

PRIVACY POLICY

Finslap Pty Ltd

as Trustee for the Lalo Tahī Trust
ABN 73389739003

Company websites include

Darren Jew Photography www.darrenjew.com
Foto Frenzy www.fotofrenzy.com.au
Whales Underwater www.whalesunderwater.com

Finslap Pty Ltd is committed to protecting our customers' privacy. We understand and appreciate that visitors and users of our web sites are concerned about their privacy and the confidentiality and security of any information that may be provided to us. The following outlines our Privacy Policy.

Finslap (called we, us, our in this Privacy Policy) respect the privacy of personal information you may provide to us.

The way we manage your personal information is governed by Information Privacy Act 2009 (Qld) (Act) and the Information Privacy Principles (IPPs) established under the Act.

This Privacy Policy tells you how we manage any personal information we may obtain about you. Please note that this Privacy Policy is to be read subject to any overriding provisions of law or contract.

1. What is personal information?

For the purposes of this Privacy Policy, "personal information" is information or an opinion, in any form and whether true or not, about an individual whose identity is apparent or can be reasonably ascertained from the information or opinion.

2. Collecting personal information

2.1 What kind of personal information do we collect?

The types of personal information we may collect include:

Your name; your contact details (address, telephone number(s) and email address); transactional information you provide when you make a purchase with us (for example, credit card details); personal information you provide when you commence a business relationship with us; any correspondence between you and us; and any other personal information you provide when you make an inquiry, request information, enter a competition, respond to marketing, lodge a complaint, provide feedback, seek employment with Finslap or correspond with us.

2.2 Reasons for collecting your personal information

We collect your personal information to enable us to provide you with the products, services and information you request. In particular, we may collect your personal information to:

- determine your requirements in order to provide you with appropriate products and services;
- process your online purchases and issue you with tickets to tours and or workshops;
- notify you of changes to tours and or workshops details or cancelled tours and or workshops;
- replace and re-issue you with lost tickets;
- contact you in relation to lost property and to return lost property to you;
- provide you with information about upcoming tours and or workshops or events;
- recommend to you other services we or selected partners offer which may be of interest to you;

process any communications you send to us (for example, responding to your queries, assessing your application for employment, and dealing with any complaints or feedback you have); identify you and protect you from unauthorised access to your personal information; where you have provided us with your consent - help us develop and improve the services to our patrons, for example by conducting marketing and research; get in touch with you if we need to; do anything which you authorise or consent to us doing; or take any action we are required or authorised by law to take. If you do not provide us with your personal information, it is generally not possible for us to provide you with the products or services you have requested (for example, to issue you tickets to tours and or workshops). Where it is lawful and practical to do so, we may allow you to deal with us anonymously.

2.3 How do we collect personal information

Wherever possible, we always try to collect personal information directly from you - for example, when you:

become an email subscriber; purchase tours and or workshops tickets from us - either online, over the phone; request information over the internet or telephone; enter a competition run by us; or correspond with us.

We may also obtain your personal information from third parties we deal with, such as:

Event organisers, promoters, tours and or workshops companies, venues, sponsors and our business partners and alliances to whom you have provided your personal information; and from time to time, providers of third party applications which collect and share information.

We may also collect personal information from third parties you refer to us. If we do so, we will assume, and you will ensure, that you have made that third party aware of the referral and the purpose(s) of the collection, use and disclosure of the relevant personal information. When you communicate with Finslap through social media sites or using applications provided by third parties (such as via your smart phone), we may collect your personal information from that communication. We assume that you have informed yourself of the ways in which such sites or applications can collect and disclose your personal information, and that you otherwise consent to the collection, use and disclosure of your personal information by such sites or applications (including disclosure to, and collection by, Finslap).

