

Privacy Policy

Rainbow Fertility – Subsidiary of CFC Global Pty Ltd (ABN 146 707 708) and its Related Bodies Corporate (CFC / RF).

In this Privacy Policy, the expressions “RF”, “we”, “us” and “our” are a reference to Rainbow Fertility and its Related Bodies Corporate (as defined by s9 of the *Corporations Act 2001* (Cth)).

This Privacy Policy applies to personal information collected by us. We are bound by the *Privacy Act 1988* (Cth), which governs the way private sector organisations collect, use, keep secure and disclose personal information.

If you have any concerns about the manner in which your personal information has been collected, used or disclosed by us, we have put in place an effective mechanism and procedure for you to contact us so that we can attempt to resolve the issue. We can be e-mailed at info@rainbowfertility.com.au or write to us at PO Box 3298, Newmarket, Qld 4051 and our privacy officer will then attempt to resolve the issue.

We recommend that you keep this information for future reference.

1. What is personal information?

The *Privacy Act 1988* (Cth) defines “personal information” to mean information or an opinion, whether true or not, and whether recorded in a material form or not, about an individual whose identity is reasonably identifiable, from the information or opinion.

2. Sensitive Information

2.1 What is Sensitive Information?

- (a) Sensitive information is a subset of personal information. It means information or opinion about an individual’s racial or ethnic origin, political opinions, membership of a political organisation, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, criminal record, health information about an individual, genetic information, biometric information that is to be used for the purpose of automated biometric verification or biometric identification or biometric templates.
- (b) In general, we attempt to limit the collection of sensitive information we may collect from you but given the nature of the fertility and reproductive services that we offer this may not always be possible and it is likely that we will be required to collect sensitive information from you in order for us to carry out the services provided to you. However, we do not collect sensitive information from you without your consent, nor do we collect sensitive information that is not required for the services we offer.
- (c) The type of sensitive information we may collect from you or record about you is dependent on the services provided to you by Rainbow Fertility and will be limited to the purpose(s) for which it is collected. We do not use sensitive information to send you Direct Marketing Communications (as defined in paragraph 8 below) without your express consent.

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New	Approved by CEO	Initials:	
Date Reviewed	Sign:	Date Reviewed	Sign:



2.2 Exempt sensitive information consent

Exempt sensitive personal information may be collected by us, and you consent and agree to the collection of such information. Exempt sensitive personal information is personal information relating to:

- (a) the criminal record of an individual;
- (b) religion or religious beliefs;
- (c) racial or ethnic information of an individual;
- (d) the sexual orientation, practices or history of an individual; and
- (e) the health or medical information of an individual, including but not limited to genetic information regarding an individual,

but only to the extent that where you volunteer such information or if it is necessary for, or incidental to, the purposes of collection set out in Section 3.

3. The kinds of information collected, used and disclosed by Rainbow Fertility

- 3.1 We will only use or disclose your personal information for the primary purposes for which it was collected or as consented by you. At or around the time we collect personal information from you, we will endeavour to provide you with a notice which details how we will use and disclose that specific information. We set out some common collection, use and disclosure instances in the table below.

