose of assessing candidate suitability for role, including by obtaining: <ul style="list-style-type: none"> - Verification of your identity and age. - Background checks including publically available information including Facebook, Twitter, Instagram, YouTube. - Confirmation of eligibility to work in Australia. - Confirmation of education and qualifications. - Confirmation of previous employment. - Consideration regarding medical leave. - Confirmation that any licences, tickets, 	<p>We may disclose your personal information to:</p> <ul style="list-style-type: none"> • Relevant superannuation company. • Government agencies, including but not limited to The Australian Taxation Office, Centrelink and Child Support Agency. • Relevant Worker's Compensation organisation (e.g. WorkCover etc). • Third party referees provided by you in connection with an application made to GemLife Group. • Service providers (including IT service providers and

Purpose	Type of Information	Uses	Disclosures
	<p>verify ability to work with heavy machinery), white card and other licences (e.g. to verify ability to work on a construction site) or trade qualifications.</p> <ul style="list-style-type: none"> • Tax, superannuation and payroll information: Such as your Tax File Number and ATO Declaration, Australian Business Number or Australian Company Number, Superannuation details and financial institution details. • Background check information: Information obtained from you or third parties to perform background checks (including referees). • Performance related information: Pre-employment testing and other information collected by GemLife Group's systems in the course of the employee or contractor's engagement with GemLife Group. • Information collected from referees 	<p>qualifications and memberships required to carry out your duties are current</p> <ul style="list-style-type: none"> • Administration and performance monitoring use: Utilising the information collected for the purpose of: <ul style="list-style-type: none"> - Dealings related to the employer/employee relationship or the contractor/principal relationship (as the case may be). - Use of such information whether or not the employment or contractor relationship is prospective, current or past. - Use of such information to monitor systems, performance and time usage and internet usage. - The use of your personal information collected in the administration and management of GemLife Group. - In connection with the sale of any part of GemLife Group's business or a company owned by a GemLife Group entity. 	<p>payroll providers), if any.</p> <ul style="list-style-type: none"> • Recruitment agents used in connection with your application with us. • Third parties in connection with the sale of any part of GemLife Group's business or a company owned by a GemLife Group's entity. • Third party parties in connection with obtaining any background checks, pre-employment screening. • Financial institutions for payroll purposes. • As required or authorised by law.
Investments	<ul style="list-style-type: none"> • Contact information: Such as your name, email address, phone numbers, Tax File Number and signature. 	<ul style="list-style-type: none"> • Homes and Services: the provision of our information and statistics about our homes, residents (on a de-identified basis), resorts, facilities, home purchasing and construction trends, return on investment, costs of maintenance. • For the purposes listed above in the "<i>Marketing</i>" section. • General administrative and security use: <ul style="list-style-type: none"> - To keep you informed about the status of your investment. - The maintenance and development of our products and services, business systems and infrastructure. - In connection with the sale of any part of GemLife Group's business or a company owned by a GemLife Group's entity. 	<p>We may disclose your personal information:</p> <ul style="list-style-type: none"> • Service providers (including IT service providers and consultants) who assist GemLife Group in providing our products and services. • Related bodies corporate of GemLife Group (including related entities). • As required or authorised by law. <p>We strictly do not disclose personal information collected for this purpose to third parties other than those listed above.</p>

Purpose	Type of Information	Uses	Disclosures
Competition entry	The same information as collected in relation to the “Sales and enquiries” and “Marketing” above.	<ul style="list-style-type: none"> • Promotion of and provision of the competition In connection with the competition, for the same types of uses as in relation to “Sales and enquiries” and “Marketing” above. • Identity verification: If required, verification of your identity. • Provision of prize: To contact you in connection with the provision of a prize that you may have won. 	<p>We may disclose your personal information to:</p> <ul style="list-style-type: none"> • The parties listed under Disclosures in relation to “Sales and enquiries”, above. • Other parties involved in the promotion of the competition. • As required or authorised by law.
Vehicle and caravan parking	<ul style="list-style-type: none"> • Licence plate registration recorded and store by gate reader of vehicles and caravans of residents only 	<ul style="list-style-type: none"> • To permit entry to the resort and allow storage of the vehicles and caravans 	<p>We may disclose this information to:</p> <ul style="list-style-type: none"> • Service providers (including IT service providers and consultants) who assist GemLife Group in providing our products and services. • As required or authorised by law.

3. How GemLife Group collects and holds personal information

3.1 Collection generally

As much as possible or unless provided otherwise in this Privacy Policy or a notification, we will collect your personal information directly from you.

When you engage in certain activities, such as filling out a survey or sending us feedback, we may ask you to provide certain information. It is completely optional for you to engage in these activities.

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 information or any other information we require in order for us to provide our products or services to you, we may be unable to provide our products or services to you in an effective manner, or at all.

