

1. About this privacy policy

This document sets out the policy of Fitness and Lifestyle Group Bidco NZ Limited 6199896 NZBN 9429045888809 also known as Jetts Fitness, its related companies and Jetts franchised Clubs (collectively, Jetts) relating to the privacy of your personal information (Privacy Policy). Jetts is committed to protecting the privacy of the personal information it collects and receives. Jetts is bound by the New Zealand Privacy Principles (NZPPs) contained in the New Zealand Privacy Act 1993 (Act). This Privacy Policy applies to all your dealings with Jetts whether at one of Jetts' clubs, Jetts head office or via Jetts website (www.jetts.co.nz). This Privacy Policy seeks to explain:

- the kinds of personal information Jetts collects & holds;
- how Jetts collects and holds your personal information;
- why Jetts collects, holds, uses and discloses your personal information; • how you may access and seek the correction of your personal information as held by Jetts;
- how you may complain about a breach of the NZPPs or a registered NZPP code (if any) that Jetts are bound by, and how Jetts will deal with such a complaint; and
- if Jetts is likely to disclose your personal information to overseas recipients and the countries in which such recipients are likely to be located (if it is practicable to specify those countries in this policy).

By using Jetts website www.jetts.co.nz, completing any membership application forms, personal trainer forms, competition entry forms and filling any forms in the franchisee recruitment process, you accept this Privacy Policy and expressly consent to Jetts' collection, use and disclosure of your personal information in the manner described in this Privacy Policy.

2. Your Personal Information

Jetts only collects personal information (being information that identifies or could reasonably identify an individual) where Jetts considers it to be reasonably necessary for Jetts' services, functions and activities. Jetts collects personal information to deliver our products and services to members including in circumstances when:

- processing and managing membership and franchisee applications;
- facilitating members & casual members gym access;
- conducting marketing activities, research & special offers;
- accurately identifying who is using Jetts' services;
- communicating with members, franchisees & website visitors to Jetts' website and online enquiries;
- profiling our members & their interests;
- operating Jetts' business; and / or
- transferring memberships between clubs as per Jetts transfer policy.

The types of information Jetts collects includes:

- name, age, gender, date of birth & next of kin;
- health information (height, weight, medical conditions);

- health and fitness goals;
- license and banking details;
- contact details (including phone, fax and e-mail);
- views and opinions; and
- responses to forms and surveys (if any).

3. How Jetts collects your personal information

Jetts will solicit your personal information by lawful and fair means directly from you unless it is unreasonable or impracticable to do so.

Jetts will collect directly personal information:

- by email;
- over the telephone (including calls and SMS);
- via social media and over the intranet (including surveys);
- by written correspondence (such as letters, faxes);
- on hard copy forms (including registration forms, competition entry forms and surveys);
- in person; or
- through Jetts website (online purchases, web form submission or participation in a live chat);
- electronic systems such as applications and use of the club access card; and
- through Jetts' security surveillance cameras.

Jetts may collect information from third parties including:

- your personal trainer;
- market researchers & direct marketing providers;
- parents or guardians of underage members;
- our current members (refer a friend);
- the Inland Revenue (IR) and the Financial Markets Authority (FMA); and
- public sources (directories, membership lists, professional and trade associations, FMA, bankruptcy or court registry searches).

4. Using your personal information

The main purposes for which Jetts collects, holds, uses and discloses personal information are to provide services and benefits to members, and to grow Jetts' membership. Jetts collects information to service its members.

Jetts can use your information to:

- process applications for memberships, franchisees & prospective franchisees;
- understand Jetts' members' needs and requirements;

- manage & run Jetts website & social media platforms;
- providing you with information about Jetts services;
- delivering or enhancing Jetts' products and services;
- help Jetts maximise the benefits provided to members;
- any other purpose directly related to Jetts' business and for which you have provided consent (where it is reasonably required by law).

