

Privacy Policy

Body First Health and Fitness Pty Ltd t/as Nicole Salmon, The Organised Life Project, Mind Your Time Method, and related programs ACN: 125091652 (Nicole Salmon, we, us) is committed to protecting our customer privacy and takes its responsibility regarding the security of customer information and data very seriously. We will be clear and transparent about the information we are collecting and what we will do with that information or data.

Body First health and fitness Pty Ltd, (referred to as “we”, “us”, “our” or “Body First Health and Fitness Pty Ltd”) in this policy primarily refers to Body First Health and Fitness Pty Ltd trading as Nicole Salmon, the main operating company of the Body First Health and Fitness group, and, where appropriate, to other companies in the Body First Health and Fitness Pty Ltd company group or other entities over which Body First Health and Fitness Pty Ltd exercises management control. Body First Health and Fitness is the “data controller” of all personal data that is collected and used about its customers for the purposes of privacy and data protection laws, principles and regulations that may apply in your country.

We respect your rights to privacy under the Privacy Act 1988 (Cth) (Privacy Act) and so in accordance with this Act, we are compliant with its requirements in respect of the collection, management and disclosure of your personal information.

We also uphold your rights to privacy if you are based in the European Union, in accordance with the General Data Protection Regulation (GDPR) (EU). Your rights under the GDPR are listed below.

If you do not wish to provide personal information to us, then you do not have to do so. However, this may affect your use of this Site or any products and services offered on it.

This Policy sets out the following:

- What personal data we collect and process about you in connection with your relationship with us as a customer and through your use of our website, apps, mobile applications, and online services;
- Where we obtain the data from;
- What we do with that data;
- How long we store your information
- What happens if we cant collect your information
- Why we collect your information
- Information collected by our website
- Security and sharing of your personal data, and data disclosure;
- How we deal with your data protection rights;
- How we comply with the data protection rules.
- That personal data is collected and processed in accordance with applicable data protection laws.
- How you can withdraw your consent from the privacy policy
- Complaints and breach of privacy procedure
- Disclosure
- Changes to Privacy Policy

What is your personal information

When used in this privacy policy, the term “personal information” has the meaning given to it in the Privacy Act and GDPR. In general terms, it is any information that can be used to personally identify you. This may include your name, address, telephone number, email address and profession or occupation. If the information we collect personally identifies you, or you are reasonably identifiable from it, the information will be considered personal information.

We may also collect some information that is not personal information because it does not identify you or anyone else. For example, we may collect anonymous answers to surveys or aggregated information about how users use our website. Your personal information will not be shared, sold, rented or disclosed other than as described in this privacy policy.

Where we obtain the data from

All personal information you provide us with or that we obtain will be handled by The Body First Health and Fitness Company and such businesses that come under that banner including Nicole Salmon, and its programs and such services and we will be responsible for the secure storage of your personal information.

We will collect details such as contact name, address, some health information and email address and other listed below. This information is obtained automatically through forms annotated on www.nicole-salmon.com. All other information such as payment details is not currently collected by our company and we are therefore not responsible for the security of such information. Payment information is processed and stored using a third party company. This company can be contacted at www.stripe.com. The personal information you provide will be used to ensure deliveries to you, to provide offers and information on our catalogue to you. The information you provide is only available to Body First Health & Fitness Pty Ltd and will not be shared with any other third parties within Australia or Internationally.

We collect your personal information directly from you unless it is unreasonable or impracticable to do so. When collecting personal information from you, we may collect in ways including:

When you make an enquiry about our services;

Through your access and use of our website, including when you register as a member of our website;

During conversations between you and our representatives;

When you ask to be placed on one of our subscription/ mailing lists; or

When you become a client or customer of ours or otherwise use our products or services.

What personal data we collect and what we do with that data

We will use reasonable endeavours to only collect information directly from you. If you are disclosing details of another person (for example, a minor on whose behalf you are registering), it is your sole responsibility to ensure that that person understands and consents to the collection, use and disclosure of their personal information in the manner set out in this policy.

