

ENDEMOL SHINE AUSTRALIA PRIVACY POLICY – JULY 2017

Endemol Shine Australia Pty Ltd (ABN 20 136 451 208) (**ESA** or **We/we** or **Our/our** or **Us/us**) is committed to respecting the privacy of your personal information.

This Privacy Policy explains our policy for dealing with personal information that we collect through the following channels (here and after, the **Collection Channels**):

- our online properties (here and after, each a “Website”), including:
- our website <http://www.endemolshine.com.au/>
- any related **ESA** website (including casting websites), social media page, internal website, intranet and any **ESA** mobile or tablet applications;
- any website (including casting websites), social media page, internal website, intranet, and any mobile or tablet applications relating to any ESA production (**Production**) as may exist from time to time as stated on <http://www.endemolshine.com.au/> or elsewhere; and

any other means through which an individual provides personal information to **ESA**, including either physically or electronically.

You may contact us with any queries you may have in respect of this Privacy Policy or your personal information by contacting ESA’s **privacy officer** via email: info@endemolshine.com.au

Personal information is important to ESA

1. **ESA** is committed to safeguarding personal privacy. It recognises that you have a right to control how your personal information is collected and used. Providing personal information is an act of trust and it is taken seriously. Unless given consent to do otherwise, ESA will only collect and use personal information as set out below.
2. Throughout this Privacy Policy, we refer to your 'personal information', which means information which identifies you as an individual or which renders you reasonably identifiable. Your full name, gender, date of birth, home address, home telephone number, mobile telephone number, email address and workplace contact details are examples of information which may constitute personal information. Personal information may also include information we may collect about your individual preferences.
3. **ESA** has developed and implemented its Privacy Policy with respect to personal information to reflect world best practice on privacy policies. These principles meet and exceed the requirements of the *Privacy Act 1988* (Cth) (as amended) and the 13 Australian Privacy Principles.
4. In order to keep up with changing legislation and best practice, we may revise this Privacy Policy at any time without notice. We will post any changes to this Privacy Policy on our Websites, so we encourage you to check this Privacy Policy from time to time.
5. In addition to the provisions of this Privacy Policy, there may also be specific and additional privacy and consent provisions that apply to certain Collection Channels. Because those specific and additional provisions also relate to your privacy protection, we recommend that you review them wherever they appear. In the event of any inconsistency between the provisions of this Privacy Policy and those other specific and additional provisions, the specific and additional provisions will prevail.

Anonymity and pseudonymity

6. Where practicable, we will allow you to deal with us on an anonymous or pseudonymous basis. If this is practicable, our Collection Channels will only seek information in this way. However, where it is not practicable for the purposes for which information is collected, we will seek the information identified below. It will not be practicable to deal with you on an anonymous or pseudonymous basis when we wish to send you direct marketing materials or need to provide you with goods or services requested by you.

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Kinds of Personal Information that ESA Collects and Holds

7. Personal information that may be requested includes, but is not limited to:
 - a. contact information such as your full name, date of birth, telephone number, mobile telephone number, current and valid email address, residential address and postcode;
 - b. more detailed contact preferences;
 - c. sensitive information about you;
 - d. your occupation and information regarding your professional history and professional interests;
 - e. information regarding your education and qualifications;
 - f. information regarding your personal interests and interesting and relevant information about you;
 - g. information regarding your physical characteristics;
 - h. information regarding your financial situation;
 - i. television program proposals that you wish to submit for our evaluation;
 - j. your online behaviour and interests based on your online browsing activity (including social interactions);
 - k. information about your experience with our products or services or third party products or services listed on a Website. This information is requested in order to tailor our subsequent communications to you and continuously improve our products and services;
 - l. your credit card details (where you purchase any products or services from us);
 - m. the contact details of third parties. If you are asked to provide details about other people, please ensure that these individuals are happy for their details to be given to ESA and used for the purposes set out in this policy (which may include using their details for marketing purposes); and
 - n. any other relevant personal information requested in connection with a Production or as part of any Application.

Sensitive Information

8. We will only collect sensitive information with your consent and where you provide it to us directly. Where you provide us with any sensitive information (including, but not limited to, information about your sexual orientation, religious beliefs, medical and/or criminal history) in connection with what is requested by a Website, we will only use this information for the purposes stated on the Website and will share this information with our trusted third parties in the manner stated on the Website or in this Privacy Policy.

How ESA Collects and Holds Personal Information

9. ESA will only collect or monitor any personal information about you with your consent including as provided in this Privacy Policy or if it is otherwise lawful to do so. The only personal information collected by us is what has been provided to us in accordance with this Privacy Policy or has been provided to us lawfully by third parties.

