



NOODLE BOX PRIVACY POLICY

1. Policy statement

From time to time, Noodle Box may be provided with Personal Information. Noodle Box takes its obligations to protect this information very seriously.

This Privacy Policy describes how Noodle Box deals with information collected through its restaurants (through both loyalty programmes and other offers), and through services available on our Website (www.noodlebox.com.au), Mobile Applications, Face Book page, and other social media, through in-restaurant promotions or via direct contact with Noodle Box. However, there may also be specific and additional privacy and consent provisions that apply in certain circumstances.

Noodle Box is bound by the Privacy Amendment (Enhancing Privacy Protection) Act (2012) (Commonwealth) and the Privacy Act (1988) (Commonwealth).

The Australian Privacy Principles (APP) set out the obligations that businesses must comply with and these are incorporated into this Privacy Policy to ensure compliance with the appropriate legislation.

If you have any questions about our Privacy Policy, have any complaints or questions about privacy, or would like to access your Personal Information, please contact us at:

Noodle Box Pty Ltd
13A/663 Victoria Street
Abbotsford VIC 3067

(03) 8851 4200

www.noodlebox.com.au

marketing@noodlebox.com.au

2. Binding Corporate Rules

In addition to the privacy practices set out in this Privacy Policy, NoQ Pty Ltd ABN 13 146 260 282 (NoQ Pty Ltd), the developer and provider of the Noodle Box Service (the payment gateway service, which includes mobile and online ordering) has established a set of Corporate Rules (also referred to as Binding Corporate Rules). These Corporate Rules are a commitment by NoQ Pty Ltd to protect your Personal Information regardless of where the data resides. Depending upon where you live, the Binding Corporate Rules may provide additional privacy rights through your local privacy regulator or government.

3. Collection of Personal Information

Noodle Box collects several types of information, including "Personal Information".

"Personal Information" is information which identifies you as an individual or which renders you reasonably identifiable. Personal Information that may be collected includes:

- a) Contact information, such as your name, address, date of birth, telephone number, national ID number and email address;
- b) Information regarding your experiences with our services;
- c) The contact details of third parties (which will be collected in accordance with this Privacy Policy);
- d) Financial information, such as the full bank account numbers and/or credit card numbers that you link to your Noodle Box account or give us when you use Noodle Box services.

Noodle Box will only collect necessary information, collect fairly, and do what is reasonable to give people notice about the collection (whether collecting from the person or from someone else).

Personal Information will not be collected by any individual who is known by Noodle Box to be under the age of 18, without the consent of a parent or guardian.

You may remain anonymous, however this may not be possible depending on the circumstances (eg. where a guest is placing an order).

Noodle Box collects Personal Information through the following channels:

- a) Its restaurants (through both loyalty programmes such as Noodle Crew and other offers);
- b) Our Website and Mobile Applications (such as through purchasing a product or making a booking);
- c) Information sent to us by your computer, mobile phone or other access device, which includes data on the pages you access, your computer IP address, device identifiers, the type of operating system you are using, your location, mobile network information, standard web log data and other information. Web log data includes the browser type you're using and traffic to and from our site. When you visit the Noodle Box Website or Mobile Application we also collect information about your transactions and your activities.
- d) Participation in any offers, marketing activities and promotional activities;
- e) Contacting Noodle Box directly via any medium, such as submitting comments, questions or suggestions to our Guest Service Department;
- f) Our Face Book page and other social media. The information we may receive varies by site and is controlled by that site. By associating an account managed by a third party with your Noodle Box account and authorising Noodle Box to have access to this information, you agree that

Noodle Box may collect, store and use this information in accordance with this Privacy Policy; and

- g) In other ways, such as through contact with our Guest Relations department, results from when you respond to a survey and from interactions with other members of the Noodle Box group of companies.

4. How we use Cookies

When you access our Website or use Noodle Box Services, we (including companies we work with) may place small data files on your computer or other device. These data files may be cookies, pixel tags, Flash Cookies or other local storage provided by your browser or associated applications (collectively "Cookies"). We use these technologies to; recognise you as a guest; customise Noodle Box Services, content, and advertising; measure promotional effectiveness; help ensure that your account security is not compromised; mitigate risk and prevent fraud; and to promote trust and safety across our sites and Noodle Box Services.