Personal data means any information relating to you which allows us to identify you, such as your name, phone number, social media name or ‘handle’, postal address, email address, details of products or services you have purchased, payment details and information about your access to our website.

We may collect personal data from you (either directly or indirectly, through our third party partners or providers) in a number of ways.

Specifically, we may collect the following categories of personal data:

Name, home address, e-mail address, telephone number;

Information such as nationality, place and date of birth, and gender;

Medical conditions or requirements, and dietary preferences;

Occupation or profession;

Information you provide about yourself and any preferences in your account;

Information about your purchases of products and services from us or our partners;

Information about your use of our website or app;

Communications with us or directed to us via letters, emails, chat services, calls, and social media; and

Location, including real-time geographic location of your computer or device through GPS, Bluetooth and your IP address, along with crowd-sourced Wi-Fi hotspot and cell-tower locations, but only if you use location-based features and turn on the location services settings on your device or computer.

We may ask to track location-based information from your mobile device while downloading or using our Mobile Apps or Services in order to tailor your experience. If you don't grant permission then we do not collect any location-based data.

Personal details including information about your physical or mental health are considered "sensitive" personal data under applicable data protection laws. We will process any such data only if you have given your explicit consent, or it is necessary (for instance if you request special assistance), or you have deliberately made it public.

User submitted content

The Website may allow you to post and submit content, including photographs and images, height, weight, marital status, age, fitness levels and nutrition details. You do not need to post or submit any content, however, if you do, we collect the information that you submit.

We also collect any other information you provide to us (whether orally, by mail or email or online).

Running Competitions and Promotions

If we collect information from you as part of any competitions or promotions, we use the information that we collect in profiling your fitness, displaying the results of competitions, promoting the service and encouraging other members of the Website.

Testimonials

We publish customer testimonials on our website, in social media profiles, on our YouTube channel and within advertising creative material. These testimonials may contain personally identifiable information. We obtain your written consent at the time the testimonial is recorded. If you want your testimonial removed please contact us at info@nicole-salmon.com

Purchases

When you purchase something from our store, as part of the buying and selling process, we collect the personal information you give us such as your name, address and email address.

When you browse our store, we also automatically receive your computer's internet protocol (IP) address in order to provide us with information that helps us learn about your browser and operating system.

Email marketing (if applicable): With your permission, we may send you emails about our store, new products and other updates.

Your data may be used for the following purposes:

We collect personal information about you so that we can perform our business activities and functions and to provide best possible quality of customer service. We collect, hold, use and disclose your personal information for the following purposes:

To send communications requested by you;

Provide products and services you request: we use the information you give us to perform the services for which you have signed up;

To answer enquiries and provide information or advice about existing and new services;

To provide you with access to protected areas of our website; and

To comply with any Law, rule, regulation, Lawful and binding determination, decision or direction of a regulator, or in co-operation with any governmental authority.

Administrative or legal purposes: we use your data for statistical and marketing analysis, systems testing, customer surveys, maintenance and development, or in order to deal with a dispute or claim. We may perform data profiling based on the data we collect from you for statistical and marketing analysis purposes, with your prior consent, and by making best endeavours to ensure that all data it is based on is accurate. By providing any personal data you explicitly agree that we may use it to perform profiling activities in accordance with this privacy policy;

Credit or other payment card verification/screening; and payment information for accounting, billing and audit purposes and to detect or prevent any fraudulent activities;

Security, health, administrative, crime prevention/detection: we may pass your information to government authorities or enforcement bodies for compliance with legal requirements;

Customer service communications: we use your data to manage our relationship with you as our customer and to improve our services and enhance your experience with us;

Provide tailored services: we use your data to provide information we believe is of interest to you, prior to, during, and after your interactions with us, and to personalise the services we offer to you, such as special offers.

We will only process your personal data where we have a legal basis to do so, which will depend on the reasons for which we have collected and need to use your personal data.