Active Information Collection

10. Personal information may be collected (and combined) via our Collection Channels if you:
 - a. have previously provided us with personal information prior to this Privacy Policy coming into effect, either directly from you personally or via a third party;
 - b. sign-up and/or register to become a member of any Collection Channel;
 - c. purchase a product, make a booking or participate in any way via a Collection Channel;
 - d. subscribe to any newsletters, updates, alerts or news and media releases, or request launch or event information or information about our products or services or other information services as well as third party products or services;
 - e. complete and submit any forms or Applications to us;

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- f. submit a television program proposal to us;
 - g. contact us directly in person or via any medium including mail, telephone, social media and commercial electronic messages (SMS (Short Message Service), MMS (Multimedia Message Service), IM (Instant Messaging) and email) including via the contact details listed on a Website;
 - h. participate in any offers, promotions or marketing activities;
 - i. fill out an application to participate in any of our Productions (**Application**). ESA will collect the information contained in your Application, any contributor agreement, any supporting documents and any other documents that you sign or provide in connection with your Application to be selected as a participant in any Production, or any other written or oral statements made by you in connection with the Application;
 - j. interact with a Website for a specific purpose; or
 - k. interact with or browse a Website generally.
11. Personal information is requested in order to facilitate or provide you with certain content, products or services, and information about such content, products or services (including the uploading, access to, and receipt of content on a Website, and purchase transactions undertaken on a Website), marketing materials (including direct marketing materials), newsletters, electronic newsletters (e-newsletters), news and media releases / launch information, and also to advise you of other **ESA or third party products**, services, offers, competitions or events which may be of interest. No one is obligated to provide personal information. However, failure to do so may result in **ESA** declining your Application to appear in a Production and being unable facilitate or provide you with certain content, products or services, products or services information, upcoming promotion, competition, offer or event information or accept competition entries (where applicable).
12. We may also obtain your personal information from legitimate third party sources including list brokers and other data providers or organisations that share data in circumstances where it is lawful and/or you have given permission for them to do so.

Children

13. **The collection of personal information** is neither intended for, nor directed to, persons who are under the age of sixteen (16) years old. Personal information will not be collected by any person who is known by ESA to be under the age of sixteen (16) without the consent of a parent or legal guardian. Persons under age sixteen (16) may only use **our Websites** with the involvement and consent of a parent or legal guardian.

Passive Information Collection

14. As with many commercial websites, we may also collect information which tells us about visitors to our Websites. For example, we may collect information about the date, time and duration of visits and which pages of a Website are most commonly accessed. This information is generally not linked to the identity of visitors, except where a Website is accessed via links in an email we have sent or where we are able to uniquely identify the device or user accessing a Website. By accessing a Website via links in an email we have sent and/or by accessing a Website generally, you consent to the collection of such information where it is personal information.
15. As you navigate through our Websites, certain information can be passively collected (that is, gathered without you actively providing the information) using various technologies, such as Unique Device Identifiers (**UDI**), cookies, Internet tags or web beacons, and navigational data collection (log files, server logs, clickstream). In certain circumstances, this information may be considered anonymous information or personal information under the *Privacy Act 1988* (Cth). This is dependent on the device used and the method by which an individual connects to the Internet. Your Internet browser automatically transmits to the Website you are browsing some of this anonymous information or personal information, such as the URL of the website you just came from, the Internet Protocol (**IP**) address, the UDI (if applicable) and the browser version your device is currently using. Our Websites may also collect anonymous information or personal information from your device through cookies and Internet tags or web beacons. You may set your browser to notify you when a cookie is sent or to refuse cookies altogether, but certain features of a Website might not work without

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cookies and this may limit the services provided by a Website. Cookies and other technical methods may involve the transmission of information either directly to us or to another party authorised by us to collect information on our behalf.

16. Our Websites may use and combine such passively collected anonymous information or personal information from various third party sources, including as described in paragraph 15, to provide better service to Website visitors and users, customise a Website based on your preferences, compile and analyse statistics and trends, and otherwise administer and improve a Website for your use. We may combine your visitor session information or other information collected through tracking technologies with personally identifiable information from time to time in order to understand and measure your online experiences and to determine what products, promotions and services are likely to be of interest to you. By accessing a Website, you consent to information about you being collected, compiled and used in this way.
17. For more information about cookies and how you can opt out, you can visit <http://www.youronlinechoices.com.au/>.

