



Broadwater Resort Busselton Privacy Policy (Privacy Policy)

Australian Privacy Principles under the Privacy Act 1988

Collection, Security, Use and Disclosure of Your Personal Information

Fiesta Group Holdings Pty Ltd & Gotmojo Pty Ltd ABN 19 937 749 255, trading as Broadwater Resort (collectively referred to herein as **Broadwater, us or we**) is a resort management company that manages the Broadwater Resort in Busselton, Western Australia. Broadwater comprises short stay accommodation, food and beverage, conference and function services, and a range of other resort-oriented goods, services and activities.

In the course of its business, Broadwater collects, uses and discloses information about our guests, customers and visitors (**Personal Information**). In the course of this collection, use and disclosure, we are committed to protecting your privacy.

This Privacy Policy was drafted in accordance with the Australian Privacy Principles (**APPs**), which came into effect on 12 March 2014 and replaced the National Privacy Principles. The APPs are contained within the Privacy Act 1988 (Cth) (the **Act**) and relevant regulations including the Privacy Regulations 2013 (Cth) (the **Regulations**). You can find an explanation of the APPs by the Office of the Australian Information Commissioner [here](#).

Broadwater reserves its rights to review, update and amend this Privacy Policy from time-to-time and in accordance with the APPs, the Act, the Regulations and other relevant laws. The APPs and this Privacy Policy do not apply to information relating to current or former employees of Broadwater or their employee records.

Principle 1 – Open and Transparent Management of Personal Information

We will most likely collect **Personal Information** directly from you during the course of your enquiries, accommodation bookings and/or stays at or visits to Broadwater. We may also collect information when you subscribe to a Broadwater newsletter or join a Broadwater club, enter into a Broadwater run competition, purchase a Broadwater Gift Voucher, visit our website, complete a Broadwater survey, interact with us or purchase or enquire about goods or services provided by Broadwater or by the businesses Broadwater manages (e.g. conferencing, resort shop, food and beverage outlets or other goods and/or services).

The Personal Information collected and held by us may include your:

- first name, surname and title (Dr, Mr, Mrs, Ms, Miss, etc);
- nominated contact address;
- telephone contact number/s;
- email address;
- credit card details (when confirming bookings or paying for goods or services);
- driver's licence or passport details (e.g. for non-guaranteed bookings);
- personal preferences for our goods or services (e.g. non-smoking, low floor, dietary needs, etc.);
- date of birth; and
- guest history details (e.g. the above information plus transactions on your room account).

This Personal Information is collected, held, used and disclosed for the purpose (**Primary Purpose**) of:

- creating and/or managing your booking;
- confirming your accommodation;
- providing customer support;
- providing you with goods and/or services;
- conducting marketing activities and keeping you up to date with future special offers and information regarding our resort and products; responding to your enquiry, comment, feedback or complaint;
- providing you with a promotion, Gift Voucher, prize or some other offer; and/or
- complying with our legal obligations.

Principle 2 – Anonymity and Pseudonymity

You may communicate or interact with us in relation to a matter anonymously or by using a pseudonym except where Broadwater is lawfully required or authorised to deal with individuals who have identified themselves or it is impracticable for Broadwater to deal with individuals who have not clearly and accurately identified themselves.

Principle 3 - Collection of Solicited Personal Information

Broadwater will only use fair and lawful means to collect Personal Information where it is reasonably necessary for one or more of Broadwater's functions or activities and will collect such information using fair and lawful means (**Solicited Personal Information**). Broadwater will collect such information directly from you unless it is unreasonable and impracticable to do so.

We will only collect **Solicited Personal Information** from you where you provide consent or where it is lawful for us to do so under the Act. **Solicited Personal Information** is information relating to your racial or ethnic origin, political opinions and associations, religious beliefs and affiliations, philosophical beliefs, membership of professional or trade associations or trade unions, sexual orientation or practices, criminal record, health or genetic information or biometric information or templates.

Principle 4 – Collection of Unsolicited Personal Information

Broadwater will only use and disclose Personal Information that it has not solicited where it is lawfully permitted to do so, in which case the information will be treated as if it were Solicited Personal Information.

Principle 5 - Notification of the collection of Personal Information

There may be occasions where we collect information about you from a third party. These third parties may include but are not limited to:

- travel agents or other entities, bodies or persons who make accommodation or other bookings, purchases or arrangements for you or on your behalf;
- third parties that run competitions or promotions that Broadwater sponsors or takes part in; and/or
- entities, bodies or persons that provide services to us.