In most cases we will need to process your personal data so that we can enter into our contract and fulfil the provision or delivery of goods or services to you.

We may also process your personal data for one or more of the following:

To comply with a legal obligation;

Where you have consented to our using your personal data (eg. for marketing related uses);

To protect your vital interests or those of another person (eg. in case of a medical emergency);

We may also use the information that we collect from you:

To advertise our services and the Website. However, we will seek your consent before we use your photograph publicly for this purpose;

For our internal administrative, marketing and planning requirements;

To compile and report statistics, with all the relevant personal and/or proprietary information de-identified prior to the completion of such statistics; and

For purposes that are expressly permitted under any agreement with you.

If it is in our legitimate interests to do so (eg. for administrative purposes).

Only children above a certain age (generally 16 years or older, but varying from country to country) can provide their own consent. For children under this age, the knowledge and consent of the parents or legal guardians is required.

How long do we keep your information?

We will not retain your data for longer than is necessary to fulfil the purpose for which it is being processed and we collect it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the purposes for which we process it, and whether we can achieve those purposes through other means.

We also consider the periods for which we might need to retain personal data in order to meet our legal obligations, or to deal with complaints and queries, and to protect our legal rights in the event of a claim being made, as well as potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and the applicable legal requirements.

By Law we have to keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) for five years for Australian tax Law purposes.

In some circumstances you can ask us to delete your data; see your legal rights below for further information.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

When we no longer need your personal data, we will securely delete or destroy it. We will also consider if and how we can minimise over time the personal data that we use, and if we can anonymise your personal data so that it can no longer be associated with you or identify you, in which case we may use that information without further notice to you.

What happens if we can't collect your personal information?

If you do not provide us with the personal information described above, some or all of the following may happen:

We may not be able to provide our products or services to you, either to the same standard or at all;

We may not be able to provide you with information about services that you may want, including information about special promotions; or

We may be unable to tailor the content of our website to your preferences and your experience of our website may not be as enjoyable or useful.

Why we collect your information

We collect, hold and use your personal information for a number of purposes, as outlined below: Providing services to you and operating the Website

In general, we use the information that we collect to:

Assist us in providing goods and services to you;

Contact you or respond to your queries;

Display, update and maintain the content of the Website;

Tailor your experience of the Website and our communications to you; and

Send information about future events, regular email communications or newsletters (both electronic and hardcopy) outlining news, services or events.

Information collected by our website

Tracking of user experience

We may use tracking software to review and improve your experience of our Site. In particular, we may use Facebook, click funnels, Infusionsoft and Google Analytics Advertising products: Remarketing with Google Analytics and Google Analytics Demographics and Interest Reporting. Google Analytics collects data about our Site traffic via Google Advertising cookies and anonymous identifiers. Data collected via these Google products is not linked with any personally identifiable information you submit while on our Site. If you wish to opt out of the Google Analytics data collection, you may do so on Google's Site at <https://tools.google.com/dlpage/gaoptout/>.

As is true of most web sites and mobile applications, we and, in some instances, our third party tracking-utility partners gather certain information automatically and store it in log files. This information includes internet protocol (IP) addresses, browser type, internet service provider (ISP), referring/exit pages, operating system, date/time stamp, and clickstream data.

We use this information, which does not identify individual users, to analyze trends, to administer the Website, to track users' movements around the Website and to gather demographic information about our user base as a whole.

Other technologies such as: cookies, beacons, tags and scripts could be used by "us" and our partners (marketing and development partners), affiliates, or analytics or service providers (online customer support provider, email marketing system). These technologies are used in analysing trends, administering the site, tracking users' movements around the site and to gather demographic information about our user base as a whole. We may receive reports based on the use of these technologies by these companies on an individual as well as aggregated basis.

Cookies

When you access our website, we may send a "cookie" (which is a small summary file containing a unique ID number) to your computer. This enables us to recognise your computer and greet you each time you visit our website without bothering you with a request to register. It also enables us to keep track of services you view so that, if you consent, we can send you news about those services. We also use cookies to measure traffic patterns, to determine which areas of our website have been visited and to measure transaction patterns in the aggregate.