3.2 Other collection types

We may also collect personal information about you from other sources, such as competitions and also from third parties. Some examples of these alternative collection events are:

- (a) when we collect personal information about you from third parties; or
- (b) when we collect personal information about you from publically available sources including but not limited to bankruptcy searches, Australia Post, White Pages directory, and social media platforms (such as Facebook, Twitter, Google, Instagram etc).

3.3 Notification of collection

If we collect details about you from someone else, we will, whenever reasonably possible, make you aware that we have done this and why, unless special circumstances apply, including as described in this clause 3.3(a) to 3.3(c) below. Generally speaking, we will not tell you when we collect personal information about you in the following circumstances:

- (a) where information is collected from any personal referee you have listed on any application form (including any employment application) with GemLife Group;
- (b) where information is collected from publically available sources including but not limited to bankruptcy searches, social media platforms (such as Facebook, Twitter, Google, Instagram etc.); or
- (c) as otherwise required or authorised by law.

3.4 Unsolicited personal information

In the event we collect personal information from you, or a third party, in circumstances where we have not requested or solicited that information (known as unsolicited information), and it is determined by GemLife Group (in its absolute discretion) that the personal information is not required, we will destroy the information or ensure that the information is de-identified.

In the event that the unsolicited personal information collected is in relation to potential future employment with GemLife Group such as your CV, resume or candidacy related information, and it is determined by GemLife Group (in its absolute

discretion) that it may consider you for potential future employment, GemLife Group may keep the personal information on its human resource records.

3.5 **How we hold your personal information**

Once we collect your personal information, we will either hold it securely and store it on infrastructure owned or controlled by us or with a third party service provider who have taken reasonable steps to ensure they comply with the *Privacy Act 1988* (Cth). We provide some more general information on our security measures in **Section 7.1 (Data security and quality)**.

3.6 **Cookies and IP addresses**

If you use our website, we may utilise "cookies" which enable us to monitor traffic patterns, trends and to serve you more efficiently if you revisit our website. In most cases, a cookie does not identify you personally but may identify your internet service provider or computer.

We may gather your IP address as part of our business activities and to assist with any operational difficulties or support issues with our services. This information does not identify you personally.

However, in some cases, cookies may enable us to aggregate certain information with other personal information we collect and hold about you. GemLife Group extends the same privacy protection to your personal information, whether gathered via cookies or from other sources, as detailed in this Privacy Policy.

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. However, if you disable cookies, you may not be able to access certain areas of our websites or take advantage of the improved web site experience that cookies offer.

4. **Uses and discloses of personal information**

4.1 **Use and disclose details**

We provide a detailed list at **Section 2** of some common uses and disclosures we make regarding the personal information we collect.

4.2 **Other uses and disclosures**

We may also use or disclose your personal information and in doing so we are not required to seek your additional consent:

- (a) 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;
- (b) if we reasonably believe that the use or disclosure is necessary to lessen or prevent a serious or imminent threat to an individual's life, health or safety or to lessen or prevent a threat to public health or safety;
- (c) if we have reason to suspect that unlawful activity has been, or is being, engaged in; or
- (d) if it is required or authorised by law.

4.3 Use and disclosure procedures

In the event we propose to use or disclose such personal information other than for reasons set out in the above table at **Section 2** or as otherwise outlined in this Privacy Policy, we will first notify you or seek your consent prior to such disclosure or use.

Your personal information is disclosed to these organisations or parties only in relation to the products or services we provide to you or for a purpose permitted by this Privacy Policy.

We take such steps as are reasonable to ensure that these organisations or parties are aware of the provisions of this Privacy Policy in relation to your personal information.

4.4 Communications opt-out

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 top 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 or authorised by law or as permitted by this Privacy Policy or otherwise with your consent.

5. Direct Marketing

5.1 Express informed consent

You give your express and informed consent to us using your personal information set out in:

- (a) the “*Sales and Enquiries*” section of the table at **Section 2** of this document above; and
- (b) the “*Marketing Services*” section of the table at **Section 2** of this document above,

to provide you with information and to tell you about our products, services or events or any other direct marketing activity (including third party products, services, and events) which we consider may be of interest to you, whether by post, email, SMS, messaging applications and telephone (**Direct Marketing Communications**).

5.2 Inferred consent and reasonable expectations of direct marketing

Without limitation to paragraph 5.1, if you have provided inferred or implied consent (e.g. not opting out where an opt-out opportunity has been provided to you) or if it is within your reasonable expectation that we send you Direct Marketing Communications given the transaction or communication you have had with us, then we may also use your personal information for the purpose of sending you Direct Marketing Communications which we consider may be of interest to you.

