

SumoSalad Privacy Policy

WHEREAS:

- A. The Client owns the Personal Information as defined in this Policy.
- B. The Client is prepared to undertake discussions with SumoSalad and make available to SumoSalad information about themselves which makes them identifiable as an individual. They do so upon SumoSalad's express undertaking that they will retain in confidence all information SumoSalad may gain about the company/ client of a personal nature.
- C. The privacy of our Client is of utmost importance to SumoSalad.
- D. We view privacy as a serious matter and we strictly adhere to the National Privacy Principles and the Privacy Act 1988.
- E. SumoSalad will conduct periodic reviews of its Privacy Policy to ensure it remains current with changing industry standards, technologies and laws. A current version of our Privacy Policy can be downloaded from our website at any time. However, we will not use any information collected prior to such changes without obtaining your consent.

1. PERSONAL INFORMATION

- 1.1 "Personal Information" means all information of whatever kind relating to the Client's personal assets (including any profit projections, research, diagrams, plans or other documents whatsoever belonging to the Client), which has an effect of making someone identifiable as an individual and is disclosed by the Client to SumoSalad prior to, at or after the execution of this Deed by SumoSalad and includes:
- (i) Your name, address, telephone number, date of birth, vehicle registration and other information required for security purposes;
 - (ii) Information about your use of our products and services, and any preferences you tell us about.
 - (iii) Information collected when you register or update an online profile, which may include personal data such as your name and contact details;
 - (iv) Information collected when you submit your resume or application to us for consideration of employment;
 - (v) The content of electronic forms you submit via SumoSalad's website, requesting us to provide services or information, or take actions;
 - (vi) Personalisation preferences you select as you use the SumoSalad website; and
 - (vii) Information provided to SumoSalad by prospective franchisees about

acquiring an interest in SumoSalad or its franchises; and

(viii) Information submitted if you participate in an online survey or competition.

1.2 However, the personal information we collect, does not include sensitive information such as your political or religious beliefs, ethnic backgrounds or sexual preference.

2. PURPOSE FOR COLLECTION

2.1 Our purpose for the collection of personal information includes, but is not limited to the following situations:

- (i) establishing you as a client and serving your needs;
- (ii) providing you with information about products and services we believe would interest you;
- (iii) achieving any other purpose to which you have given consent;
- (iv) assisting our internal administration and operations including, accounting, risk management, record keeping, archiving, systems development and testing;
- (v) Staff training;
- (vi) to provide you with information relating to SumoSalad or promotional details about products and services that may be of interest to you where you have requested information or in accordance with privacy laws;
- (vii) where you have provided your resume, to consider you for particular jobs that may arise in SumoSalad;
- (viii) purposes related to SumoSalad's research (including market research), planning, product and service development, security and testing;
- (ix) purposes connected with the operation, administration, development or enhancement of SumoSalad's website;
- (x) where SumoSalad suspects that fraud or unlawful activity has been, is being or may be engaged in; and
- (xi) where a third party acquires or wishes to acquire, or makes inquiries in relation to acquiring, an interest in SumoSalad or its franchises.

3. HOW WE OBTAIN THE INFORMATION

- 3.1 Personal information is generally collected directly from you, when you sign up to become a SumoSalad client.
- 3.2 We may collect and preserve this information over the phone, in person, over the internet, or when you write to us.
- 3.3 We may further collect and preserve personal information from third parties that you direct us to. This group includes, but is not limited to:
 - (i) Financial advisors;
 - (ii) Banks/credit providers;
 - (iii) Credit reporting agencies;
 - (iv) Brokers; and
 - (v) Retail clients.