We at times also use cookies for authentication purposes and to tailor the site to user preferences and improve our online services. Users can control the use of cookies at the individual browser level. If you reject cookies, you may still use our site, but your ability to use some features or areas of our site may be limited. If you do not wish to receive cookies, you can set your browser so that your computer does not accept them. We may log IP addresses (that is, the electronic addresses of computers connected to the Internet) to analyse trends, administer the website, track users' movements, and gather broad demographic information.

Third Parties, with whom we partner to provide certain features on our site or to display advertising based upon your Web browsing activity, use LSOs such as HTML5 to collect and store information.

Competitions and promotions

From time to time we may organise and run various competition and promotions for users of the Website. As part of these competitions and promotions, we may ask you to submit other personal information about yourself, such as your height, weight, marital status, age, fitness levels and nutrition details.

You do not have to provide us with your health information, however this means that you may not be eligible to enter some competitions, nor able to receive tailored information specific to your needs.

Advertisements

We partner with a third party ad network to either display advertising on our Website or to manage our advertising on other sites. Our ad network partner may use cookies and Web beacons to collect non-personally identifiable information about your activities on the Website and other websites that you may visit to provide you targeted advertising based upon your interests.

Links

We may at times provide links to websites outside of our website, as well as to third party websites (such as social media sites). These linked sites are not under our control, and we cannot accept responsibility for the conduct of companies linked to our website. Before disclosing your personal information on any other website, we advise you to examine the terms and conditions of using that websites and its privacy policy. Third party websites are responsible for informing you about their own privacy practices.

Social Media Features

The Website includes Social Media Features, such as the Facebook Like button. These features may collect your IP address, which page you are visiting on our Website, and may set a cookie to enable the feature to function properly. Social media features and widgets are either hosted by a third party or hosted directly on our Website. Your interactions with these features are governed by the privacy policy of the company providing them.

Forums

If you participate in a discussion forum, chat room or webinar, you should be aware that the information you provide there will be made broadly available to others, potentially inside or outside Nicole Salmon, who have access to that discussion forum or chat room. Also, please recognise that individual forums and chat rooms may have additional rules and conditions. Each participant's opinion on a forum or chat room is his or her own and should not be considered as reflecting the opinion of Nicole Salmon.

Please be advised that for any forums or Webinars you attend, recordings can be enabled by a meeting or webinar host. By signing up for any of Nicole Salmon's, or any other host authorised by Nicole Salmon's, webinar services or otherwise using them in any way, including without limitation by attending any Nicole Salmon meeting or webinar, you expressly acknowledge that we may make and store Recordings for meetings or webinars, and may make such recordings available to hosts and other Attendees at the direction of Nicole Salmon. If you do not want to be recorded, you can choose to leave the meeting or webinar.

Our Website offers blogs or community forums that may be publicly accessible (or accessible by other users of the Website). You should be aware that any information you provide in these areas may be read, collected, and used by others who access them. To request removal of your personal information from our blog or community forum, contact

us at info@nicole-salmon.com In some cases, we may not be able to remove your personal information, in which case we will let you know if we are unable to do so and why.

Single Sign-On

When we facilitate membership based programs and services you can log in to our site using sign-in services such as Facebook Connect or an Open ID provider. These services will authenticate your identity and provide you the option to share certain personal information with us such as your name and email address to pre-populate our sign up form. Services like Facebook Connect give you the option to post information about your activities on this Web site to your profile page to share with others within your network.

Marketing Material

We may use your personal information to provide you with material, promotions and communications from time to time about services and products available to you from us, or from other service providers in partnership with us, or to invite you to continue to use our services. This information will only come from us.

