

PRIVACY POLICY AND PRIVACY COLLECTION STATEMENT

PRIVACY COLLECTION STATEMENT

TW&CM Pty Ltd ACN 136 833 620 (**we, our, us**) will collect, store, use and disclose your personal information which may include health information (**Information**) because you have either:

- Downloaded, installed and/or used our websites www.terrywhitechemmart.com.au and www.tonyferguson.com, myTWC app or other TerryWhite Chemmart branded health apps (operated by third parties for us) (**Software**) on your computer, mobile or tablet device;
- created a myTWC account, a Tony Ferguson account, or Rewards Plus membership (**Account**);
- purchased products and services from us or our Pharmacies through the Software;
- enabled SMS medication reminders;
- booked a health or clinical service (**CareClinic**) through our booking system;
- participated in our health programs; or
- booked an online telehealth consultation,

each an **Engagement**.

This Privacy Collection Statement applies if you choose to participate in any of the Engagement activities above. Any reference to **you** or **your** is a reference to any person or entity which participates in any Engagement.

We strongly encourage you to read this Privacy Collection Statement before you enter into an Engagement with us including creating your Account and downloading, installing or using our Software, so that you understand and are comfortable with how we handle your personal information.

WHY DO WE COLLECT, STORE AND USE YOUR PERSONAL INFORMATION?

We will endeavour to collect, store, and use the Information from you whenever possible through your Engagement to ensure a customer focused experience for you.

We will be unable to provide you with the full benefit of our Software, Account or other product or service arising from your Engagement if you do not provide us with your Information. For example, if we do not collect, store or use Information we may not be able to:

- ensure that the Software functions properly;
- create or operate your myTWC account, Tony Ferguson account or Rewards Plus membership;
- provide our products or services to you, either in part or at all;
- properly account for your Rewards Plus membership benefits; or
- provide an optimal customer focused experience based on your Engagement activity.

WHAT ARE THE TYPES OF CIRCUMSTANCES WE MAY COLLECT, STORE AND USE YOUR INFORMATION

To ensure a customer focused experience for you, we may also collect Information from our Pharmacies, or other Third Party Platforms such as:

- (a) ePrescribing system and prescription exchanges operated by eRx Script Exchange Pty Ltd, and Medication Knowledge Pty Ltd when fulfilling prescription medicines and repeats with your eScript through our Software;

- (b) our booking systems operated by Healthengine Limited or OEXA Pty Ltd when booking a CareClinic or telehealth consultation;
- (c) online telehealth platform operated by Pack a Pill Pty Ltd trading as Hola Health when you attend a telehealth consultation through our Software. We do not collect details of your medical history, condition or your health record; and
- (d) Facebook, Google and Apple and Microsoft with your consent when you use it to login or create a myTWC account.

We will collect, store and use your Information to provide products and services to you including, where applicable, to organise fulfilment of your online orders (including scripts) by your selected pharmacy, access your eScript details, operate Rewards Plus, send you SMS medication reminders, book a CareClinic, participate in our health programs and market products and services (including through direct marketing by email, SMS or social media) to you based on your Engagement activity.

In many instances the collection of your Information will be required by Australian Laws such as the *National Health Act 1953 (Cth)* and regulations, *National Health (Pharmaceutical Benefits) Regulations 2017 (Cth)*, *Electronic Prescription Information Technology Requirements Instrument 2019 (Cth)*, *Australian Immunisation Register Act 2015 (Cth)* as well as various State based health and poisons legislation and regulations and Dispensing Practice Guidelines published by the Pharmaceutical Society of Australia.

WHO DO WE SHARE YOUR PERSONAL INFORMATION WITH?

In the ordinary course of business, we may disclose Information to third parties such as offshore data centres located in New Zealand and USA, or sub-contractors providing support services to our Software in the Philippines.

If you have an Account with us, we may also collect from, store, and use your Information (including health information) to provide you with the benefits of, and to administer and operate your Account and the Software, including to market and promote products and services of our partners.

