

1. JENNY CRAIG'S COMMITMENT TO PRIVACY

- 1.1. Jenny Craig Weight Loss Centres Pty Ltd ACN 006 109 842 (**Jenny Craig, we, our, or us**) respects your privacy, and is committed to complying with its obligations contained in the *Privacy Act 1988 (Cth)* (**Act**).
- 1.2. This Privacy Policy sets out how Jenny Craig, and their related corporations and entities, will handle your personal information.
- 1.3. Jenny Craig is committed to protecting the privacy of all individuals it deals with, and will treat your personal information confidentially and according to the Act, which include the Australian Privacy Principles (**APPs**), which set out the ways in which an organisation can collect, use, disclose, store, and provide access to personal information.
- 1.4. Personal information is information or an opinion, whether true or not, and whether recorded in a material form or not, about an identified individual or an individual who is reasonably identifiable. Personal information also includes sensitive information, which includes information about an individual's health.
- 1.5. This Privacy Policy however expressly does not apply to personal and sensitive information of our Australian employees since employee records are exempt from the Act.

2. HOW WE COLLECT YOUR PERSONAL INFORMATION

- 2.1. Jenny Craig will collect your personal information in a fair and lawful manner. Where it is practical to do so, we will collect your personal information directly from you, and only to the extent necessary to provide you with our products or services and carry out our operations. However, sometimes we also collect your personal information from the following mediums:
 - a. the Jenny Craig website (which might include the time and date you accessed it);
 - b. your doctor (if you are an existing client), but only with your prior written consent;
 - c. your parent or guardian;
 - d. our business service providers and contractors.
- 2.2. Jenny Craig may collect personal information from you when:
 - a. you submit an enquiry or application form online via the Jenny Craig website;
 - b. you submit any other information directly via the Jenny Craig website;
 - c. in performing Jenny Craig's assessment of your enquiry, including any subsequent discussions in any form, whether verbally, in writing, electronically or otherwise;
 - d. it is administering any of its services;
 - e. you contact Jenny Craig by telephone;
 - f. you email Jenny Craig; or
 - g. you have contact with Jenny Craig in person.
- 2.3. Jenny Craig will collect, use and disclose your personal information only for the particular purpose that you provided it, or for a directly related purpose (see clause 4.3). Jenny Craig may otherwise use your personal information where that other use is:
 - a. required or permitted by law; or
 - b. with your express or implied consent.

3. TYPES OF PERSONAL INFORMATION WE COLLECT

- 3.1. The kinds of personal information that Jenny Craig will collect about you will depend on the type of interaction that we have with you. For example, Jenny Craig may collect your personal and sensitive information when you apply to become our client and use our services, which may include your name and contact details, date of birth, medical history and any previous health and weight-loss services and products you have received from Jenny Craig. More specifically:

a. Clients, Prospective Clients and the General Public

We may collect your name, age, gender, telephone number, address, email address, medical history, health information, payment details (including credit card and debit card details) as well as any previous weight-loss services and products that you have received from us. In our day-to-day dealings with you, we may collect information relating to general weight-loss matters, product enquiries, as well as complaints.

b. Business Service Providers and Contractors

In the context of our business relationship, we may collect your name, ABN or ACN, address telephone number and email address.

c. Job Applicants

We may collect your name, telephone and email address, as well as information, references and reports arising out of the assessment of your potential suitability as our employee.

- 3.2. Jenny Craig may also collect your name and contact details which you provide to us, in order to respond to your questions and comments about Jenny Craig and its products and services.
- 3.3. Jenny Craig will only collect your personal and sensitive information where you have consented, or otherwise in accordance with the law.
- 3.4. When Jenny Craig collects personal information from you, it will take reasonable steps to ensure that you are made aware of the details of the collection (including the purposes for which the information was collected and the organisations to which the information will be disclosed) and the fact that this Privacy Policy contains details on how you may access or correct your information and how to raise any complaints.
- 3.5. Personal information that Jenny Craig collects is held in different formats, including in both hard copy and electronically.
- 3.6. If Jenny Craig receives personal information about you that it has not requested, and Jenny Craig would not be able to collect this information under the APPs if it had requested it, then Jenny Craig will destroy or de-identify the information where lawful and reasonable to do so.
- 3.7. You are not required to disclose your personal information to Jenny Craig, however, if you do not do so, we may not be able to provide you with any health and weight-loss products or services that you have requested, or provide you with an appropriate response to your enquiries.

