

# PRIVACY POLICY

## Fortify Gym

Fortify Gym Pty Ltd (ACN 641 185 284), their subsidiaries and affiliates in Australia (collectively referred to as “**Fortify Gym**”) are committed to managing personal information in accordance with the Australian Privacy Principles under the *Privacy Act 1988 (Cth)* (**Privacy Act**) and in accordance with other applicable privacy laws.

This document sets out our policies for managing your personal information and is referred to as our “**Privacy Policy**”.

In this Privacy Policy, “**we**” and “**us**” refers to Fortify Gym and “**you**” refers to any individual about whom we collect personal information.

By visiting Fortify Gym and submitting any personal information to us (whether via our website or otherwise), you acknowledge and agree that you are accepting and consenting to the practices set out in this Privacy Policy.

### About Fortify Gym

Fortify Gym is a results focused gym that aims to achieve the highest standards for itself and its members.

Fortify Gym offers a complete range of fitness and training services at our gym located at 16 Beach Street, Forster, NSW, 2428 or via our website located at [www.fortifygym.com.au](http://www.fortifygym.com.au). Our services include providing you with exercise and training programs, personal training, fitness classes and access to gym and training equipment.

### 1. We respect your privacy

Fortify Gym respects your right to privacy and is committed to safeguarding the privacy of our members and website visitors. We adhere to the Australian Privacy Principles contained in the Privacy Act. This Privacy Policy sets out how we collect and treat your personal information.

### 2. What information do we collect?

Fortify Gym will, from time to time, collect, receive and store personal information you enter onto our website, provide to us directly or give to us in other forms. We collect information from you so that we can deliver our services to you and learn about how we can improve the provision of those services. The information we use and collect includes:

**Personal information** (has the meaning given to it in the Privacy Act) includes your name and contact information; date of birth; preferred communication methods; business name (in the case of a corporate membership) and business address; bank details and/or credit card details and your objectives and interests. We also create information that becomes part of the personal information we hold about you, such as your membership number and the products that you purchase from us from time to time. We may also collect and create details on joint members and other family members, where applicable, including family members under the age of 18.

**Sensitive information** (has the meaning given to it in the Privacy Act) includes your

health information and/or biometric information. While we do not generally collect all of your sensitive information, we do collect your health information to the extent that it is required to assess your readiness for physical exercise and general fitness.

**CCTV footage** from cameras located in our gym for health and security reasons

**Social media posts** which includes personal information, photos or comments that you post on our website or via social media platforms such as Facebook, Instagram or Twitter

**Photographs** of you that we take or which you provide to us

**Survey information** that we collect from you when we ask you to provide us with feedback or research so that we can improve our services

Additionally, we may also collect any other information you provide while interacting with us.

### **3. How we collect your personal information**

Fortify Gym collects your personal information in a variety of ways, including when you interact with us electronically or in person, when you access our website, when we provide our services to you, when we take your photo or when we conduct surveys. We may receive personal information from third parties. If we do, we will protect it as set out in this Privacy Policy.

### **4. How we use of your personal information**

Fortify Gym may use personal information collected from you to administer your membership, communicate with you, book classes or training sessions, provide you with information, updates and our services. We may also process payments and maintain accounts and records, carry out market research, send newsletters, make you aware of new and additional products, services and opportunities available to you. We may use your personal information to improve our products and services and better understand your needs.

We use health information provided by you so that we can assess your general health, wellbeing and your fitness for physical exercise. If we need to collect sensitive information (such as health information), we will not collect that information unless we have first obtained your consent.

We also use social media platforms to undertake marketing activities to offer you products and services, to promote our website.

Fortify Gym may also use personal information to contact you by a variety of measures including, but not limited to telephone, email, sms or mail.

### **5. Disclosure of your personal information**

We may disclose your personal information to our employees, officers, insurers, professional advisers, agents, suppliers or subcontractors insofar as reasonably necessary for the purposes set out in this Privacy Policy. Personal information is only supplied to a third party when it is required for the delivery of our services.

We may from time to time need to disclose personal information to comply with a legal requirement, such as a law, regulation, court order, subpoena, warrant, in the course of a legal proceeding or in response to a law enforcement agency request.

We may also use your personal information to protect the copyright, trademarks, legal rights, property or safety of Fortify Gym, <http://www.fortifygym.com.au>, its customers or third parties.

From time to time, we may also report information to our corporate clients in a de-identified format. However, we will not provide de-identified reporting to our corporate clients where the data sample relates to less than 30 individual participants. We will always seek your permission to disclose your personally identifiable information to your employer about what services you have undertaken. Where we engage contractors, service providers or others to act on our behalf, we will take reasonable steps to protect the privacy of all information disclosed and requires such parties to comply with any relevant privacy laws.