You are always in control of direct marketing communications which you receive. You can opt-out of receiving marketing communication at any time. Setting up an Account is voluntary. Please review our Privacy Policy, End User Terms of Use <https://terrywhitechemmart.com.au/legal/terms> and Rewards Plus Terms and Conditions <https://terrywhitechemmart.com.au/legal/rewards-terms-and-conditions> for further information including on direct marketing and opting out.

Our website may also contain links to third parties' websites and contact details. We are not responsible for the privacy practices or content of those websites or any Information provided by you to those third-parties.

HOW CAN YOU FIND OUT MORE INFORMATION?

Please see our Privacy Policy for further information about the circumstances in which we collect, store, use and disclose Information.

Our Privacy Policy will also provide more details about how you can seek to access or correct any personal information, how to complain about a privacy breach and how we will deal with such a complaint. You can contact us:

- by emailing - privacy@twcmhealth.com.au;
- in writing to Privacy Officer, TW&CM Pty Ltd Ground Floor, 50 Park Road, Milton, QLD 4069
- by calling our customer helpdesk on 1800 653 662.

PRIVACY POLICY

1. INTRODUCTION

- 1.1 TW&CM Pty Ltd ACN 136 833 620 (**TWCM, we, us, our**), recognise that your privacy is very important to you and that you have a right to control your personal information. We know that providing personal information is an act of trust and we take that seriously. Unless you give us explicit consent to act otherwise, the following policy will govern how we handle your personal information and safeguard your privacy.
- 1.2 We are committed to responsible privacy practices and to complying with the *Privacy Act 1988 (Cth)* (**Privacy Act**), including the Australian Privacy Principles (**Privacy Principles**) and Notifiable Data Breaches scheme contained in the Privacy Act, and where relevant, applicable state and territory health records legislation.
- 1.3 In addition to this Privacy Policy, we may also have specific and additional privacy provisions that apply to certain activities and promotions. In the event of any inconsistency between the provisions of this Privacy Policy and those other specific and additional provisions, the specific and additional provisions will prevail.
- 1.4 Where applicable, we will handle personal information relying on the related bodies corporate exemption and the employee records exemption in the Privacy Act and any other applicable exemptions in other legislation.
- 1.5 This Privacy Policy sets out our policies on the management of personal information including how we collect personal information, the purposes for which we use this information, and to whom this information is disclosed. We may change our Privacy Policy from time to time at our discretion. At any time, the latest version of our Privacy Policy is available from our website at <https://terrywhitechemmart.com.au/legal/privacy>
- 1.6 All TerryWhite Chemmart Pharmacies (**TWCM Pharmacies**) are independently owned and operated and have their own privacy policies that deal with their collection, use and disclosure of your personal information. In providing products and services to you, we may collect, hold, use and disclose your personal information from and to TWCM Pharmacies as detailed in this Privacy Policy.
- 1.7 This Privacy Policy explains how TWCM Pharmacies collect personal information from you in person when you visit a TWCM Pharmacy, and otherwise when you or a TWCM Pharmacy uses our systems and Software within a store. This Policy also explains the circumstances in which we collect your personal information via TWCM Pharmacies.

2. WHAT IS PERSONAL INFORMATION?

- 2.1 In this Privacy Policy, 'personal information' has the meaning set out in the Privacy Act. Essentially, personal information is information or an opinion about an individual who is reasonably identifiable. Personal information includes your health information.

3. HOW DO WE COLLECT YOUR PERSONAL INFORMATION?

- 3.1 In order to provide products and services to you and to best service your needs, we may collect personal information about you through the following means:
 - (a) **Software:** through our websites www.terrywhitechemmart.com.au and www.tonyferguson.com, through the TerryWhite Chemmart myTWC app or other TerryWhite Chemmart branded health apps (operated by third parties for us) on your computer, mobile or tablet device (**Software**).