5.3 Opt-out

If at any time you do not wish to receive any further Direct Marketing Communications from us or others under this Section 6, you may ask us not to send you any further information about products and services and not to disclose your information to other organisations for that purpose. You may do this at any time by using the “unsubscribe” facility included in the Direct Marketing Communication or by contacting us via the details set out at the top of this document.

6. Anonymity and pseudo-anonymity

Due to the personal nature of the products and services that we provide, it is only practicable or reasonable for the GemLife Group to transact and correspond with you on a named basis and your personal information may be required in order to provide you with our products and services or to resolve any issue you may have.

7. Cross Border Disclosure

7.1 Cross border disclosure

Any personal information collected and held by the GemLife Group may be disclosed to, and held at, a destination outside Australia by virtue of our use of third party service providers, including but not limited to:

- (a) for IT service providers relating to direct marketing applications and functions: Singapore, Taiwan, Ireland, Belgium, Netherlands, Finland, the United States and Germany;
- (b) for analytics of the market and customer trends: United States, Switzerland, the European Union, Netherlands, Finland, Belgium, Singapore and Taiwan;
- (c) for IT service providers for data storage, collection and processing: European Union, Switzerland and the United States,

and other locations as utilised by our other third party service providers from time to time, to assist us in providing our goods and services to you.

As we use service providers and platforms which can be accessed from various countries via an Internet connection, it is not always practicable to know where your information may be held. If your information is stored in this way, disclosures may occur in countries other than those listed above.

7.2 Provision of informed consent

By submitting your personal information to us, you expressly agree and consent to the disclosure, transfer, storing or processing of your personal information outside of Australia. In providing this consent, you understand and acknowledge that countries outside Australia do not always have the same privacy protection obligations as Australia in relation to personal information. However, we will take steps to ensure that your information is used by third parties securely and in accordance with the terms of this Privacy Policy and the *Privacy Act 1988* (Cth).

7.3 If you do not consent

If you do not agree to the disclosure of your personal information outside Australia by us, you should (after being informed of the cross border disclosure) tell us that you do not consent. To do this, either elect not to submit the personal information to us after being reasonably informed in a collection notification or please contact us via the details set out at the top of this document.

8. Data security and quality

8.1 GemLife Group's security generally

We have taken steps to help secure and protect your personal information from unauthorised access, use, disclosure, alteration, or destruction. You will appreciate, however, that we cannot guarantee the security of all transmissions or personal

information, especially where human error is involved or malicious activity by a third party.

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.

8.2 Accuracy

The accuracy of personal information depends largely 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 (such as your name or address).

We provide information about how you can access and correct your information in **Section 9**.

9. Access to and correction of your personal information

You are entitled to have access to any personal information relating to you which we hold, except in some exceptional circumstances provided by law (including the *Privacy Act 1988 (Cth)*). You are also entitled to edit and correct such information if the information is inaccurate, out of date, incomplete, irrelevant or misleading.

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 (subject to the above) by contacting us via the details set out at the top of this document.

10. Resolving Privacy Complaints

10.1 Complaints generally

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 Contacting GemLife Group regarding complaints

If you have any concerns or complaints about the manner in which we have collected, used or disclosed and stored your personal information, please contact us:

Telephone: 07 3440 8723

Email: privacy@gemlife.com.au

Address: 7 / 93 Burnside Road, Stapylton, QLD 4209

Please mark your correspondence to the attention of the Compliance Officer.

10.3 Steps we take to resolve a complaint

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 Register of complaints

We will keep a record of the complaint and any action taken in a Register of Complaints.

11. Consent, modifications and updates

11.1 Interaction of this Policy with contracts

This Privacy Policy is a compliance document prescribed by law rather than a legal contract between two or more persons. However, certain contracts may incorporate all, or part, of this Privacy Policy into the terms of that contract. In such instances, GemLife Group may incorporate the terms of this policy such that:

- (a) certain sections or paragraphs in this policy are incorporated into that contract, but in such a way that they do not give rise to contractual obligations onto GemLife Group, but do create contractual obligations on the other party to the contract; and
- (b) the consents provided in this policy become contractual terms provided by the other party to the contract.

11.2 Acknowledgement

By using our website, purchasing a product or service from GemLife Group where you have been provided with a copy of our Privacy Policy or had a copy of our Privacy Policy reasonably available to you, you are acknowledging and agreeing:

- (a) to provide the consents given by you in this Privacy Policy; and
- (b) that you have been informed of all of the matters in this Privacy Policy.

11.3 Modifications and updates

We reserve the right to modify our Privacy Policy as our business needs require. We will take reasonable steps to notify you of such changes (whether by direct communication or by posting a notice on our website). If you do not agree to our continued use of your personal information due to the changes in our Privacy Policy, please cease providing us with your personal information and contact us via the details set out at the top of this document.