Jetts' website requires subscriptions or registrations to use certain services, functions or content. You will know what information is being collected via these processes when you complete the relevant forms and provide the required details prior to submitting the application.

Jetts will collect data relating to any transactions you carry out through Jetts' website and the fulfilment of your order. Jetts may also use your data to monitor for any unauthorised use of Jetts' website, content or subscriptions to Jetts' services.

5. Purpose of collection

If Jetts collects personal information for a purpose (the primary purpose), Jetts will not use or disclose the information for any other purpose (the secondary purpose) unless:

- you would have consented to the use or disclosure of your personal information; or
- in relation to the use or disclosure of your personal information:
 - o you would reasonably expect Jetts to use or disclose your information for the secondary purpose and the secondary purpose is directly related to the primary purpose;
 - o use or disclosure is required or authorised under New Zealand law or a court/tribunal;
 - o a permitted situation exists in relation to Jetts' use or disclosure of the information;
 - o Jetts reasonably believes that the use or disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

If Jetts uses or discloses your information because Jetts reasonably believes that the use or disclosure of your information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body, Jetts will make a written note of the use or disclosure.

6. Do you have to provide personal information?

You can refuse to provide personal information. However, a refusal may mean that the service you request is not provided or membership will be refused or forfeited.

7. Sharing your personal information

Jetts may use and disclose personal information for related purposes to third parties. Types of organisations to whom Jetts may disclose your personal information includes:

- government bodies such as IR, FMA, Ministry of Business, Innovation and Employment and the police or courts (as required by law);
- various law enforcement agencies and governments for security, customs and immigration purposes;
- banking service providers;

- rewards partner program providers;
- professional or government organisations; and
- Jetts' contracted service providers including:
 - o information technology service providers;
 - o planning research and development providers;
 - o conference organisers;
 - o marketing and communications agencies;
 - o mailing houses, freight and courier services;
 - o printers & distributors of marketing material;
 - o debt collectors and banks;
 - o personal trainers; and
 - o external advisers (recruiters, auditors & lawyers).

Jetts does not rent, sell or exchange your personal information to third parties without your prior approval.

8. Government Identifiers

Jetts does not accept, use or disclose government related unique identifiers (such as a IRD numbers or license number) as Jetts' own identifier for you.

9. Cookies

To improve Jetts' services, Jetts sometimes collects de-identified information from web users. The information collected does not identify an individual but does help Jetts to analyse and improve its web services.

When you visit Jetts' website, a record of your visit is logged and the following data is supplied by your browser:

- your IP address and/or domain name;
- your operating system (type of browser & platform);
- the date, time and length of your visit; and
- the resources you accessed or downloaded.

Jetts uses this information to customise the website for visitors and to collect data for analysis, quality control, administration and improving the website. It is not used for any other purpose. Aggregated data may be shared with third parties.

You can stop your browser from accepting new cookies or disable cookies altogether by changing your browser preferences.

10. Links to other websites

Links to third party websites that Jetts does not operate or control are provided for your convenience. Jetts is not responsible for the privacy or security practices of those websites. Third

party websites should have their own privacy and security policies which Jetts encourages you to read before supplying any personal information to them.

11. Direct Marketing

If Jetts holds your information, Jetts may use or disclose that information (other than sensitive information) for direct marketing if:

- Jetts collected the information from you; and
- you understood or it was disclosed to you at the time of collection of the information that it was for that purpose; and
- Jetts provided you with a simple way to opt out of receiving direct marketing from Jetts; and
- you have not made such an opt out request to Jetts.

Jetts may also use or disclose your information (other than sensitive information) for direct marketing if:

- Jetts collected the information from you and you would not reasonably expect Jetts to use or disclose the information for that purpose or someone other than you; and
- either:
 - o you have consented to the use or disclosure of the information for that purpose; or
 - o it is impracticable to obtain that consent; and
- Jetts provided you with a simple way to opt out of receiving direct marketing from Jetts; and • in each direct marketing communication with you:
 - o Jetts includes a prominent statement that you can request to opt out; or
 - o Jetts otherwise draws your attention to the fact that you can request to opt out; and
 - o you have not made such a request to Jetts.