Purpose	Type of Information	Uses	Disclosures
Sales	<ul style="list-style-type: none"> • Transaction Sales: Such as: <ul style="list-style-type: none"> - Delivery information. - Billing and account details (including bank account details, direct debit, billing address, repayment information and invoice details). - Payment card details. 	<ul style="list-style-type: none"> • Services: the purchase of any goods or services from you or the provision of our services to you including the administration and management of our products and services, including charging, billing, credit card authorisation and verification, credit-worthiness, fraud and collecting debts, which shall include but is not limited to instructing a debt collecting services in the event you have not paid for our services, or as required or authorised by law. 	<p>The types of disclosures we will make of personal information collected for the type of purposes listed include, without limitation, to:</p> <ul style="list-style-type: none"> • Service providers (including IT service providers and consultants) who assist Rainbow Fertility in providing our products and services. • Our contractors and agents or other external companies who assist us in providing our products and services to you, including but not limited to any debt collection services and data storage providers. • As required or authorised by law.
Enquiries	<ul style="list-style-type: none"> • Contact information: Such as your name, address, email address, or phone numbers. • Identifying information: such as your date of birth. • Medical or health information: Information regarding your health (including but not limited to whether you smoke and consume alcohol), medical information or any related sensitive personal information that may be required in order for you to be provided the services we offer, including but not limited to the types of information outlined in 2.2 • Customer Service: Which includes: <ul style="list-style-type: none"> - Information collected in connection by our customer services department, including information you provide via any live chat facilities we offer through our website which are related to the services we provide to you. - Your opinions, statements and endorsements collected personally or via surveys and questionnaires, including but not limited to your views on the products and services offered by 	<p>The types of uses we will make of personal information collected for this type of purpose include:</p> <ul style="list-style-type: none"> • Identity verification: if applicable, the verification of your identity and date of birth. • Services: the provision of our services to you including: <ul style="list-style-type: none"> - The administration and management of our products and services. - To provide customer service functions, including handling customer enquiries and complaints. • Marketing: using your personal information for the purposes set out in “<i>Marketing Services</i>” section below. • General administrative and security use: <ul style="list-style-type: none"> - To protect Rainbow Fertility’s website from security threats, fraud or other criminal activities. - To facilitate the administration and management of a fertility and reproductive 	<ul style="list-style-type: none"> • We may disclose your personal information to the parties listed in the Disclosure column for “<i>Sales</i>”.

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- **Other information:** such as your gender, sexual orientation and relationship status.

clinic, including but not limited to the use of your personal information collected in accordance with paragraph 3.1

- In connection with the improvement of our services (including to contact you about those improvements and asking you to participate in surveys about our products and services) and the maintenance and development of our products and services, business systems and infrastructure.
- To provide customer services to clients and for quality assurance purposes.
- In relation to the sale, and matters in connection with a potential sale, of our business or company to a third party.
- any other matters reasonably necessary to continue to provide our products and services to you.

Providing our medical services to you

- **Contact information:** Such as name, e-mail address, current postal and delivery address (if different to postal address), and phone numbers.
- **Employee record information:** details relating to your employment (if applicable) or your previous employment.
- **Identifying information:** Such as your photo, passport, driver's licence, birth certificate and date of birth.
- **General information:** Such as details regarding your education, interests, personality traits, if you have tattoos, have lived overseas, information regarding the number of children you may have, a description of your physical features (and your parent's and children's physical features, if applicable), whether you may have been adopted, your use of injectable non-prescription drugs and any other information that may be required in order for you to be provided the services we offer
- **Medical or health information:** Information regarding your health (including but not limited to whether you smoke and consume alcohol), medical information or

- **Services:** Only for the provision of our products and services to you.
- **Identity verification:** if applicable, the verification of your identity and date of birth.

We may disclose your personal information to:

- External auditing bodies such as the Reproductive Technologies Accreditation Committee (RTAC), who may undertake a clinical audit of medical records held by RAINBOW FERTILITY in order to improve patient care and safety.
- National bodies such as the Health Insurance Commission (HIC), the National Perinatal Epidemiology and Statistics Unit (NPESU), National Association of Testing Authority (NATA) and the RTAC.
- Medicare (Department of Human Services).
- Health fund providers.
- Related entities and subsidiaries of

any related sensitive personal information that may be required in order for you to be provided the services we offer, including but not limited to the types of information outlined in 2.2.

- **Customer Service:** Which includes your opinions, statements and endorsements collected personally or via surveys and questionnaires, including but not limited to your views on the products and services offered by Rainbow Fertility.

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We may also disclose your personal information to the parties listed in the Disclosure column for “**Sales**”.