Purposes for which ESA collects, holds, uses and discloses personal information

18. Personal information collected will be used for the following primary purposes:
 - a. For the purposes for which it was collected (as advised in this Privacy Policy).
 - b. For the purposes stated in a privacy collection statement on a particular Collection Channel.
 - c. To maintain the functionality of a Website, including the provision of information to you relating to the content available on the Website and e-commerce transactions conducted via the Website.
 - d. To fulfil obligations in respect of any upload terms of use, sale and purchase contract and/or any other contract between you and ESA.
 - e. To send you any technical, administrative or legal notices important to our Websites.
 - f. To choose contestants and participants for our Productions.
 - g. To consider any program proposal you wish to submit for our evaluation.
 - h. To provide you with information about your transactions (including uploading, access to, and receipt of content on a Website, and purchase transactions undertaken on a Website), content, services and products, to provide direct marketing materials, events, special offers, competitions and promotions in person and via any medium including mail, telephone and commercial electronic messages (SMS (Short Message Service), MMS (Multimedia Messaging Service), IM (Instant Messaging), email) or any other form of electronic, emerging, digital or conventional communications channel.
 - i. To maintain our relationship with you.
 - j. To render services related to the company of ESA (such as after sales services and enquiries).
 - k. To provide you with newsletters via mail and electronic newsletters (e-newsletters) via commercial electronic messages.
 - l. To respond to customer enquiries, complaints and complaints handling.
 - m. To improve Website and system administration.
 - n. To obtain opinions or comments about products and/or services and to conduct other research and development.
 - o. To record statistical data for marketing analysis and to conduct market research.
 - p. To share personal information with ESA group companies, our promotional partners, television networks and their related bodies corporate, Production audiences, and other trusted third parties in the manner described below.
 - q. Any other purpose as may be deemed reasonably necessary by ESA in the circumstances.

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19. For the purposes described above, personal information may be shared with ESA group companies, ESA promotional partners, television networks and their related bodies corporate, Production audiences, and other trusted third parties (and their directors, servants and agents) either in Australia or overseas, including, but not limited to, the United States of America and the United Kingdom. Failure to provide personal information may result in ESA declining your Application to appear in a Production, and/or being unable to provide you with certain content, information, upcoming promotion, event or product information and/or accept promotion entries (where applicable).
20. In order to operate a Website or deliver a service (including for example, processing of credit card payments), personal information may also be shared with ESA group companies, selected service providers, television networks and their related bodies corporate, and/or other trusted third parties either in Australia or overseas countries which may include, but are not limited to, the United States of America and the United Kingdom. ESA group companies, selected service providers and/or other trusted third parties may be engaged by ESA to perform a variety of functions, such as data storage, fulfilling orders, conducting market research, processing credit card payments, assisting with promotions and providing technical services for our Websites. These companies may have access to personal information if needed to perform such functions. Your credit card details are only used to facilitate your booking and/or purchase. They are not used for any other purpose and will never be supplied to a third party other than ESA.
21. **ESA** recognises the trust with which you provide personal information, and except as stated in this Privacy Policy or as is otherwise lawful, such information will not be used or disclosed for any other purposes without consent. However, ESA reserves the right to use or disclose any information, including personal information, as needed to satisfy any law, regulation or legal request, to protect the rights or property of ESA, any member of the ESA group, or any member of the public, to protect the integrity of a Website, to fulfil your requests, or to cooperate in any law enforcement investigation or an investigation on a matter of public safety.

Contact by ESA

22. **ESA** group companies (and their directors, servants and agents), **ESA** promotional partners, television networks and their related bodies corporate or trusted third parties (and other selected service providers and other non-ESA companies or professionals) either in Australia or overseas, may contact you via telephone, SMS (Short Message Service), MMS (Multimedia Messaging Service), IM (Instant Messaging), email, post or any other form of electronic, emerging, digital or conventional communications channel using the information provided in order to contact you in respect of the primary purposes for collection of personal information as stated above.
23. **ESA** does not send advertising or marketing information without obtaining prior consent, for example the consent contained within this Privacy Policy, or as is otherwise lawful. If you receive communications from ESA which you do not wish to receive, you may remove your name from the database in the manner indicated in the communication, including by utilising the functional unsubscribe/opt-out facility (if the communication is via commercial electronic message) or by contacting ESA via email: info@endemolshine.com.au Please allow 30 days for this request to be processed.
24. Despite removing your name from the database from receiving future advertising and marketing information, ESA may send you non-commercial "Administrative Emails". Administrative Emails relate to a ESA user account and may include administrative and transaction confirmations, requests and inquiries or information about a particular ESA user account. If you do not wish to receive such communications from ESA, you may remove your name from the database by utilising the functional unsubscribe facility.