We may send you direct marketing communications and information about our services that we consider may be of interest to you. These communications may be sent in various forms, including mail, SMS and email, in accordance with applicable marketing Laws, such as the Spam Act 2003 (Cth). If you indicate a preference for a method of communication, we will endeavour to use that method whenever practical to do so. In addition, at any time you may opt-out of receiving marketing communications from us by contacting us at info@nicole-salmon.com or by using opt-out facilities provided in the marketing communications and we will then ensure that your name is removed from our subscription/ mailing list by clicking the 'unsubscribe' link on the relevant promotional materials.

We do not provide your personal information to other organisations for the purposes of direct marketing. We will not on-sell your personal information to other providers without your consent unless sale of business as described in policy.

One on One Sessions

Employees and staff of Body First Health and Fitness Pty Ltd recognize that anything the client shares is regarded as confidential, whether it is business or personal information. We undertake not to, at any time, either directly or indirectly use or disclose any information the client shares with us in a one on one session specifically unless under local authority. One on One and group sessions may also be recorded for legal purposes.

Security and sharing your personal data, and data disclosure

We take reasonable steps to ensure your personal information is protected from misuse and loss and from unauthorised access, modification or disclosure.

We strive to ensure the security, integrity and privacy of personal information that you submit to us through our website. Unfortunately, no data transmission over the Internet can be guaranteed to be totally secure.

As our website is linked to the Internet, and the Internet is inherently insecure, we cannot provide any assurance regarding the security of transmission of information you communicate to us online. We also cannot guarantee that the information you supply will not be intercepted while being transmitted over the Internet. Accordingly, any personal information or other information which you transmit to us online is transmitted at your own risk.

We endeavour to take all reasonable steps to protect the personal information you may transmit to us or from our online products and services. Once we do receive your transmission, we will also make our best efforts to ensure its security on our systems.

In addition, our employees and the contractors who provide services related to our information systems are obliged to respect the confidentiality of any personal information held by us.

We may hold your information in either electronic or hard copy form. Personal information is destroyed or de-identified when no longer needed or when we are no longer required by Law to retain it (whichever is the later).

We may disclose your personal data and information to:

From time to time, we will also disclose your personal information (on a confidential basis) to agents and others that we use in the ordinary operation of our business, as a result your personal data may be shared with other companies within the Body First Health and Fitness Pty Ltd group.

We may also share your personal data with the following third parties for the purpose described in this privacy policy:

Government authorities, law enforcement bodies and regulators for compliance with legal requirements;

Other companies, contractors or agents to provide services to you including delivery, marketing, support ticket providers or marketing platform providers communications, legal services, debt collection, administration services, customer services, information technology providers, credit card or other payment methods to conduct transactions when not using our third party provider stripe; our employees, service providers for the purposes of operating our website or our business, fulfilling requests by you, and to otherwise provide services to you including, without limitation, web hosting providers, IT systems administrators, mailing houses, couriers, payment processors, data entry service providers, electronic network administration, and professional advisors such as accountants, solicitors, billing, shipping, business advisors and consultants; Suppliers and other third parties with whom we have commercial relationships, for business, marketing and promotion, user experience research, surveys, and related purposes; Any other organisation for any authorised purpose with your express consent. We may also disclose aggregated data (in a form that does not identify you individually) to our advisors for the purposes of conducting market and user experience analysis.

We will only disclose your information to the extent required for the limited purpose of the third party providing services contracted to us so that we may service you i.e. stripe for payments etc. We do not personally disclose contact information about you publicly or to other third parties by us unless it is authorised (by your consent as part of our membership groups, on the website, and like platforms) or required by law (or when we believe that disclosure is necessary to protect our rights and/or to comply with a judicial proceeding, court order, or legal process served on us in relation to the Website and related programs and services we offer) or as otherwise outlined in this policy.

We also only disclose this information if the third party has agreed to comply with the standards in our Privacy Policy.

If Body First Health and Fitness Pty Ltd is involved in a merger, acquisition, or sale of all or a portion of its assets, your PII or other information may be part of the transferred assets. If there is a change of control of our business or a sale or transfer of business assets, we reserve the right to transfer to the extent permissible at Law our user databases, together with any personal information and non-personal information contained in those databases. This information may be disclosed to a potential

purchaser. We would seek to only disclose information in good faith and where we have sought to maintain confidentiality.