Information that we collect may from time to time be stored, processed in or transferred between parties located in countries outside of Australia.

If there is a change of control in our business or a sale or transfer of business assets, we reserve the right to transfer to the extent permissible at law our user databases, together with any personal information and non-personal information contained in those databases. This information may be disclosed to a potential purchaser under an agreement to maintain confidentiality. We would seek to only disclose information in good faith and where required by any of the above circumstances.

By providing us with personal information, you consent to the terms of this Privacy Policy and the types of disclosure covered by this Policy. Where we disclose your personal information to third parties, we will request that the third party follow this Policy regarding handling your personal information.

## **6. Security of your personal information**

Fortify Gym is committed to ensuring that the information you provide to us is secure. In order to prevent unauthorized access or disclosure, we have put in place suitable physical, electronic and managerial procedures to safeguard and secure information and protect it from misuse, interference, loss and unauthorized access, modification and disclosure.

The transmission and exchange of information is carried out at your own risk. We cannot guarantee the security of any information that you transmit to us, or receive from us. Although we take measures to safeguard against unauthorized disclosures of information, we cannot assure you that personal information that we collect will not be disclosed in a manner that is inconsistent with this Privacy Policy.

## **7. Access to your personal information**

You may request details of personal information that we hold about you in accordance with the provisions of the Privacy Act. A small administrative fee may be payable for the provision of information. If you would like a copy of the information which we hold about you or believe that any information we hold on you is inaccurate, out of date, incomplete, irrelevant or misleading, please email us at [jules@fortifygym.com.au](mailto:jules@fortifygym.com.au).

We will take reasonable steps to ensure that the personal information we collect, use or disclose is accurate, complete and up-to-date. You can help us to do this by letting us know if you notice errors or discrepancies in information we hold about you and letting us know if your personal details change.

However, if you consider any personal information we hold about you is inaccurate, out-of-date, incomplete, irrelevant or misleading you are entitled to request correction of the information. After receiving a request from you, we will take reasonable steps to correct your information.

We reserve the right to refuse to provide you with information that we hold about you, in certain circumstances set out in the Privacy Act.

## **8. How long will we keep your personal information**

We will only keep the personal information we collect about you for as long as is necessary for the purposes set out in this Privacy Policy or as required to comply with any legal obligations to which we are subject. The retention periods we apply take account of:

- legal and regulatory requirements and guidance;
- limitation periods that apply in respect of taking legal action;
- our ability to defend ourselves against legal claims and complaints; good practice; and
- the operational requirements of our business.

We take steps to destroy or de-identify information that we no longer require or as required by an applicable law.

We will securely and permanently delete your identifying personal information when:

- there is no justification for its further retention, or
- you have asked us to delete it

## **9. Complaints about privacy**

If you have any complaints about our privacy practices, please feel free to send in details of your complaints to 16 Beach Street, Forster, NSW 2428, Australia. We take complaints very seriously and will respond shortly after receiving written notice of your complaint.

## **10. Changes to Privacy Policy**

Please be aware that we may change this Privacy Policy in the future. We may modify this Policy at any time, in our sole discretion and all modifications will be effective immediately upon our posting of the modifications on our website or notice board. Please check back from time to time to review our Privacy Policy.

## **11. Website**

### **When you visit our website**

When you come to our website (<http://www.fortifygym.com.au>) we may collect certain information such as browser type, operating system, website visited immediately before coming to our site, etc. This information is used in an aggregated manner to analyze how people use our site, such that we can improve our service.

### **Cookies**

We may from time to time use cookies on our website. Cookies are very small files which a website uses to identify you when you come back to the site and to store details about your use of the site. Cookies are not malicious programs that access or damage your computer. Most web browsers automatically accept cookies but you can choose to reject cookies by changing your browser settings. However, this may prevent you from taking full advantage of our website.

Our website may from time to time use cookies to analyse website traffic and help us provide a better website visitor experience. In addition, cookies may be used to serve relevant ads to website visitors through third party services such as Google Adwords. These ads may appear on this website or other websites you visit.

### **Third party sites**

Our site may from time to time have links to other websites not owned or controlled by us. These links are meant for your convenience only. Links to third party websites do not constitute sponsorship or endorsement or approval of these websites. Please be aware that Fortify Gym is not responsible for the privacy practices of other such websites. We encourage our users to be aware, when they leave our website, to read the privacy statements of each and every website that collects personal identifiable information.

## **12. How can you contact Fortify Gym?**

The contact details for Fortify Gym are:

**Email:** [jules@fortifygym.com.au](mailto:jules@fortifygym.com.au)

**Address:** 16 Beach Street  
Forster, NSW, 2428  
Australia

This Privacy Policy was last updated in November, 2020.