4. USE AND SHARING OF YOUR PERSONAL INFORMATION

- 4.1. The way in which Jenny Craig will use and disclose your personal information depends on the reasons for which it was collected.
- 4.2. Jenny Craig will only use or disclose your personal information for the main reason for which it was collected (such as to provide you with health and weight-loss products or services, or to respond to your enquiry), for a directly related purpose, or otherwise where you have consented to such use or disclosure or the use or disclosure is in accordance with the law.

- 4.3. Some of the specific instances where Jenny Craig will collect, use and disclose your information is to:
- d. assess and review your employment enquiry;
 - e. provide you with marketing and promotional material regarding health and weight-loss opportunities and information concerning the health and weight-loss industry;
 - f. undertake research (i.e. market research or health and weight-loss services and products research, the results of which may be published but without your personal information (except with your prior consent));
 - g. provide you with any of our products and services;
 - h. manage and administer our products and services;
 - i. add you to our mailing list where you have subscribed to our newsletter; and
 - j. investigate your feedback regarding our products and services.

5. DIRECT MARKETING

- 5.1. Jenny Craig may, from time to time, use your personal information to provide you with health and weight-loss updates and information, information about other products and services, details of current promotions and so that it can undertake market research or research into health and weight-loss services and products. This information may be shared with you using a variety of channels, such as direct mail, email and telephone. We may also collect and use your demographic and other data for market research, statistical, advertising and promotional purposes.
- 5.2. Jenny Craig will only provide you with such communications in accordance with the law. If you do not wish to receive these communications from Jenny Craig, please follow the unsubscribe op-out option at au-jennycare@cjc.com or write to us at: Jenny Craig (attn. Customer Care) Level 1, 464 St Kilda Road Melbourne, Victoria, Australia 3004.

6. CROSS BORDER DISCLOSURE AND STORAGE OF YOUR PERSONAL INFORMATION

- 6.1. We may disclose your personal information outside of Australia as follows:
- a. to our related entities and affiliates located overseas, particularly in New Zealand, Canada and the United States of America; and
 - b. to our data hosting and other service providers in the United States of America.
- 6.2. This does not diminish your rights and we will take all reasonable steps to ensure transferred information is kept secure in accordance with the Act. By submitting your personal information to us you agree that you do not object to any such transfer, processing or storage. If we merge, combine or sell a part of our business, we may also pass on your details to our new colleagues and any entity through which they operate unless prohibited from doing so by law.
- 6.3. We do not share your personal information with other organisations unless you give us your express consent, where sharing is otherwise required or permitted by law, or where this is necessary to enable our contractors to perform specific functions, such as to assess or carry out your request.

7. ANONYMITY AND USING A PSEUDONYM

Where lawful and practicable, you have the option of dealing with Jenny Craig anonymously or by using a pseudonym, including through our website and social media pages. However, Jenny Craig will generally require your contact details if you would like us to transact with you.

8. SECURITY OF YOUR PERSONAL INFORMATION

- 8.1. Jenny Craig will take all reasonable steps to ensure that your personal information is protected against misuse, interference and loss, and unauthorised access, modification or disclosure.
- 8.2. When your personal information is no longer needed for the purposes for which Jenny Craig is authorised to use or disclose it, we will take reasonable steps to destroy the information or ensure it is de-identified unless such information is required to be retained by law.

9. ACCESSING AND CORRECTING YOUR PERSONAL INFORMATION

- 9.1. You have the right to request access to the personal information you provide, and to correct or update your personal information. This right is subject to certain exceptions allowed by law.
- 9.2. To obtain access to your personal information:
 - a. you will have to provide proof of identity to ensure that personal information is provided only to the correct individuals and that the privacy of others is protected;
 - b. you will need to be reasonably specific about the information you require; and
 - c. Jenny Craig may charge you a reasonable administration fee, which reflects the cost to us for providing access in accordance with your request.
- 9.3. In certain circumstances, Jenny Craig may refuse to allow you access to your personal information where this is authorised by the law, such as where giving access would have an unreasonable impact on the privacy of others, or where providing you with access would be unlawful.
- 9.4. Jenny Craig takes all reasonable steps to ensure that the personal information it collects, uses and discloses is accurate, up-to-date and complete, relevant and not misleading. If you believe that the personal information we hold about you requires correction, you may request that the information be corrected by contacting us using the details in this Privacy Policy. Where Jenny Craig corrects your personal information, it will also take reasonable steps to notify third parties that have previously been disclosed your information of the correction.
- 9.5. If Jenny Craig refuses your request for access or correction, it will provide you with written reasons for the refusal, and how you may complain about the decision.
- 9.6. Furthermore, you may instruct us to remove any previous consent you may have provided to receive marketing communications from Jenny Craig or to remove you from its database.