As stated above, we may display personal information about you (including your health information and your profile photograph) on the Website as part of our membership groups, on the website, and like platforms. This is for the purposes of publicly profiling your fitness, displaying the results of competitions, promoting our services and Website and encouraging other members. If you do not wish this to happen, then you must contact us where directed below.

We will display your user submitted content as part of the Website. The Website may include functionalities that allow you to control whether or not the public or other users of the Website are able to view your user submitted content. We will use reasonable endeavours to implement your selection.

While we store the majority of the personal information that we collect from your in Australia, we may from time to time store some of the information in a computer server located in the United States. We will take such steps as are reasonable in the circumstances to ensure that the overseas recipient does not breach the Australian Privacy Principles.

Credit and debit card companies which facilitate your payments to us, and for anti-fraud screening, which may need information about your method of payment to process payment or ensure the security of your payment transaction. These may include third party payment gateway providers, including at www.stripe.com or www.paypal.com or www.apple.com. Before entering your personal details we suggest that you read and become familiar with the privacy policy for any such third-party provider;

Legal and other professional advisers, law courts and law enforcement bodies in countries in which we operate, in order to enforce our legal rights in relation to our contract with you;

As stated our trusted third party ancillary partners (identified on our website), who many offer products and services on or through our website. If you choose to purchase products or services offered on our websites by third parties, you may be a customer of both Body First Health and Fitness Pty Ltd and these third parties, and we and our partners may collect and share information about you, such as your contact details and your billing information. We are not responsible for third parties' use of your personal data where such use is permitted for their own purposes. You should consult their privacy policies for further information.

Social media: You may be able to access third party social media services through our website or app or before coming to our website or app. When you are registered with your social media account, we will obtain the personal data you choose to share with us through these social media services pursuant to their privacy settings in order to improve and personalize your use of our website or app. We may also use social media plugins on our website or app. As a result your information will be shared with your social media provider and possibly presented on your social media profile to be shared with others in your network. Please refer to the privacy policy of those third-party social media providers to find out more about these practices.

International Data Transfer

Body First Health and Fitness Pty Ltd operates businesses in multiple jurisdictions,

some of which are not located in the European Union or European Economic Area (EEA). While countries outside the EEA do not always have strong data protection laws, we require all services providers to process your information in a secure manner and in accordance with EU and other applicable laws on privacy and data protection.

If we do ask for your personal information for a secondary purpose such as marketing and you are an individual in the European Economic Area (EEA), we will either ask you directly for your express consent, or provide you with an opportunity to say no. If after you opt-in, you change your mind, you may withdraw your consent for us to contact you for the continued collection, use or disclosure of your information, at any time, by contacting us or by using the unsubscribe link within any of our emails. If you are outside of the European Economic Area (EEA), you may withdraw your consent for us to contact you for the continued collection, use or disclosure of your information, at any time, by contacting us or by using the unsubscribe link within any of our emails.

Body First Health & Fitness Pty Ltd has a commitment to your privacy and the protection of your information. If you have received a mailing from us, then your email address is either listed with us as someone who has expressly shared this address for the purpose of receiving information in the future ('opt in'), or you have previously purchased or expressed interest in our products or services.

As stated we endeavor to not share, sell, or rent individual personal information with anyone without your advance permission or unless ordered by a court of law. Information submitted to us is only available to employees and associated third parties for managing this information for purpose of contacting you or sending you information based on your request for information as well as marketing and sales purposes and to contracted service providers for purposes of providing services relating to our communications with you.

Each email sent contains an easy, automated way for you to cease receiving email from us, or to change your details. If you wish to do this, simply follow the instructions at the end of the email.