Ability of others to view information

25. **ESA may provide areas on a Website where you can upload user-generated content, post or provide information about yourself, communicate with other users, provide reviews for content**, products and/or services or interact with or vote on particular content. This information may be shared with others and may be publically posted on our Websites, including without limitation, other social media platforms and other public forums in which you choose to participate. This information may become publically available and may be read, collected and used by others outside of our Websites. ESA is not responsible for the conduct of others who may read, collect and use this information.

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Your right of access

26. You have the right to access and review your personal information that may be recorded on the ESA database. Information may be reviewed by contacting ESA's **privacy officer** via email: info@endemolshine.com.au Please allow 30 days for this request to be processed.
27. Where you are seeking information held on electronic file, or where you are seeking hard copies of personal information, we reserve the right to charge reasonable handling/ postage fees as appropriate.
28. With some personal information that may, for example where it is held on program tapes, it is not practical to provide this information to you without charging an appropriate fee as we deem reasonable in those circumstances.

Changing and deleting the information we have about you

29. Information contained on the database may be amended, or your preferences for contact from us changed, by contacting ESA's **privacy officer** via email: info@endemolshine.com.au. Please allow 30 days for this request to be processed.
30. In the same way, a request may be made to delete personal information, and all reasonable steps to delete the information will be made, except where it is required for legal reasons. Deletion of information may result in ESA declining your Application to appear in a Production and being unable to facilitate or provide you with information about certain transactions (including the uploading, access to, and receipt of content on a Website, and purchase transactions undertaken on a Website), other content, services or product information, upcoming promotion, competition or event information, and/or provide certain content, goods or services.
31. If you are involved in our Productions, your personal information will be used in connection with the production and promotion of those Productions for the duration of their broadcast and distribution, and may also be sent outside Australia for the same reasons. Please contact ESA's **privacy officer** via email: info@endemolshine.com.au with any questions concerning your consent to this.
32. We are not responsible for removing your personal information from the lists of any third party who has previously been provided your information in accordance with this policy.

Storage and security of personal information

33. **ESA** will endeavour to take all reasonable steps to keep secure any personal information recorded (including your credit card details), and to keep this information accurate, up to date, complete and relevant. The information is stored on secure servers that are protected in controlled facilities. This service may be performed on our behalf and data may be hosted by our selected data storage providers. In some cases these facilities may be overseas, including, but not limited to, the United States of America and the United Kingdom.

Disclosure of personal information to overseas recipients

34. In some cases, **ESA** may disclose your personal information to overseas recipients, including but not limited to recipients in the United States of America and the United Kingdom. ESA employees, data processors and other trusted third parties are obliged to respect the confidentiality of any personal information held by ESA. However, security of communications over the Internet cannot be guaranteed, and therefore absolute assurance that information will be secure at all times cannot be given. ESA will not be held responsible for events arising from unauthorised access to personal information.

ESA and links to other websites

35. Our Websites may, from time to time, contain links to the websites of other organisations which may be of interest to you. Their inclusion cannot be taken to imply any endorsement or validation by us of the content of the third party website. Linked websites are responsible for their own privacy practices and you should check those websites for their respective privacy statements. ESA is not responsible, nor does it accept any liability, for the conduct of companies linked to our Websites.

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36. We may use third party advertisements on our Websites. All third party advertising, if paid for, is paid for by the relevant third party advertisers and are not recommendations or endorsements by ESA or any of its affiliates. ESA is not responsible for the content (including representations) of any third party advertisement on a Website. Cookies may be associated with these advertisements to enable the advertiser to track the number of anonymous users responding to the campaign. We do not have access to or control of cookies placed by third parties.

Related ESA Websites

37. All Websites operated by ESA will adhere to this Privacy Policy. The policies on the Websites of some members of the ESA group may vary, however, because of local customs, practices or laws.

Sale of the Company

38. If ESA merges with, or is acquired by, another company, or sells all or a portion of its assets, your personal information may be disclosed to our advisers and any prospective purchaser's adviser, and may be among the assets transferred. However, personal information will always remain subject to this Privacy Policy.

Problems or queries

39. If you have any questions about our Privacy Policy, or any problems or complaints about how we have collected, used, stored, handled and/or disclosed your personal information, please contact our privacy officer via one of the following channels:

Address:

The Privacy Officer
Endemol Shine Australia Pty Ltd
42-44 Victoria Street
McMahons Point NSW 2060

Telephone: +61 2 8587 1110

Fax: +61 2 8587 1100

Email: info@endemolshine.com.au

Please allow 30 days for this request to be processed. If you do not receive a satisfactory response from ESA to your query, problem or complaint within 30 days, you may refer your query, problem or complaint to the Office of the Australian Information Commissioner via the contact details listed at <http://www.oaic.gov.au/about-us/contact-us-page>.