In the event that we believe that you may not be aware that we have Personal Information about you from third party sources, we will take such steps as are reasonable in the circumstances to notify you and ensure that you are aware of:

- a) this Privacy Policy;
- b) the information collected and the circumstances and purpose of such collection;
- c) the consequences that would be applicable to you (if any) if the information had not been solicited and/or collected the information from the third party (for example, inability to deliver or provide goods and services due to lack of information, etc); and
- d) any other bodies, entities or persons to which Broadwater usually discloses information of the kind collected.

Principle 6 - Use or Disclosure of Personal Information

We will not use or disclose personal information about you for a purpose (**Secondary Purpose**) other than the Primary Purpose of collection unless you have expressly consented to such use or disclosure or such use or disclosure is permitted under the Act.

Principle 7 – Direct Marketing

We will not use or disclose your Personal Information in the course of direct marketing unless you would reasonably expect us to use that information for such purpose or you have consented to such use or disclosure.

We will always provide a simple means for you to 'opt out' of future direct marketing, with this option to opt out brought to your attention in each direct marketing communication. After making such a request, you will not receive further direct marketing from Broadwater.

Broadwater will always seek your express consent before using or disclosing **Solicited Personal Information** for the purpose of direct marketing.

You may also request that Broadwater not disclose your Personal Information to other organisations for the purposes of direct marketing, or that it provides the source of the Personal Information used or disclosed in the course of direct marketing.

Broadwater will also comply with other legislation relevant to direct marketing, including the Do Not Call Register Act 2006 (Cth) and the Spam Act 2003 (Cth).

Principle 8 – Cross Border Disclosure of Personal Information

Broadwater is unlikely to disclose your Personal Information to overseas recipients.

Broadwater will not disclose your Personal Information to overseas recipients without your express or implied consent or unless permitted by law.

Principle 9 – Adoption, Use or Disclosure of Government Related Identifiers

Broadwater will not adopt, use, or disclose a Government Related Identifier (such as a Medicare number, drivers licence number or passport number) to identify you, unless permitted by law.

Principle 10 – Quality of Personal Information

We will take reasonable steps to ensure that the Personal Information we collect is accurate, up to date and complete.

Before using or disclosing Personal Information, we will take reasonable steps to ensure that the Personal Information remains accurate, up to date and complete, as well as being relevant having regard to the purpose of its use or disclosure.

Principle 11 - Security of Personal Information

The Personal Information we collect is stored on Broadwater's secure electronic server or in filing cabinets at our resort.

Broadwater will take such steps as are reasonable in the circumstances to protect the Personal Information it holds from misuse, interference, loss and unauthorised access, modification and disclosure.

Broadwater will destroy or de-identify Personal Information that it no longer needs, and that is not contained in a Commonwealth record or required by law to be retained.

Principle 12 – Access to Personal Information

You may seek access to Personal Information we hold that relates to you by contacting us using the Contact Details contained in this Privacy Policy.

Broadwater will, upon your request, provide you with access to any Personal Information we hold that relates to you, except where Broadwater is lawfully entitled under the Australian Privacy Principles to deny such a request.

Broadwater will respond to requests for Personal Information within a reasonable time period after the request is made and will give access to the information in the manner requested if it is reasonable and practicable to do so.

In the event that Broadwater does not give access to the Personal Information, either at all or in the manner requested, Broadwater will notify you of the grounds for refusal and direct you to this Privacy Policy. We will also endeavour to give access to the information in a way that meets both Broadwater and your needs. This may include by way of a mutually agreed intermediary.

Principle 13 – Correction of Personal Information

Should you request that we correct Personal Information we hold relating to you, or should we suspect that such Personal Information is inaccurate, out-of-date, incomplete, irrelevant or misleading, Broadwater will take such steps (if any) as are reasonably necessary in the circumstances to correct that information to ensure that, having regard to the purpose for which it is held, the information is accurate, up to date, complete, relevant and not misleading.

You may seek correction of Personal Information relating to you that we hold or that we have disclosed to third parties by contacting us using the Contact Details contained in this Privacy Policy.

Complaints

In the event that you believe Broadwater has breached its duties under the APPs, you can lodge a complaint directly with Broadwater by contacting us using the Contact Details contained in this APP Policy.

Broadwater will investigate the circumstances surrounding and will endeavour to respond to and remedy any complaint within a reasonable time period.

Under the Act, you may make a complaint to the Office of the Australian Information Commissioner (OAIC) in the event that you have not received a response to your complaint within thirty days, or you are dissatisfied with the response you received. You can find further information relating to complaint to the OAIC [here](#).

Contact Details

You can contact us by writing to:

Fiesta Group Holdings Pty Ltd & Gotmojo Pty Ltd

11 Holgate Road, Broadwater

Western Australia 6280

Or by calling us on:

+61 (08) 9754 1633

Or by emailing us at:

reservations@broadwaterresort.com.au