We may at times use tracking software to monitor customer traffic patterns and site usage to help us develop the design and layout of websites. This software does not necessarily capture any of your data but could be at risk of exposure to third party provider. Your personal information will not be shared, sold, rented or disclosed other than as described in this privacy policy.

How we deal with your Data Protection rights

Protecting and maintaining personal information

We will take all reasonable steps to protect the information we hold about you from unauthorised access, use and disclosure, however we cannot guarantee that our systems and stored data will be completely free from third party interception or are free from corruption.

Certain parts of the Website (such as those parts that require you to provide us with your credit card number) provides the ability for you to transmit information to our Website in an encrypted form by using secure socket layer technology (SSL). However, other parts of the Website are not protected by any form of encryption to protect information you

send from your computer to us over the Internet. Further, no method of transmission over the Internet, or method of electronic storage, is 100% secure. In light of this, as mentioned previous we are currently using third party provider stripe for payments and cannot ensure or warrant, and do not warrant, the security or privacy of your personal information, including payment and account details. You transmit this information at your own risk. If you have any questions regarding security you can contact us at info@nicole-salmon.com

You are solely responsible for maintaining the security of your passwords and/or any account information. We will destroy or de-identify your personal information when it is no longer needed or required to be kept by law or to provide services to you. Please note that, as you may continue to have access to your account after your service subscription expires, we will continue to retain your personal information on the Website so that you may access it. You can manually delete your personal information on the Website by accessing your account. We will also preserve the content of any email or information you submit if we believe we have a legal requirement to do so, or if any form of email abuse is suspected.

If you use our Website to link to another site we encourage you to view their terms and conditions of use, privacy policies and security statements before disclosing any of your personal information on those sites.

If I am based in the EU, what are my legal rights under the GDPR?

If the General Data Protection Regulation applies to you because you are in the European Union, you have rights under data protection Laws in relation to your personal data:

The right to be informed – that's an obligation on us to inform you how we use your personal data;

The right of access – that's a right to make what's known as a 'data subject access request' for copy of the personal data we hold about you;

The right to rectification – that's a right to make us correct personal data about you that may be incomplete or inaccurate;

The right to erasure – that's also known as the 'right to be forgotten' where in certain circumstances you can ask us to delete the personal data we have about you (unless there's an overriding legal reason we need to keep it);

The right to restrict processing – that's a right for you in certain circumstances to ask us to suspend processing personal data;

The right to data portability – that's a right for you to ask us for a copy of your personal data in a common format (for example, a .csv file);

The right to object – that's a right for you to object to us processing your personal data (for example, if you object to us processing your data for direct marketing); and Rights in relation to automated decision making and profiling – that's a right you have for us to be transparent about any profiling we do, or any automated decision making.

These rights are subject to certain rules around when you can exercise them.

If you wish to exercise any of the rights set out above, please contact us at info@nicole-salmon.com.

Your Data Protection Rights

How can you access and correct your personal information?

You may request access to any personal information we hold about you at any time by contacting us (see the details below). You have the right to inspect the information held about you. You always have the right to request Body First Health & Fitness Pty

Ltd to delete or correct the information held about you. If you wish to alter, access or remove or complain about breaches of the APP code (Australian Privacy Principles) please contact us on info@nicole-salmon.com By visiting this website and purchasing products of the The Organised Life Project, Body First Health & Fitness Pty Ltd Trading as Nicole Salmon Conditions, you agree to the above.

It is your responsibility to advise us of any changes to your personal details to ensure we can keep our records accurate and up to date. If you wish to access the information we hold about you, please submit a request to info@nicole-salmon.com or if it's regarding your account - by logging into your account and making the appropriate changes. If you believe that the personal information we hold about you is incorrect, you are entitled to request amendment of such information. If we do not agree that there are grounds for amendment, then we will add a note to the personal information stating that you disagree with it. You may also request that we delete the personal information that we hold about you. Please note that if we delete your contact information, we may not be able to provide you with the subscribed service.