10. ONLINE VISITORS AND COOKIES

- 10.1. Jenny Craig may collect your personal information through its website, such as your email address and contact details when you submit an online enquiry. Jenny Craig will handle such information in accordance with this Privacy Policy and the law.
- 10.2. Jenny Craig will also collect site usage data through its use of internet cookie technology or similar devices. Cookies are small data files which record your visit and may collect statistical information about your visit (such as the pages you visit on our website) in order to customise and improve your website experience. Most internet browsers will accept cookies automatically, but you can delete or disable cookies by changing your browser settings, however some parts of our site may not work properly if you do. This information may be analysed to provide us with insights into users interests and behaviour, and may include the use of websites using a range of common technical tools, including cookies, pixels and transparent GIF files.
- 10.3. For completion, a cookie is a small file of letters and numbers that is put on your computer if your browser settings allow this. These cookies allow our service provider to distinguish you from other users of the website which helps them to provide you with a good experience when you browse our websites, and also allows us to improve our site.

- 10.4. For completion, the third party analytics services applied to our website also track a user's online activities across unrelated websites and allows for customised presentation of advertising material to your browser (using adware). We do not receive reports that identify you, however the providers of the analytic services may be able to identify users from your IP address, and may use this personal information about your internet use for their own purposes or those of other clients. Two such services which are utilised are Google Analytics and Doubleclick.
- 10.5. Furthermore, some of our webpages may contain links to other third party sites. Whilst we take reasonable steps to ensure this is always clear, we do not take responsibility for any collection or use of personal information if you choose to click on these links, and you should refer to the privacy policies of the relevant third party in this regard.
- 10.6. Our websites use industry standard tools to safeguard any personal information. This includes firewalls and Secure Socket Layers (**SSL**) where information is being transmitted over the Internet. There are however inherent risks in transmitting personal information over the Internet, and neither Jenny Craig nor its service providers can guarantee the security of information you choose to provide through our websites. Our websites are optimised for use with Google Chrome Version 36 or Firefox Version 34, or above, with Javascript enabled. Use with other browsers (especially older versions), or with Javascript disabled, may result in a different experience.

11. YOUR ACKNOWLEDGEMENT OF JENNY CRAIG'S PRIVACY POLICY

- 11.1. This Privacy Policy meets Jenny Craig's obligations under the APP's which requires us to set out our policies on the management of personal information in a clearly expressed document which is available to anyone that asks for it.
- 11.2. Without limiting the generality of the above statement, your access to this communication constitutes an acknowledgement that you have been made aware of Jenny Craig's Privacy Policy.
- 11.3. This policy does not create or confer upon any individual any rights, or impose upon Jenny Craig any rights or obligations outside of, or in addition to, those imposed by the Act.

12. CONTACT DETAILS AND COMPLAINT HANDLING

- 12.1. Jenny Craig is committed to working with its clients and members of the public to obtain a fair resolution of any complaint or concern about privacy. To contact us with a query, compliment or complaint, please provide our Privacy Officer with the full details of your complaint and any supporting documentation, using the following contact information:
- a. Email: au-legal@cjc.com
 - b. Telephone: 13 19 92
 - c. Address: Jenny Craig Weight Loss Centres Pty Ltd
Attn: Legal Department (Privacy Officer)
Level 1, 464 St Kilda Road
Melbourne VIC 3004
- 12.2. Upon receipt of your query, compliment or complaint, our Privacy Officer will endeavour to:
- a. provide an initial response to you within 7 business days;
 - b. investigate and attempt to resolve your query or complaint within 30 business days or such longer period as is necessary and notified to you by our Privacy Officer.
- 12.3. In the event that you are dissatisfied with the outcome of your complaint, you may refer the complaint to the Office of the Australian Information Commissioner.

13. POLICY UPDATE

- 13.1. Jenny Craig reserves the right to change this Privacy Policy at any time, and any amended Privacy Policy is effective upon posting to the Jenny Craig website.
- 13.2. Jenny Craig will make every effort to communicate any significant changes to you via email, however your continued use of the Jenny Craig website, and acceptance of Jenny Craig's products and services, will be deemed acceptance of any amended Privacy Policy.

This Privacy Policy was last modified: June 2019