

Privacy Policy – Onyx Gaming Pty Ltd

This Privacy Policy applies to Onyx Gaming Pty Ltd ACN 138 853 675 and its related bodies corporate (as that term is defined in the *Corporations Act 2001* (Cth)) (**Onyx, we, us, our**) when we collect personal information about you.

We are committed to maintaining the privacy of your personal information. We have developed this Privacy Policy to inform you of how we manage the personal information that we collect about you.

You are under no obligation to provide us with your personal information, but if you do not, we may not be able to provide you with the products, services or information you have requested, or any of our information, services or products.

By providing personal information to us, you are taken to have read this Privacy Policy, and consented to the collection, use, disclosure and handling of your personal (including sensitive) information in accordance with this Privacy Policy.

How we collect your personal information

In this Privacy Policy, **personal information** has the meaning given to that term in the *Privacy Act 1988* (Cth) (**Privacy Act**) and includes information or an opinion (whether true or not) about an identified individual, or an individual who is reasonably identifiable.

In general, we collect personal information about our customers, suppliers, employees, contractors and consultants, any person who applies to become an employee or contractor of Onyx and patrons and employees of the gaming venue operators to which we provide products and/or services (**Onyx Venues**).

We aim to collect personal information only if it is reasonably necessary to provide the services, products or information you have requested from us.

In the course of providing you with products and services, we collect personal information in a variety of ways. Unless it is unreasonable or impracticable to do so, we collect your personal information from you directly. In some cases however, we will collect information about you from third parties or publicly available sources, including:

- Onyx Venues;
- your employer or colleagues (if you are an employee or officer of an Onyx Venue or an agent, contractor or supplier of Onyx);
- the Australian Securities and Investments Commission (**ASIC**) and the Australian Business Register (**ABR**);
- credit reporting bodies;
- social media;
- our recruitment service providers or your referees (if you are a prospective employee of Onyx);
- our industry regulators; and
- Commonwealth, state or territory Government authorities and agencies.

At the time of collection, or as soon as practicable after we have collected it, we will take such steps as are reasonable in the circumstances to notify or make you aware of the collection and of any matters relevant to the collection, unless it is obvious from the circumstances that you would know that we hold, or would expect us to hold, the information.

Onyx may collect personal information about you when you:

- use any of the services provided by Onyx;
- visit our website (<https://onyxgaming.com.au/> (**Website**));
- make an enquiry with us by phone, email or via our Website;
- engage with us in the course of receiving products, services or information from us or enquiring about our services, information and products;
- apply as a candidate for a position of employment with us;
- supply goods or services to us;

- apply to join a membership or loyalty program of an Onyx Venue;
- enter into a promotion at an Onyx Venue;
- are the winner of a jackpot or promotional prize at an Onyx Venue;
- interact with a kiosk at an Onyx Venue;
- interact with our system or systems operated by Onyx;
- directly interact with Onyx or an approved partner of Onyx; or
- visit our offices or customers or an Onyx Venue.

What kind of personal information we collect about you

The types of personal information that we collect from you will depend on your interactions with us and Onyx Venues, what you share with us and Onyx Venues or whether the law requires us to collect it.

For example, we may collect the following information about you:

- your name;
- your email address, phone number, work and home addresses, and other contact details;
your date of birth and gender, and other information required to verify your age in accordance with our legal obligations;
- your bank account details (if, for example, you are an employee or supplier of Onyx, or we otherwise need to make a payment to you);
- details of products or services we, or Onyx Venues, have provided to you or the products or services that you have enquired about, including any additional information necessary to deliver those products and services and respond to your enquiries;
- details about you to assist in managing our relationship with you and providing you with our services; and
- information that we are required or authorised by law to collect.

In addition to the information set out above, if you are a member of a membership or loyalty program of an Onyx Venue we may also collect and hold the following personal information about you:

- information about your use of the goods and services provided by the relevant Onyx Venue;
- the amount that you wager on a gaming machine at the relevant Onyx Venue;
- the amount of time you spend on a gaming machine at the relevant Onyx Venue;
- if you set loss limits or time limits on your game play at an Onyx Venue, the details of those loss limits or time limits;
- the number of points earned by, rewards redeemed by, and prizes awarded to you as a result of your loyalty membership;
- any trade promotion you enter at an Onyx Venue; and
- any other information collected by Onyx Venues from you as a result of your membership to the loyalty program.

If you are a prospective employee, we may collect details about your employment history and other details about you to assist with the recruitment process. We may collect this information from you directly, or from a recruiter or a referee

Information collected on our Website

We may use cookies on some areas of our Website. A cookie is a small file saved on your computer's hard drive. When you return to our Website, the data saved in the cookie is sent back to the website. We use cookies to gauge visitor traffic, trends and to help us serve you more efficiently if you revisit the Websites.

The cookies we use in no way give us access to your computer or any information about you, other than the information you choose to share with us. You can choose to accept or decline cookies. Most

web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. This may prevent you from taking full advantage of our Website.

