

VIMN AUSTRALIA PRIVACY POLICY

VIMN Australia Pty Ltd (ABN 18 107 601 418) and its related bodies corporate (“we”, “our”, “us”) recognise the importance of protecting the privacy and the rights of individuals in relation to their personal information. This Privacy Policy sets out how we and our related companies use any personal information that you give to us or we collect from you.

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

We may give certain words that are used in this Privacy Policy a particular meaning which will be set out where these words are featured in bold within inverted commas like this: “**words**”.

If you have any questions or concerns please contact us at vimnau.privacy@vimn.com .

1. CHANGES TO THIS POLICY

We may need to make changes to this Privacy Policy in the future, for example to reflect changes in the law, changes in the type of services or information we provide to you or collect from you, or to correct any errors. We will try to keep all such changes to a minimum. We recommend that you check this policy from time to time to see if it has changed. We will always state at the bottom of this policy the date on which it was last updated.

If you continue to use our services after our Privacy Policy changes you will be bound by those changes.

2. WHAT IS YOUR PERSONAL INFORMATION?

When used in this Privacy Policy, the term personal information has the meaning given to it in the Act. In general terms, it is any information that can be used to personally identify you. This may include your name, address, telephone number, email address and profession or occupation. If the information we collect personally identifies you, or you are reasonably identifiable from it, the information will be considered personal information.

3. WHAT PERSONAL INFORMATION DO WE COLLECT AND HOLD?

a. We may collect the following types of personal information:

- i. name;
- ii. mailing or street address;
- iii. email address;
- iv. telephone number, including VOIP details where contact is made via a VOIP service (for example, Skype or Viber);
- v. facsimile number;

- vi. age or birth date;
- vii. profession, occupation or job title;
- viii. IP address;
- ix. nationality;
- x. details of the pages you have visited and the content you have watched on our websites, including the date visited, the number of times visited, the number of pages viewed, time spent viewing those pages, navigation patterns and information about the sites you visited prior to or after visiting our websites (for example, when you click a click-through link);
- xi. details relating to any complaint, feedback or enquiry you have made directly to us by way of email, telephone, our websites or social media accounts;
- xii. any additional information relating to you that you provide to us directly through our websites or social media accounts, or indirectly through use of our websites, social media accounts or any other online presence, through our representatives or otherwise;
- xiii. information you provide to us through contacting our staff, completing customer surveys, attending our live events, or during visits by our representatives from time to time;
- xiv. where you have provided us with any services for which payment is to be made, your ABN, business name and address, and bank account details;
- xv. employment history and other information you may provide when you apply for a job with us, or when you send us your résumé;
- xvi. personal information belonging to a parent or guardian, including where you are under 18 and have been asked to provide this information as part of entering a promotion or participating in an event;
- xvii. information including drivers licence, passport and credit card details, for purposes including where we or third parties on our behalf are providing you with flights or accommodation, for example as part of prize fulfillment for a competition you have won, or where you are travelling as a guest of a competition winner, or where we need to verify your age or identity to provide you with access to our services; and
- xviii. information collected using cookies, web beacons and other tracking systems (see the “Cookies” section below for more details on how we use cookies and how you can disable them if you choose to do so).

b. 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 anonymous answers to surveys or aggregated information about how users use our website.

- c. For competitions held on our website, we may be required to collect your name, address, date of birth and other personal identification verification information under the state gaming legislation applicable to the state in which the competition is being held, for example, the *Gaming and Liquor Administration Act 2007* (NSW) for trade promotions and competitions held in New South Wales.