3. Disclosing your personal information

3.1 Who we may disclose your personal information to

We may disclose your personal information to:

our related entities and businesses (for example Whales Underwater, Darren Jew Photography, Foto Frenzy, Sharks Underwater); any entity to which we are authorised or required by law to disclose your personal information (for example, law enforcement agencies, various Federal, State or Local Government bodies and public health agencies); our professional advisers, contractors or other service providers we engage to carry out (or advise on) our functions and activities - for example, our mail service providers, marketing consultants and insurers (who may be located in Australia or overseas); any specific parties which we have advised you of at the time we collect your personal information; and with your consent (express or implied) - other entities. The above entities may in turn disclose your personal information to any other entities as described in their privacy policies or statements.

3.2 Direct marketing, subscriptions and disclosure to third parties

We may also use your personal information to provide you with information about our products and services.

By applying to become a Finslap email subscriber (including for News from Darren Jew Photography or other Finslap emails), you are taken to have consented to us sending you the requested newsletters and information, and also other information about upcoming tours and or workshops and other products and services offered by Finslap and its partners.

In addition, when you create an account for ticket purchases, we will also ask you whether you would like to receive news and offers from us. If you answer "Yes" to receiving information from Finslap - you are taken to also have consented to receiving information from:

Our business partners and associates (including but not limited to event organisers and tours and or workshops companies); and other organisations with whom we have alliances or arrangements for the purposes of promoting our respective products and services.

If you answer "Yes" to receiving information from event promoters, you are agreeing that we may pass your information to event promoters who may contact you directly.

3.3 Stopping marketing and promotional material from Finslap

You may change your decision at any time in the future by contacting us (details below) or by changing your preferences in your online account. If you tell us you no longer wish to receive marketing or promotional material from us, we will not send you any such material. If you change your mind in the future and wish to receive marketing or promotional material from us, please contact us.

We will still continue to send you required service related emails, such as booking confirmation emails and tickets.

3.4 Stopping marketing and promotional material from third parties

As a general rule, if third parties have received your personal information, their handling of your personal information will be governed by their privacy policies. In some cases, it may also be necessary for you to contact the relevant organisations to notify them of your decision.

4. Storing your personal information

Finslap will take precautions to safeguard your personal information from loss, misuse, unauthorised access, modification or disclosure.

As a general rule, we store your personal information in our electronic databases. From time to time, Finslap may engage service providers to store personal information. Such service providers could have servers located overseas. This means that personal information may sometimes be sent overseas for storage, for example in the United Kingdom and United States of America. We take reasonable steps to ensure that our service providers are carefully chosen and have policies, procedures and systems in place to keep personal information secure.

When your personal information is no longer required and if permitted by law, we will destroy or delete it from our systems in a secure manner. However, we may be required by law to retain certain information - for example, under the Public Records Act 2002 (Qld).

5. Accessing and correcting your personal information

If you wish to have access to any documents held by us which contain your personal information, please contact us (details below).

Please note that we may ask you to make your request in writing and provide us with evidence of your identity (for example, we may ask you to provide us with photo identification, such as a copy of your current driver's licence or passport).

Please also note that under some circumstances under the Act or other legislation, we may not be able to provide you with the access you have requested.

To effectively conduct our business with you, it is important that the personal information we hold about you is complete, accurate and current. At any time while we hold your personal information, we may ask you to tell us of any changes to your personal information. Alternatively, if you are aware that the personal information we hold needs to be corrected or updated, please contact us (details below). Under certain circumstances in the Act, we may not be required to correct your personal information.

Also, we may not be able to require third parties or our business partners to provide you with access to the personal information they hold about you.

If we decide not to provide you with access to or correct your personal information, we will give you reasons for our decision.

6. Dealing with Finslap online

This Privacy Policy should be read as forming part of the Terms and Conditions of Use for our website.

We take reasonable steps to maintain the security of cookie and personal information we collect online. If your browser is suitably encrypted, it will advise you whether the information you are sending us will be secure (encrypted) or un-secure (unencrypted).

When you purchase tickets online from us, we use an industry approved 128 bit SSL (Secure Socket Layers) software (a 128 bit cryptographic algorithm called triple DES) to protect the information you transmit to us during the transaction. SSL software encrypts any information you input.