Use and Disclosure of Personal Information

We collect your personal information primarily to:

- provide you with the products, services and information that you request from us or from a third party to which we provide products and services (such as Onyx Venues);
- issuing you with a player activity statement (as the term is defined in the *Gambling Regulation Act 2003* (Vic));
- improving customer service by means of research, marketing, service or product development or planning;
- inform you of developments at Onyx and other services, products or information that we can provide and can be purchased;
- communicate with you generally in relation to our services and products;
- help us manage our products and services;
- otherwise manage our relationship with you; and
- comply with our obligations under the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (Cth) (**AML/CTF Act**) and to the gambling oversight commissions for all Australian states and territories.

If it is reasonable to expect that we would use or disclose your personal information for purposes which are related to the above primary purposes, we may also use or disclose your personal information to:

- assist you with enquiries or complaints;
- develop and improve our client service and relationships;
- analyse your use of products and services provided by us and third parties (such as Onyx Venues);
- tell you about other providers or suppliers that supply information, goods or services that may be of interest or applicable to you; or
- comply with our legal obligations, including to comply with *Gambling Administration Act 2019* (SA), *Gaming Machines Act 2001* (NSW), *Gaming Machines Act 1991* (Qld), *Gambling Regulation Act 2003* (Vic), the AML/CTF Act and any other law or any lawful request of a law enforcement agency or government authority, or to resolve any disputes.

Generally, we will not direct market to anyone unless they are given an opportunity to opt out of receiving future direct marketing communications. However, if we contact you for the purpose of direct marketing without having obtained your consent first because it is impracticable for us to do so, we will at that time provide you with the opportunity to decline receiving any further marketing communications from us.

Sharing of your personal information

We may disclose your personal information to organisations or people outside of our business for the purposes of assisting us to run our business, comply with our legal obligations, and to provide products, services and information to you.

The third parties to whom we may disclose your personal information include:

- the monitors approved from time to time of the electronic monitoring systems in all Australian states and territories;
- State regulatory bodies, including the Victorian Commission for Gambling and Liquor Regulation, New South Wales Liquor and Gaming, the Northern Territory Racing and Wagering Commission, the Queensland Office of Liquor and Gaming Regulations, and the Tasmanian Liquor and Gaming Commission;
- any enforcement agencies;

- external providers of services that we may use to operate our business, comply with our legal obligations and manage our business systems (database, CRM and mail and email service providers, marketing and e-commerce service providers, couriers, providers of accounting and payment processing services) and IT technicians who may need access when providing support and other professional service providers as required from time to time;
- third parties that may provide or assist us with events or services at Onyx;
- our industry regulators;
- Onyx Venues;
- government authorities and law enforcement agencies, if required by law;
- credit reporting bodies; and
- our professional advisors and agents.

The privacy and collection practices of entities to whom we disclose personal information are governed by their own privacy policies and collection notices.

We are not likely to disclose personal information to overseas recipients unless the disclosure:

- is required or authorised by law; or
- you have consented to our disclosing the information about you.

Security of Personal Information

We will take reasonable precautions (including implementing technical and organisational measures) to protect your information from misuse, interference and loss, as well as from unauthorised access, modification or disclosure.

We will retain your information as required by law, and then take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed.

Quality of Personal Information and Accessing and Updating Information

We aim to ensure the personal information that we hold about you is accurate, complete and up to date, but we need your help in with this. You need to provide true, accurate, current and complete information about yourself as requested and properly update the information with us to keep it true, accurate, current and complete.

If you believe that the information we hold about you is inaccurate or incomplete, please contact us at the details below and we will use all reasonable efforts to correct the information.

If we do not believe the information to be incorrect, we will take reasonable steps to add a statement to the information noting that you believe the information is inaccurate, incomplete, out of date.

You have rights to access your personal information held by us subject to the provisions of the Privacy Act. If you would like more information about this, please contact us at the details below.

Changes to this Privacy Policy

We reserve the right to make amendments to this Privacy Policy at any time for any reason. We will publish any updated Privacy Policy on our Website.

Change in control of Onyx

If we sell or otherwise transfer part or the whole of our business (including Onyx) to another organisation (including in the course of a transaction like a restructure, sale, merger or acquisition or as part of a bankruptcy, dissolution, liquidation, administration, receivership or other form of insolvency), you agree that your personal information that is collected by Onyx may be disclosed to a third party, prospective buyer, transferee or insolvency practitioner and that this is reasonable to enable that party to continue or manage the practice.

Complaints

If you have a complaint about our collection, use or disclosure of your personal information, or you wish to make a complaint about a breach of the APPs, please contact us at the details set out below.

In your complaint, please set out the details of your complaint and your contact details. We will contact you to acknowledge your request and ask for any other applicable information. We will then investigate the issue and advise you in writing of the outcome.

You can also make a complaint to the Office of the Australian Information Commissioner. Further information is available at www.oaic.gov.au.

Contacting us

If you have any questions about this Privacy Policy or our privacy practices, or would like to make a complaint or request access to or correction of your personal information, please contact us using the following details:

- by **email** at privacy@onyxgaming.com.au
- by **phone** on (03) 8671 1900 requesting the Privacy Officer
- by **post** at

Attention Privacy Officer,
Carolyn Luntz,
Onyx Gaming Pty Ltd
Suite 1, 574 Plummer Street
Port Melbourne VIC 3207
Australia '