We use both session and persistent Cookies. Session Cookies expire and no longer have any effect when you log out of your account or close your browser. Persistent Cookies remain on your browser until you erase them or they expire.

We encode our Cookies so that we can interpret the information stored in them. You are free to decline our Cookies if your browser or browser add-on permits, but doing so may interfere with your use of our website and Noodle Box Services. Refer to the help section of your browser, browser extensions, or installed applications for instructions on blocking, deleting, or disabling Cookies.

You may encounter Noodle Box cookies or pixel tags on websites that we do not control. For example, if you view a web page created by a third party or use an application developed by a third party, there may be a cookie or pixel tag placed by the web page or application. Likewise, these third parties may place their own cookies or pixel tags that are not subject to our control and the Noodle Box Privacy Policy does not cover their use.

5. Noodle Box's use of Personal Information

Except as set out in this Privacy Policy, or allowed in accordance with the APPs, Noodle Box will only use Personal Information in ways that:

- a) Are related to the reason it was collected (eg. promotion or competition);
- b) You would reasonably expect to happen (eg. contacting a guest by phone to clarify their order, resolving disputes, collecting fees and troubleshoot problems);
- c) You have consented to;
 - (i) To provide marketing and promotional materials to individuals where you have consented to information being used for direct marketing, or where you have a reasonable expectation that Noodle Box would use the information for marketing;
 - (ii) Contact you at any telephone number, by placing a voice call or through text (SMS) or email messaging as authorised in our Terms and Conditions.

- (iii) In the event you submit a franchise enquiry, for a reasonable period thereafter, in order to notify you of any similar opportunities that may become available; and
- (iv) If there is a reasonable suspicion that an unlawful activity has occurred or to protect the health and safety of any person;

If you do not wish to receive any further communications from us, please let us know by contacting us on the contact details set out in Item 1 (Policy Statement) above.

Sensitive information

Noodle Box will not use sensitive information for direct marketing. Sensitive information will only be collected and used to serve your particular needs.

Direct Marketing

We do not sell or rent your Personal Information to third parties for their marketing purposes without your explicit consent. We may combine your information with information we collect from other companies and use it to improve and personalise Noodle Box Services, content, and advertising. If you do not wish to receive marketing communications from us or participate in our ad-customisation programs, simply indicate your preference on our Mobile Application or Website (where applicable), or by following the directions that may be provided within the communication or advertisement.

We respect your communication preferences. If you no longer wish to receive notifications via our Mobile Application, you can adjust your preferences by visiting the settings page of the device.

We may call or text message (SMS) you at a mobile phone number that you have provided to us.

6. Disclosure of Personal Information

Noodle Box will only disclose Personal Information as set out in this Privacy Policy and in accordance with the APPs, including:

- a) To our advisors;
- b) With your consent;
- c) To other Noodle Box users as set out below;
- d) At your request, for example, to an accountant, lawyer or relative;
- e) As an asset of Noodle Box, in conjunction with the sale to a third party of our company or a portion of our assets. Any Personal Information disclosed will be subject to the protection in the APPs;
- f) To a service provider for the purpose of running specific loyalty offers, competitions and other promotional activities, directly related to Noodle Box;

- g) To any of Noodle Box's related companies, its Franchise Partners, and suppliers;
- h) To satisfy any law, regulation or legal request, to protect the rights or property of Noodle Box.
- i) Service providers under contract who help with our business operations such as fraud prevention, bill and payment collection, marketing, and technology services. Our contracts dictate that these service providers only use your information in connection with the services they perform for us and not for their own benefit. This disclosure includes NoQ Pty Ltd and other Noodle Box businesses which are required to process your order.
- j) Financial institutions that we partner with to jointly create and offer a product. These financial institutions may only use this information to market Noodle Box related products, unless you have given consent for other uses.
- k) Credit bureaus and collection agencies to report account information, as permitted by law.
- l) Banking partners as required by credit card association rules for inclusion on their list of terminated merchants (in the event that you meet their criteria).
- m) Companies that we plan to merge with or be acquired by. (Should such a combination occur, we will require that the new combined entity follow this Privacy Policy with respect to your Personal Information. If your Personal Information could be used contrary to this policy, you will receive prior notice.)