Marketing Services

- **Contact information:** Such as your name, email address, current postal and residential addresses and phone numbers.

- **General marketing and consumer analytics:** using your personal information:

- To aggregate with other information (or provide to a third party to aggregate) and to then use it for marketing and consumer analytics.
- To offer you updates on products, events or information that may be of interest to you.
- For Marketing and promotional activities by us and our related bodies (including by direct mail, telemarketing and email), SMS and MMS messages and via social media platforms.
- For the Uses detailed above in “**Enquiries**”.

We may disclose your personal information to:

- Third parties connected with the marketing process who assist us in providing our products and services to you, including but not limited to online survey providers, email and marketing service providers and social media platforms.
- The parties listed in the Disclosure column for “**Sales**”.



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4. Collection and storage of your personal information

- 4.1 We only collect personal information that is necessary for what we do. As much as possible or unless provided otherwise under this Privacy Policy, we will collect your information directly from you. If we collect details about you from someone else, we will, whenever reasonably possible, make you aware that we have done this and why.
- 4.2 When you engage in certain activities, such as entering a promotion, filling out a survey or sending us feedback, we may ask you to provide certain information. It is completely optional for you to engage in these activities.
- 4.3 Depending upon the reason for requiring the information, some of the information we ask you to provide may be identified as mandatory or voluntary. If you do not provide the mandatory data or any other information we require in order for us to provide our services to you, we may be unable to effectively provide our services to you.
- 4.4 In the event we collect personal information from you, or a third party, in circumstances where we have not requested or solicited that information (known as unsolicited information), and it is determined by Rainbow Fertility (in its absolute discretion) that the personal information is not required, we will destroy the information or ensure that the information is de-identified.
- 4.5 Once we collect your information, we will either hold it securely and store it on infrastructure owned or controlled by us or with a third party service provider. We provide some more general information on our security measures in Section 10 (Data security and quality).

5. Using Our Website

- 5.1 If you use our website, we may utilise "cookies" which enable us to monitor traffic patterns and to serve you more efficiently if you revisit a Rainbow Fertility website. In most cases, a cookie does not identify you personally but may identify your internet service provider or computer.
- 5.2 However, in some cases, cookies may collect and store personal information about you. Rainbow Fertility extends the same privacy protection to your personal information, whether gathered via cookies or from other sources, as detailed in this Privacy Policy. You can set your browser to notify you when you receive a cookie and this will provide you with an opportunity to either accept or reject it in each instance. However, if you disable cookies, you may not be able to access certain areas of our web sites or take advantage of the improved web site experience that cookies offer.
- 5.3 We also use permanent cookies to enable basic web traffic analysis using Google Analytics which, for example, shows us which areas of our website are popular against those that are not visited often. This allows us to prioritise our enhancements to our website and increase the productivity of our website. We also use remarketing with Google Adwords and Analytics to display content specific advertisements to visitors that have previously visited our website when those visitors go to other websites that have implemented the Google Display Network.
- 5.4 We undertake the following Google features on our Website: Google Analytics (including features such as Remarketing with Google Analytics, Google Display Network Impression Reporting and Google Analytics Demographics and Interest Reporting), Google Adwords (including features such as remarketing, affinity audiences, custom affinity audiences, in-market audiences, similar audiences and demographic and location targeting), Remarketing with Google Analytics, Google Display Network Impression Reporting, Google Analytics Demographics and Interest Reporting, Integrated services that require Google Analytics to collect data via advertising cookies and anonymous identifiers, and Double Click. These features do not use any sensitive personal information you have provided us, nor do they use any personal information. Google may include in-ads notice labels to disclose interest-based advertising to you. Third-party vendors, including Google, will show Rainbow Fertility ads on websites across the Internet. Rainbow Fertility and third-party vendors, including Google, use first-party cookies (such as the Google Analytics cookie) and third-party cookies (such as the



DoubleClick cookie) together to inform, optimize, and serve ads based on an individual's past visits to the Rainbow Fertility Website.