4. HOW DO WE COLLECT YOUR PERSONAL INFORMATION?

- a. We collect your personal information directly from you unless it is unreasonable or impracticable to do so. When collecting personal information from you, we may collect in ways including:
 - i. when you provide information about yourself to enter one of our competitions or promotions, for example on our websites, via our social media accounts or at an event;
 - ii. when you opt-in to receive any of our newsletters or other marketing information; or
 - iii. when you post any comments regarding us or our services on our websites or social media accounts;
 - iv. through your access and use of our websites;
 - v. through your use and interaction with our social media accounts, for example, when you “like” us on Facebook, or follow us on Twitter or Instagram, or when you comment or post on sites of this nature;
 - vi. when you log into our websites using your Facebook or Twitter account details;
 - vii. when you access our mobile websites via your smart phone or tablet;
 - viii. when you contact us with an enquiry or provide feedback via telephone, our websites, email or our social media accounts;
 - ix. when you visit our premises, including without limitation, signing in at our reception desk;
 - x. when you register for the guest list of an event we host;
 - xi. when you complete a release form, for example when you participate in audio, visual and/or audio-visual content we may record from time to time for our programs and services;
 - xii. where you provide your information to photographers or RFID service providers at our events for the purposes of identifying you in event photographs and content;
 - xiii. if you apply for a job , internship or work experience, or send your résumé to us for any other purpose;

- xiv. if we engage you, your business or person/s you or your business represents to provide us with any services;
 - xv. if you participate in a survey, research group/panel or other research activity conducted by us;
 - xvi. if you complete a vendor set up form for payment or provide us with any other details (including bank account information) to allow us to make a payment to you; or
 - xvii. if you send us any personal information by post, including competition entries or correspondence to our employees or talent.
- b. Visitors to our premises additionally acknowledge that we use a third party to collect information, including Personal Data, when you register at our reception desk. If you would like further information about how we use this third party, please contact our Privacy Officer at vimnau.privacy@vimn.com.au.
- c. Users of our websites additionally acknowledge that we use a third party to collect research information from our websites, including through the use of cookies (flash and non-flash) and web beacons, however this process does not contain any personal information. If you would like further information about how we use this third party service to collect and use information on our websites, please click [here](#).
- d. We may also collect personal information about you from others, including family members (where you are under 18 and have entered a competition or otherwise authorized us to contact your parent/guardian) or friends if you are an accompanying guest for the purposes of a competition or an event, from third party companies such as credit reporting agencies and research companies, from law enforcement agencies, the New South Wales Office of the Children's Guardian (and other state equivalent bodies), and other government entities.

5. COOKIES

- a. In some cases we may also collect your personal information through the use of cookies. Cookies are small text files that websites automatically save to the cookie file of the browser on your computer when you enter the website. When you access our websites, we may send a cookie to your computer. This enables us to recognize your computer and greet you each time you visit our websites without bothering you with a request to register. It also enables us to keep track of products or services you view so that, if you consent, we can send you news about those products or services. We also use cookies to measure traffic patterns, to determine which areas of our websites have been visited and to measure transaction patterns in the aggregate. We use this to research our users' habits so that we can improve our online products and services. If you do not wish to receive cookies, you can set your browser so that your computer does not accept them.
- b. We may log IP addresses (that is, the electronic addresses of computers connected to the internet) to analyze trends, administer the website, track users movements, and gather broad demographic information.
- c. We may use third party advertising companies to serve advertisements on our online services. By using such services, you consent to the processing of certain data about you as described

within. The ads you receive may be influenced by various factors, including your browsing history prior to visiting this website. Third party advertising companies may use information (not including your name, address, email address or telephone number) about your use of our online services in order to provide advertisements about goods and services that may be of interest to you. In the course of serving advertisements, our third party serving network may place or recognize a unique "cookie" on your browser. The information stored in the cookie is used to reference information for standard reporting purposes such as delivered advertising campaigns or banners on websites that are using third party advertising companies as their ad serving system. This is a "persistent" cookie, which means that it is stored on your computer and will remain there until it expires or you remove it. While cookie and IP address information may be transferred to international responding data centres, only the cookie information of the requested ad domain is stored within the standard records. IP address information is obfuscated after being used to identify attributes associated with the IP address such as location (country, city) or bandwidth. The obfuscating of the IP address leads to anonymisation of the data. The ad serving networks may also make use of other technologies, such as "web beacons", in order to improve the relevance of the ads you receive. You have the option not to participate in third party advertising company analysis by selecting the appropriate setting on your browser. By using our online services, you acknowledge the third party advertising companies we use may be members of the Network Advertising Initiative (NAI). If you are viewing our content from New Zealand, you can opt out of interest-based advertising delivered by such companies using cookies by clicking on http://www.networkadvertising.org/managing/opt_out.asp

- d. You can use the "Help" section of the tool bar on most browsers to change the settings on your computer, for example to notify you when you receive a cookie, or to refuse all cookies. However, some of the features of our online services may not work or may be more difficult to access if you refuse all cookies. Further information about how cookies work can be found [here](#).