4. CONFIDENTIALITY

- 4.1 In consideration of the Client providing SumoSalad with access to certain Personal Information, SumoSalad covenants to the Client that, subject to Clause 5:
 - (i) SumoSalad will treat the Personal Information as subject to a duty of confidence and will only use the Personal Information for the purpose of acting in the client's best interests;
 - (ii) except as is permitted specifically under this Clause, they will not in any other way use the Personal Information without the Client's prior written consent (which shall not be unreasonably withheld);
 - (iii) SumoSalad will only disclose the Personal Information on a "need to know" basis to its officers, employees and professional advisers;
 - (iv) SumoSalad will take at their sole expense whatever steps SumoSalad may consider necessary to enforce the duty of confidence against any person to whom the Personal Information has been disclosed by SumoSalad and who is in breach of that duty;
 - (v) SumoSalad will not disclose the Personal Information to any person not considered an approved third party, without the prior written consent of the Client;
 - (vi) SumoSalad will keep a list of all persons to whom any Personal Information is disclosed and will provide a copy of the list to the Client, if requested to do so by the Client; and
 - (vii) SumoSalad will clearly mark all Personal Information as being subject to this Privacy Policy, such marking to state that it is contrary to this Privacy Policy to disclose or use the Personal Information without the prior written

consent of the Client unless such disclosure or use is in accordance with the terms of this Privacy Policy.

- (viii) Any personal data contained in electronic messages will only be used or disclosed in ways set out in this Privacy Policy. The message content may be monitored by our service providers or our employees for purposes including compliance auditing and maintenance or where email abuse is suspected.

5. OBLIGATIONS NOT TO APPLY

The obligations of SumoSalad under this policy shall not apply to any of the Personal Information which:

- (i) SumoSalad (or any of its employees or professional advisers) is, or are, required by statute or law to disclose, reproduce, use or disseminate, subject to reasonable written prior notice being given to the Company/ Client;
- (ii) is in or enters the public domain, otherwise than as a result of a breach by SumoSalad of its duty hereunder or disclosure by any person receiving the Personal Information from SumoSalad; or
- (iii) is established by means of written records and otherwise to the satisfaction of the Client as already known to the Client prior to the date of this Deed.

6. APPROVED THIRD PARTIES

Under this deed, the client gives SumoSalad express authorisation to provide their personal information to the following people:

- (i) Suppliers or agents who assist us in providing the services you request;
- (ii) If we sell or franchise our business, to an incoming purchaser/ franchisee;
- (iii) When we need to disclose the information to protect our interests in the context of an existing or potential legal or administrative proceeding.

7. SAFE KEEPING AND RETURN OF PERSONAL INFORMATION

- 7.1 SumoSalad will ensure that all written material provided by the Client to it to facilitate their discussions is safely and securely stored when not in use, and SumoSalad hereby acknowledges that such material including all copies thereof remains the absolute and exclusive property of the Client.
- 7.2 We store personal information in a combination of secure computer storage facilities, paper based records and other records.

- 7.3 Upon written demand by the Client, SumoSalad shall, within seven (7) days of receipt of such demand, return to the Client all Personal Information received by him and any copies of the Personal Information that SumoSalad has made (whether the Client has authorised him to make such copies or not).
- 7.4 The retention period of your personal information may extend beyond the length of our relationship, but only as long as required by law or regulation or as reasonably required by us.
- 7.5 We take reasonable steps to destroy or permanently de-identify personal information when we no longer need it.

8. ACCESS TO PERSONAL INFORMATION

- 8.1 You have the right to access your personal information directly from SumoSalad provided that you supply SumoSalad with your password and all security checks have been cleared.
- 8.2 SumoSalad will undertake to keep the private information as up to date and accurate as possible. If your details change, please contact us on (02) 9569 7866 or email us on customerservice@sumosalad.com so we can update your details.

9. REFUSAL TO SUPPLY PERSONAL INFORMATION

SumoSalad will decline to accept or administer your request or account where you refuse or withdraw consent to the collection, use or disclosure of personal information by us.

10. COMPLAINTS

The Client may complain to the Privacy Commissioner about an act or practice that may be an interference with the privacy of the individual.

11. CONTACT DETAILS

Please contact our Privacy Officer using the details set out below if you wish to:

- (i) ask any questions or provide feedback about this Privacy Policy;
- (ii) make a request for access to any personal data that we may hold about you;
or
- (iii) make a complaint about the way in which we have handled your personal data.

Any information that we provide in response may be limited to the extent permitted by any applicable law.

Email: customerservice@sumosalad.com

Phone: Outside of Australia dial: +61 9569 7866

Fax: +61 95697811

Mail: The Privacy Officer
SumoSalad Group
Level 1, 1 Short Street,
Leichhardt NSW Australia 2040