- 5.5 As a visitor to our Website, you can opt out of Google's use of cookies by visiting Google's Ads Settings <<https://www.google.com/settings/u/0/ads/authenticated?hl=en>> and you can opt out of Google's DoubleClick's use of cookies by visiting the DoubleClick opt-out page <<https://www.google.com/settings/u/0/ads/authenticated?hl=en>>. Alternatively, you can opt out of a third-party vendor's use of cookies by visiting the Network Advertising Initiative opt out page <<http://www.networkadvertising.org/choices/>> and by visiting the Digital Advertising Alliance Consumer Choice opt out page <<http://www.aboutads.info/choices/>>.
- 5.6 We may gather your IP address as part of our business or marketing activities and to assist with any operational difficulties or support issues with our services. This information does not identify you personally.

6. How we may use and disclose your personal information

- 6.1 We will only use or disclose your personal information for the primary purposes for which it was collected or as consented to and/or as provided in our detailed list at Section 3 of some common uses and disclosures we make regarding the personal information we collect.
- 6.2 We may also use or disclose your personal information and in doing so we are not required to seek your additional consent:
- (a) when it is disclosed or used for a purpose related to the primary purposes of collection detailed above and you would reasonably expect your personal information to be used or disclosed for such a purpose;
 - (b) if we reasonably believe that the use or disclosure is necessary to lessen or prevent a serious or imminent threat to an individual's life, health or safety or to lessen or prevent a threat to public health or safety;
 - (c) if we have reason to suspect that unlawful activity has been, or is being, engaged in; or
 - (d) if it is required or authorised by law.
- 6.3 In the event we propose to use or disclose such personal information other than for reasons in 6.1 and 6.2 above or as otherwise outlined in this Privacy Policy, we will first notify you or seek your consent prior to such disclosure or use.
- 6.4 If you have received communications from us and you no longer wish to receive those sorts of communications, you should contact us by e-mail at info@rainbowfertility.com.au or write to us at PO Box 3298, Newmarket, Qld 4051 and we will ensure the relevant communication ceases. Any other use or disclosure we make of your personal information will only be as required by law or as permitted by the *Privacy Act 1988* or by this Privacy Policy or otherwise with your consent.

7. The types of organisations to which we may disclose your personal information

- 7.1 We may disclose your personal information to organisations outside of Rainbow Fertility. Examples of organisations and parties that your personal information may be provided to are outlined in Section 3.
- 7.2 Your personal information is disclosed to these organisations and parties only in relation to the goods or services we provide to you or for a purpose permitted by this Privacy Policy.
- 7.3 You give your express and informed consent and acknowledgement that these organisations and parties may not be aware of the provisions of this Privacy Policy in relation to your personal information.



8. Direct Marketing

- 8.1 You give your express and informed consent to us using your personal and sensitive information set out in:
- (a) the “Enquiries” section of the table at Section 3 of this document above; and
 - (b) the “Marketing Services” section of the table at Section 3 of this document above;

to provide you with information and to tell you about our products, services or events or any other direct marketing activity (including third party products, services, and events) which we consider may be of interest to you, whether by post, email, SMS, messaging applications and telephone (**Direct Marketing Communications**).

- 8.2 Without limitation of clause 8.1, if it is within your reasonable expectations that we send you Direct Marketing Communications given the transaction or communication you have had with us, then we may also use your personal information for the purpose of sending you Direct Marketing Communications which we consider may be of interest to you.
- 8.3 If at any time you do not wish to receive any further Direct Marketing Communications from us, you may ask us not to send you any further information about products and services. You may do this at any time by using the “unsubscribe” facility included in the email or by contacting us at info@rainbowfertility.com.au or write to us at PO Box 3298, Newmarket, Qld 4051.