6. WHAT HAPPENS IF WE CAN'T COLLECT YOUR PERSONAL INFORMATION?

- a. If you do not provide us with the personal information described above, some or all of the following may happen:
 - i. we may not be able to provide the requested products or services to you, either to the same standard or at all;
 - ii. we may not be able to provide you with information about products and services that you may want, including information about competitions, events or special promotions;
 - iii. we may be unable to tailor the content of our websites to your preferences and your experience of our websites may not be as enjoyable or useful;
 - iv. we may not be able to answer enquiries, provide feedback, process and respond to any complaint made by you and provide information or advice about our products and services;
 - v. we may not be able to allow you to enter our premises; or
 - vi. we may not be able to include you in our content.

7. FOR WHAT PURPOSES DO WE COLLECT, HOLD, USE AND DISCLOSE YOUR PERSONAL INFORMATION?

- a. 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.
- b. We collect, hold, use and disclose your personal information for the following purposes:
 - i. to provide products and services to you and to send communications requested by you;
 - ii. to answer enquiries, provide feedback and provide information or advice about existing and new products or services on our channels;
 - iii. to provide you with access to protected areas of our websites;
 - iv. to assess the performance of our websites and to improve the operation of the websites;
 - v. to conduct business processing functions including providing personal information to our related bodies corporate, contractors, service providers or other third parties;
 - vi. for the administrative, marketing (including direct marketing), planning, product or service development, quality control and research purposes;
 - vii. to verify your age when we are providing services, content or access to events which are subject to age restrictions;
 - viii. for the purposes of prize fulfillment where you have entered and won a promotion;
 - ix. for research purposes where you have consented to and participated in research activities;
 - x. with your express consent (for example, when you check a box to agree), to make your information available from time to time to trusted partners and third parties, for the same purposes as set out in (vi) above (which will be in accordance with the privacy policies of such trusted partners and third parties)
 - xi. to provide your updated personal information to our related bodies corporate, contractors or service providers;
 - xii. to confirm we hold the necessary clearance rights in content we create;
 - xiii. to update our records and keep your contact details up to date;
 - xiv. to process and respond to any complaint made by you;
 - xv. to keep track of who is on our premises for safety and other reasons;

- xvi. to assess your suitability for an employment role you may have applied for or expressed interest in; and
 - xvii. 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 of any country.
- c. You further acknowledge that providing information to our related bodies corporate will sometimes require us to transport your personal information overseas, by way of online servers or cloud-based services, as set out in Item 12 below.
- d. Your personal information will not be shared, sold, rented or disclosed other than as described in this Privacy Policy.

8. TO WHOM MAY WE DISCLOSE YOUR INFORMATION?

- a. We may disclose your personal information to:
- i. our employees, contractors, related bodies corporate, companies in the Viacom International Media Brands group of companies, contractors or service providers for the purposes of operation of our websites or our business, fulfilling requests by you, and to otherwise provide products and 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;
 - ii. suppliers and other third parties with whom we have commercial relationships, for business, marketing, and related purposes;
 - iii. third party prize suppliers for the purposes of providing prize for competitions you have entered and won;
 - iv. third parties to whom we are licensing or assigning production content in which you have agreed to participate for which you have completed a release form;
 - v. travel agencies and service providers where we book travel and/or accommodation on your behalf, for example as part of prize fulfillment for a competition you have won, or where you are travelling as a guest of a competition winner;
 - vi. our affiliates (for example, Foxtel) or suppliers for the purposes of addressing any complaint relating to our services that you have made directly to us; and
 - vii. any organisation for any authorised purpose with your express consent.
- b. We may combine or share any information that we collect from you with information collected by any of our related bodies corporate (within Australia).