Jetts can use or disclose your sensitive information for the purpose of direct marketing if you have consented to the use or disclosure of that information for direct marketing.

Jetts may also use or disclose your personal information for direct marketing if:

- Jetts are a contracted service provider for a government contract; and
- Jetts collected your information in order to meet an obligation under that contract; and
- the use or disclosure is necessary to meet (directly or indirectly) such an obligation.

If Jetts has collected the personal information that Jetts used to send you direct marketing material from a third party, you can ask Jetts to notify you of its source of information. It is Jetts' policy is to do so unless it is unreasonable or impracticable.

12. How to opt out of direct marketing

If Jetts uses or discloses your personal information for the purpose of direct marketing, you may request not to receive direct marketing communications from Jetts.

If Jetts uses or discloses your personal information for the purpose of facilitating direct marketing by other organisations, you may request that Jetts does not use or disclose your information for this purpose.

Jetts will give effect to your request not to receive direct marketing from Jetts or an entity facilitated by Jetts within a reasonable time after the request is made.

13. Protecting your personal information

Jetts stores information in different ways, including paper and electronic form. Jetts takes reasonable steps to protect it from misuse, interference, loss, unauthorised access, modification or disclosure including:

- secure password protected databases for storage;
- confidentiality requirements of staff;
- security firewalls for access to Jetts' systems;
- servers kept at a secure location with limited access;
- document storage security requirements;
- granting access only to verified individuals;
- access controls for Jetts' buildings;
- limited the provision of personal information to third parties and subject to guarantees about use; and
- training staff to deal with the information.

Jetts cannot guarantee that personal information will be protected against unauthorized access or misuse and Jetts does not accept any liability for the improper actions of unauthorised third parties.

Jetts will retain your personal information for as long as necessary to fulfil Jetts' obligations to you, to protect its legal interests, to comply with laws or as otherwise stated to you when Jetts collects your personal information.

Once Jetts is no longer required to retain your personal information, Jetts will take reasonable steps to destroy your personal information or to ensure that your personal information is de-identified.

14. Disclosing your personal information overseas

Jetts and Jetts group entities may disclose your personal information to other third party service providers operating outside New Zealand who work with Jetts or one of Jetts' suppliers, agents, or partners. Jetts may also store your personal information on servers based overseas or in the "cloud" or other types of networked or electronic storage.

Before disclosing your personal information to an overseas third party, Jetts will first take reasonable steps to ensure that the overseas recipient:

- does not breach the New Zealand Privacy Principles in relation to your personal information; or
- the recipient of the information is subject to a law, or binding scheme, that has the effect of protecting your personal information in a way that is substantially similar to the way in which the New Zealand Privacy Principles protect the information.

Personal information may be disclosed by Jetts to other Jetts entities and third parties in jurisdictions including: Australia, New Zealand, United States of America and the Netherlands. The European Commission has recognized each of these countries as providing adequate protection of personal information.

To make it easy for you to deal with Jetts and other Jetts entities and provide you with a more personal and consistent experience, Jetts may exchange and combine personal information with other Jetts entities for the purposes described in this Privacy Policy.

If your personal information is collected using a document that references this Privacy Policy, you are taken to consent to the disclosure, transfer, storing or processing of your personal information outside of New Zealand.

You acknowledge and understand that by providing such consent:

- Jetts will not be required to take steps as are reasonable in the circumstances to ensure that such third parties comply with the NZPP;
- if the overseas recipient handles your personal information in breach of the NZPPs:
 - o Jetts will not be liable under the Act; and
 - o you will not be able to seek redress under Act.
- the overseas recipient may not be subject to any privacy law or principles similar to the APPs;
- you may be unable to seek redress overseas;
- the overseas recipient is subject to a foreign law that could compel the disclosure of personal information to a third party, such as an overseas authority. If you withdraw consent, Jetts will not rely on this consent when dealing with your personal information going forward.