We seek to keep current with available security and encryption technology so as to maintain the effectiveness of our security systems. However, no transmission over the internet can be guaranteed as totally secure and accordingly, we cannot warrant or ensure the security of any information you provide to us over the Internet. Please note that you transmit information at your own risk.

When you visit our website, we and/or our contractors may collect certain information about your visit. Examples of such information may include:

Cookies - a cookie is a piece of data that a website sends to your browser, which is then stored on your computer. We and/or our contractors use cookies to allow our website to interact more efficiently with your browser. You can set your browser to notify you when a cookie has been sent. This allows you to decide whether or not to accept or reject the cookie (although rejecting a cookie may affect your use of a website). If your computer does not accept cookies, you may not be able to make full use of the Finslap website. Please note that rejecting cookies will disable your browser from purchasing tickets from our websites but you will still be able to view "information only" pages from our website.

We do not use cookies to track your browsing habits and we do not try to identify everyone person browsing our website. When you browse the Finslap website, a cookie is placed on your computer. This cookie does not collect any personal information about you, but it may collect information about the type of operating system your computer uses and your Internet service provider. We use these cookies to collect general statistical information about visitors to our websites. This statistical information is then used to maintain and improve the operation of our website.

Site visit information - we and/or contractors may collect general information about your visit to the Finslap website. This information may include your server address, the date and time of your visit, the pages you accessed and the type of Internet browser you use. We and/or our contractors use this information in an anonymous, aggregated form, for statistical purposes to assist us with improving the quality of our website.

We do not transmit your personal information by e-mail externally unless you have given your consent (expressly or impliedly) to us doing so. An example of how you may have impliedly given your consent may be when you e-mail us your personal information and require us to reply to you by e-mail, or you do not object when we advise you that we intend to forward your information to a third party by e-mail. Please note that email correspondence may be monitored by our website support staff for system trouble shooting and maintenance purposes.

Links to third party websites: The Finslap website may contain links to third party websites. These links are provided as a service for your convenience and information only. Finslap is not responsible for the content, products or services available through non-Finslap websites, nor are we responsible for how that site manages any personal information you provide to it. Unless we advise otherwise, third party websites are not governed by this Privacy Policy. Please review the privacy policies and terms of use for each site you visit before transacting on the site or providing your personal information. Finslap will not be liable for any privacy breach occurring as a result of your access to and/or use of any third party sites.

7. Overseas transfer of information

Finslap will only transfer your personal information to an entity outside of Australia if:

you agree to the transfer; the transfer is authorised or required under a law;
we are satisfied on reasonable grounds that the transfer is necessary to lessen or prevent a serious threat to the life, health, safety or welfare of an individual, or to public health, safety or welfare; or Two (2) or more of the following apply:

We reasonably believe that the recipient is subject to a law, binding scheme or contract that effectively upholds principles for the fair handling of information that are substantially similar to the IPPs; the transfer is necessary for the tours and or workshops of our functions in relation to you; the transfer is for your benefit but it is not practicable to seek your agreement, and if it were practicable to seek your agreement, you would be likely to give your agreement; and we have taken reasonable steps to ensure that the personal information we transfer will not be held, used or disclosed by the recipient in a way that is inconsistent with the IPPs.

8. Complaints

If you have a complaint about how we handled your personal information, please contact us (details below). Please note that we will ask you to lodge your complaint in writing.

We will: within 14 business days of receiving your complaint in writing - acknowledge receipt of your complaint; and within 45 business days of receiving your complaint - investigate the circumstances of your complaint and provide you with a response.

9. Changes to our Privacy Policy

We may from time to time make changes to this Privacy Policy. If we amend our Privacy Policy, we will post the amended Privacy Policy on our websites -

www.darrenjew.com

www.whalesunderwater.com

www.fotofrenzy.com.au

10. Our contact details

If you wish to contact us regarding any of the matters covered in this Privacy Policy, or have any queries or concerns about how we handle your personal information, please contact us:

By email: info@DarrenJew.com

Subject: The Privacy Officer

In writing: The Privacy Officer, Finslap, PO Box 105 Sandgate QLD 4017 Australia