9. DIRECT MARKETING MATERIALS

- a. We may send you direct marketing communications and information about our products and services that we consider may be of interest to you. These communications may be sent in various forms, including mail, SMS and email, in accordance with applicable marketing laws, such as the *Spam Act 2003* (Cth). You consent to us sending you those direct marketing communications by any of those methods. 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 such communications list or lists.
- b. Unless you expressly consent to us doing so, for example, by selecting a check box when entering a competition on our websites, we do not provide your personal information to other organisations for the purposes of direct marketing.

10. HOW CAN YOU ACCESS AND CORRECT YOUR PERSONAL INFORMATION?

- a. You may request access to any personal information we hold about you at any time by contacting us (see the details 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 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.
- b. 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.
- c. 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 add a note to the personal information stating that you disagree with it.
- d. Please note that to update your details in any social networking sites, whether accessed directly, or via our websites as a login feature, you will need to contact the operators of those social networking sites directly.

11. WHAT IS THE PROCESS FOR COMPLAINING ABOUT A BREACH OF PRIVACY?

- a. If you believe that your privacy has been breached, please contact our Privacy Officer using the contact information below and provide details of the incident so that we can investigate it.
- b. We request that complaints about breaches of privacy be made in writing, so we can be sure about the details of the complaint. Our Privacy Officer deals with privacy complaints and any complaints should be directed to our Privacy Officer using the contact details below. We will attempt to confirm as appropriate and necessary with you your understanding of the conduct relevant to the complaint and what you expect as an outcome. We will inform you whether we will conduct an investigation, the name, title, and contact details of the investigating officer and the estimated completion date for the investigation process.

- c. 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.

12. DO WE DISCLOSE YOUR PERSONAL INFORMATION TO ANYONE OUTSIDE AUSTRALIA?

- a. 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.
- b. 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.
- c. We may disclose your personal information to entities located outside of Australia, including the following:
 - i. our related bodies corporate located in the United States;
 - ii. our affiliate partners located in New Zealand;
 - iii. companies that form part of Viacom International Media Networks, located in the United Kingdom and the United States;
 - iv. our data hosting, IT service providers and finance service providers, located in the United States, the United Kingdom, and Japan; and
 - v. other third parties located in the United States, the United Kingdom, New Zealand and Japan.
- d. We may also disclose your personal information overseas where we are running a promotion which includes travel or a prize that is located overseas (for example, tickets to our MTV EMA or VMA events). In these circumstances, we may be required to give your information to a partner or sponsor of that promotion, or to event operators or prize suppliers in order to provide you with the prize if you are a winner. As this will be specific to the promotion and the countries where your information will be provided may vary, we will notify you at the time of entering into the promotion with us about the specific details of where and to whom your information may be provided.
- e. If you are visiting our websites from outside of Australia or New Zealand and you reside in the EU or US please additionally be advised that your personal information may be transferred to and processed by our affiliates in the United States and the EU. These affiliates comply with the US-EU Safe Harbor. Please see the Safe Harbor Privacy Policy [here](#) for detailed information on these affiliates' privacy practices.

13. SECURITY

- a. We take reasonable steps to ensure your personal information is protected from misuse and loss and from unauthorized 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.

- b. As our websites are 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.

14. LINKS

Our websites 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.

15. BUSINESS TRANSFERS

In the unlikely event that we sell or otherwise dispose of some or all of our business to another party, we reserve the right to transfer your information as part of any assets sold or disposed of and you consent to such transfer.

16. CONTACTING US

- a. If you have any questions about this Privacy Policy, any concerns or a complaint regarding the treatment of your privacy or a possible breach of your privacy, please use the contact link on our website, the private or direct message function on our social networking sites, or contact our Privacy Officer using the details set out below.
- b. We will treat your requests or complaints confidentially. Our representative will contact you within a reasonable time after receipt of your complaint to discuss your concerns and outline options regarding how they may be resolved. We will aim to ensure that your complaint is resolved in timely and appropriate manner.
- c. Please contact our Privacy Officer at:

**Privacy Officer
VIMN Australia**

Post: Ground Floor
4-16 Yurong Street
East Sydney NSW 2010
Australia

Tel: (02) 9921 0200

Email: vimnau.privacy@vimn.com

This Privacy Policy was last updated on 2 September 2016.