15. Anonymity

You have the option of not identifying yourself or using a pseudonym when dealing with Jetts provided that is it lawful and practicable.

Jetts will try to accommodate a request for anonymity if possible. However, your right to anonymity does not apply in relation to a matter if:

- Jetts is required/authorised by law or court/tribunal order to deal with identified individuals; or
- it is impracticable for Jetts to deal with individuals who have not identified themselves.

It is Jetts' policy to enable you to access Jetts' website and make general phone queries without having to identify yourself and to enable you to respond to Jetts' surveys anonymously.

In some cases however, if you don't provide Jetts with your personal information when requested, Jetts may not be able to respond to your request or provide you with our service. For example, you must identify yourself to become a Jetts member or franchisee.

16. Accessing to your personal information

You have the right, upon request, to access any of Jetts' records containing your personal information.

To request access to your personal information please contact the Privacy Officer, set out at the end of this Policy.

Jetts will respond to your request to access your personal information within a reasonable period of time.

On the basis that it is reasonable and practicable to do so, Jetts will give you access to the information requested.

If Jetts refuses your request to access personal information, Jetts will provide a written notice setting out the reasons for the refusal & how you can complain about the refusal.

Reasons for a refusal may include if it:

- poses a serious threat to the life, health or safety;
- would have unreasonable impact on privacy of others;
- is frivolous or vexatious;
- relates to legal proceedings;
- reveals Jetts' intentions or prejudice any negotiations;
- would be unlawful;
- is required or authorised by law or court/tribunal order;
- is likely to prejudice enforcement related activities; or
- relates to a commercially sensitive decision process.

When you make a request to access personal information, Jetts will require you to provide some form of identification (such as a driver's licence or passport) so Jetts can verify that you are the person to whom the information relates.

17. Help Jetts keep your personal information accurate

Jetts will take reasonable steps to ensure Jetts' records of personal information are accurate, up to date and complete.

However, the accuracy of information depends to a large extent on the information you provide.

If you do not give Jetts all the personal information Jetts may require, or the personal information provided is inaccurate or incomplete, then the products, services and information Jetts provide may be affected.

If you think there is something wrong with the information Jetts holds about you please contact the Privacy Officer to:

- let Jetts know if there are any errors; and
- keep Jetts up-to-date with any changes,

and Jetts will try to correct your personal information.

Jetts will respond to your request to correct your personal information and in a reasonable period of time. If Jetts refuses your request, Jetts will provide you with a written notice setting out the reasons for the refusal and mechanisms available to complain about the refusal.

If Jetts refuses to correct your personal information, you may request that Jetts associate your information with a statement that the information is inaccurate, out of date, incomplete, irrelevant or misleading. Jetts will take reasonable steps to make the statement visible to users of your personal information.

If Jetts does correct your personal information and Jetts has previously disclosed your personal information to a third party, upon your request, Jetts will notify that third party of the correction unless it is impracticable or unlawful to do so.

18. Resolving your privacy issues

If you have any issues you wish to discuss with Jetts or if you're concerned about how Jetts has collected or managed your personal information please contact the Privacy Officer.

For information about privacy or if your concerns are not resolved, contact the Office of the Privacy Commissioner at <https://www.privacy.org.nz/> and on (09) 302 8680.

19. Changes and access to this privacy policy

Jetts may, from time to time, review and update this privacy policy to take account of new laws and changes to Jetts' operations. Changes to this Privacy Policy will not affect Jetts' use of previously provided information.

This Privacy Policy is available on Jetts' website at www.jetts.co.nz. A printed Privacy Policy can be obtained free of charge by contacting the Privacy Officer.

20. Jetts Privacy Officer

Jetts' privacy officer can be contacted at:

- Email: privacy@jetts.co.nz
- Telephone: 09 414 2068
- Post: PO BOX 303207, North Harbour, North Shore, Auckland 0751