If you request us not to use personal information in a particular manner or at all, we will adopt reasonable measures to observe your request but we may, to the extent permitted by law, still use or disclose your information if you subsequently consent to the disclosure or we believe the use or disclosure is reasonably necessary to assist a law enforcement agency or as otherwise required or authorised by law. If you know the information we hold about you is not accurate or complete, please notify us. We will do our best to respond to requests for access within 30 days.

We will retain your information for as long as your account is active or as needed to provide you services. We will retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

Where we hold information that you are entitled to access, we will try to provide you with suitable means of accessing it (for example, by mailing or emailing it to you). We may charge you a reasonable fee to cover our administrative and other reasonable costs in providing the information to you. We will not charge for simply making the request and will not charge for making any corrections to your personal information but we may charge a reasonable fee if your request for access is clearly completely unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

Under certain circumstances, by law you have the right to:

Request information about whether we hold personal information about you, and, if so, what that information is and why we are holding/using it.

Request access to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.

Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.

Request erasure of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).

Object to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You

also have the right to object where we are processing your personal information for direct marketing purposes.

Object to automated decision-making including profiling, that is not to be subject of any automated decision-making by us using your personal information or profiling of you.

Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.

Request transfer of your personal information in an electronic and structured form to you or to another party (commonly known as a right to “data portability”). This enables you to take your data from us in an electronically useable format and to be able to transfer your data to another party in an electronically useable format.

Withdraw consent. In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes to which you originally agreed, unless we have another proper and legitimate basis for doing so.

There may be instances where we cannot grant you access to the personal information we hold. For example, we may need to refuse access if granting access would interfere with the privacy of others or if it would result in a breach of confidentiality. If that happens, we will give you written reasons for any refusal.

If you believe that personal information we hold about you is incorrect, incomplete or inaccurate, then you may request us to amend it. We will consider if the information requires correction. If we do not agree that there are grounds for correction, then we will add a note to the personal information stating that you disagree with it.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it.

If you want to exercise any of these rights, then please contact us by email at info@nicole-salmon.com

How can you withdraw your consent to this privacy policy?

You may withdraw your consent to this privacy policy at any point. If you wish to withdraw your consent to our collection and retention of your data, please contact our Data Protection Officer at info@nicole-salmon.com and we can arrange for your data to be deleted.

You may choose to restrict the collection or use of your personal information. If you have previously agreed to us using your personal information for direct marketing purposes, you may change your mind at any time by contacting us at the email address listed in this Privacy Policy.

To unsubscribe from our e-mail database, or opt out of any communications, please contact us at the email address listed at the start of the Privacy Policy, with “Unsubscribe” in the subject line of the e-mail.

What is the process for complaining about a breach of privacy?

If you believe that your privacy has been breached, please contact us using the contact information below and provide details of the incident so that we can

investigate it. We will treat your complaint confidentially, investigate your complaint and aim to ensure that we contact you and your complaint is resolved within a reasonable time (and in any event within the time required by the Privacy Act and/or GDPR, if applicable) and outline options regarding how they may be resolved.

Disclosure

We may disclose your personal information if we are required by law to do so or if you violate our Terms of Service.

Changes to Privacy Policy

We may change this privacy policy from time to time to reflect changes to our information practices. However we will notify you of any changes to our privacy policy. Any updated versions of this privacy policy changes will be communicated to you by way of an e-mail or a notice on our website. Most often it will be posted on our website and is effective from the date of posting.

Although we intend to observe this policy at all times, it is not legally binding on us in any way. From time to time we may regard it as necessary or desirable to act outside the policy. We may do so, subject only to any statutory rights you have under the Privacy Act or other applicable legislation. We encourage you to regularly review this statement to inform yourself of any amendments.

Privacy Concerns

If you have any concerns about how we handle your personal information, any questions about this privacy policy, concerns, complaints, or require further information, please contact the Privacy Officer at info@nicole-salmon.com. Also use this contact if you no longer consent to receiving marketing material from us, or to the posting of your personal information on the Website.

This privacy policy was last updated on 22 July 2019.

Contact Us

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