Noodle Box will not sell or rent any of your Personal Information to third parties for their marketing purposes and only shares your Personal Information with third parties as described in this policy.

If you open a Noodle Box account directly on a third party website or via a third party application, any information that you enter on that website or application (and not directly on a Noodle Box website) will be shared with the owner of the third party website or application. These sites are governed by their own privacy policies and you are encouraged to review their privacy policies before providing them with Personal Information. Noodle Box is not responsible for the content or information practices of such third parties.

Disclosure of Personal Information to overseas recipients

In some cases, Noodle Box may disclose Personal Information to overseas recipients, including but not limited to master franchisees and potential master franchisees. Overseas recipients will be obliged to respect confidentiality of any Personal Information held by Noodle Box.

How we share Personal Information with other Noodle Box users

To process your payments, we may share some of your Personal Information with the person or company that you are paying or that is paying you. In addition, this and other information may also be shared with third parties when you use these third parties to access Noodle Box Services. Unless you have agreed to it, these third parties are not allowed to use this information for any purpose other than to enable Noodle Box Services.

If you are buying goods or services and pay through Noodle Box, we may also provide the Franchise Partner with your shipping and billing address to help complete your transaction. The Franchise Partner is not allowed to use this information to market their services to you unless you have agreed to it. If an attempt to pay the Franchise Partner fails, or is later invalidated, we may also provide the Franchise Partner with details of the unsuccessful payment.

We work with third parties, including our Franchise Partners, to enable them to accept payments from you using Noodle Box Services. By agreeing to this Privacy Policy you consent to Noodle Box providing your Personal Information to our designated service providers, including at the time of this policy, NoQ Pty Ltd. You also consent to the use of your Personal Information by these service providers in carrying out the Noodle Box Services and completing your order.

Please note that our service providers and other third parties have their own privacy policies. Noodle Box is not responsible for their actions, including their information protection practices.

7. Security of Personal Information

Noodle Box will endeavour to take all reasonable steps to keep Personal Information safe when it is in use and to dispose of it securely when it is no longer required.

8. Access to Personal Information

Noodle Box will respond to a request for access within a reasonable period of time, and will not charge you for access to your Personal Information.

Access to information will only be denied in accordance with the APPs, such as:

- a) Noodle Box reasonably believes that giving access would pose a serious threat to the life, health or safety of any individual, or to public health or public safety;
- b) Giving access would have an unreasonable impact of the privacy of other individuals;
- c) The request for access is frivolous or vexatious;
- d) The information relates to existing or anticipated legal proceedings between Noodle Box and the individual, and would not be accessible by the process of discovery;
- e) Giving access would reveal the intentions of the entity in relation to negotiations with the individual in such a way as to prejudice those negotiations;
- f) Giving access would be unlawful;
- g) As required by law or a court/tribunal order;
- h) Noodle Box suspects that unlawful activity, or misconduct of a serious nature, is being or may be engaged in, and giving access would be likely to prejudice the taking of appropriate action in relation to the matter;

- i) Giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body; and
- j) Giving access would reveal evaluative information generated within the entity in connection with a commercially sensitive decision making process.

Any inaccurate information will be corrected as soon as possible.

If requested, all reasonable steps to delete Personal Information will be made, except where it is required for legal reasons.

Noodle Box is not responsible for removing Personal Information from the lists of any third party, who had previously been provided with your information in accordance with Noodle Box's Privacy Policy.

How you can access or edit your Personal Information

You can review and edit the Personal Information you have provided on the Website or Mobile Application at any time by logging in to your account and reviewing your account settings and profile. You can also close your account by contacting Noodle Box. If you close your Noodle Box account, we will mark your account in our database as "Closed", but may retain Personal Information from your account to collect any fees owed, resolve disputes, troubleshoot problems, assist with any investigations, prevent fraud, enforce our Terms & Conditions, or take other actions as required or permitted by law.

9. Franchise Partner Privacy Policy

Most Noodle Box restaurants are owned and operated by Franchise Partners. If you are concerned there may have been a breach of this Privacy Policy by a Franchise Partner, please contact the restaurant directly or Noodle Box directly, on the contact details listed in Item 1 above.

Franchise Partners may also have their own privacy policies.

10. Changes to our Privacy Policy

From time to time, Noodle Box will update its Privacy Policy.