9. Cross Border Disclosure

- 9.1 Any personal information provided to us may be transferred to and stored at destinations outside of Australia. Those destinations include (but are not limited to) the United States of America, where we may utilise overseas data and website hosting facilities or have entered into contractual arrangements with third party service providers to assist Rainbow Fertility with providing our goods and services to you. Personal information may also be processed by staff or by other third parties operating outside Australia who work for us or for one of our suppliers, agents, partners or related companies.
- 9.2 We will, to the extent operationally and technologically possible, retain effective control over any personal information which is used by any organisation located overseas. Where Rainbow Fertility retains effective control of the personal information, there will not be any cross border disclosure within the meaning of the *Privacy Act 1988*.
- 9.3 By submitting your personal information to Rainbow Fertility, you expressly agree and consent to the disclosure, transfer, storing or processing of your personal information outside of Australia. In providing this consent, you understand and acknowledge that countries outside Australia do not always have the same privacy protection obligations as Australia in relation to personal information.
- 9.4 The *Privacy Act 1988* requires us to take such steps as are reasonable in the circumstances to ensure that any recipients of your personal information outside of Australia do not breach the privacy principles contained within the *Privacy Act 1988*. By providing your consent, under the *Privacy Act 1988*, we are not required to take such steps as may be reasonable in the circumstances. We will also not be accountable nor will you be able to seek redress under the *Privacy Act 1988* if the overseas recipient breaches any provisions of the *Privacy Act 1988*.
- 9.5 If you do not agree to the transfer of your personal information outside Australia, please contact us by email at info@rainbowfertility.com.au or write to us at PO Box 3298, Newmarket, Qld 4051.



10. Data Quality and Security

- 10.1 We have taken steps to help ensure your personal information is safe. You will appreciate, however, that we cannot guarantee the security of all transmissions or personal information, especially where the Internet is involved.
- 10.2 Notwithstanding the above, we will take reasonable steps to:
- (a) make sure that the personal information we collect, use or disclose is accurate, complete and up to date;
 - (b) protect your personal information from misuse, loss, unauthorised access, modification or disclosure both physically and through computer security methods; and
 - (c) destroy or permanently de-identify personal information if it is no longer needed for its purpose of collection.
- 10.3 However, the accuracy of personal information depends largely on the information you provide to us, so we recommend that you:
- (a) let us know if there are any errors in your personal information; and
 - (b) keep us up-to-date with changes to your personal information (such as your name or address).

11. Access to and correction of your personal information

- 11.1 You are entitled to have access to any personal information relating to you which we possess, except in some exceptional circumstances provided by law. You are entitled to edit or delete such information unless we are required by law to retain it or permitted to retain it in accordance with this Privacy Policy. However, we may keep track of past transactions for our accounting and audit requirements. Furthermore, it may be impossible to completely delete your information because some information may remain as backups.
- 11.2 If you would like access, delete, or correct any records of personal information we have about you, you are able to access, update and delete that information (subject to the above) by contacting us at info@rainbowfertility.com.au or write to us at PO Box 3298, Newmarket, Qld 4051. We reserve the right to charge a fee for searching for and providing access to your information.

12. Governing law

This Privacy Policy is governed by the laws in force in Queensland, Australia. You agree to submit to the exclusive jurisdiction of the courts of that jurisdiction.

13. Consent

- 13.1 By using our website, purchasing a product or service or by accepting the terms of one of our terms and conditions which refer to this Privacy Policy, you are agreeing to the terms of this Privacy Policy.
- 13.2 We reserve the right to modify our Privacy Policy as our business needs require. We will notify you of such changes (whether by direct communication or by posting a notice on our website), after which, your continued use of our products, services or website or your continued dealings with us shall be deemed to be your agreement to the modified terms. If you do not agree to our continued use of your personal information due to the changes in our Privacy Policy, please contact us at info@rainbowfertility.com.au or write to us at PO Box 3298, Newmarket, Qld 4051.