Your personal information including health information will be collected by us through the Software when, for example, you:

 - (i) register for and use an account, including a 'myTWC' account, a Tony Ferguson account or 'Rewards Plus membership (**Account**);
 - (ii) when you place an order for pharmacy products and services, including fulfilling prescription medicines and repeats with your scripts or eScripts;
 - (iii) enable SMS medication reminders;
 - (iv) participate in our health programs;

- (v) use our booking systems to book a CareClinic service; or
- (vi) attend an online telehealth consult.
- (b) **TerryWhite Chemmart Pharmacies:** through a TWCM Pharmacy, including when you visit a TWCM Pharmacy in person and when you purchase products and services from a TWCM Pharmacy, including when you are fulfilling prescriptions, medicines and repeats with your scripts or eScripts, enrolling in medication reminders, registering for an Account, or requesting a paperless receipt. We also collect your personal information through a TWCM Pharmacy where you, or a TWCM Pharmacy, uses and inputs your personal information into our Software either in person, over the phone or online;
- (c) **Third Party Platforms:** through platforms such as:
 - (i) ePrescribing system and prescription exchanges operated by eRx Script Exchange Pty Ltd, and Medication Knowledge Pty Ltd when fulfilling prescription medicines and repeats with your eScript through our website;
 - (ii) our booking systems operated by Healthengine Limited or OEXA Pty Ltd when booking a CareClinic or telehealth consultation;
 - (iii) online telehealth platform operated by Pack a Pill Pty Ltd trading as Hola Health when you attend a telehealth consultation through our Software. We do not collect details of your medical history, condition or your health record.
 - (iv) Facebook, Google and Apple and Microsoft with your consent when you use it to login or create an Account.
- (d) **Rewards Plus:** through our Rewards Plus program (**Rewards Plus**) when you become a member and when you make purchases from participating TWCM Pharmacies;
- (e) in the course of conducting customer satisfaction and market research surveys;
- (f) from our partners and service providers that we may use to provide, administer and operate our Software; and
- (g) from our related companies.

3.2 Personal information which we may collect and hold include:

- (a) your contact details such as your name, date of birth, address including email address, and phone number (including mobile and landline phone numbers);
- (b) in respect of our online booking system, we may collect your Medicare number to facilitate the provision of products and services by TWCM Pharmacies to you;
- (c) your identity information, such as your Medicare number, NDSS registration number, or DVA number, and a photograph of yourself holding your Medicare, NDSS or DVA card and photo identification (where requested) and any other personal information on your Medicare, NDSS or DVA card, to provide the functionality of the Software to you including to provide your medication and receipt from transactions;
- (d) other health information including details of all products and services purchased by you, details of medicines and prescription medicines, your eScript from the ePrescribing system (where applicable), your dispensing history, and health services accessed or subscribed for, to provide the features and functionality of the Software to you;
- (e) your transactional and payment information (excluding your credit card number) if ordering and paying for products and services using the Software; and
- (f) information about your browser, your location, the country you are visiting from, your IP address, which pages you visit and what links you click on when you use our Software.

4. FOR WHAT PURPOSE DO WE COLLECT, USE AND DISCLOSE YOUR PERSONAL INFORMATION

- 4.1 The purposes for which we collect, use and disclose your personal information will depend on the circumstances in which we collect it and what you intend to do using the Software. Whenever practical, we endeavour to inform you why we are collecting your personal information, how we intend to use that information and to whom we intend to disclose it at the time we collect your personal information.

4.2 We collect and use personal information about you for the following purposes:

- (a) to verify your identity;
- (b) to provide you with the features and functionality of the Software, including the ability to purchase and have delivered to you, pharmacy products and services including fulfilling prescription medicines and repeats with your scripts and eScripts, medication reminders, access to health programs and other products and services that may be appropriate or suitable for you and to provide you with an integrated view of your dispensing history;
- (c) to assist and enable TWCM Pharmacies or other health professionals to provide you with certain pharmacy products and services (e.g. fulfilling prescription medicines and repeats with your scripts and eScripts, issue receipts, medication reminders, and access to health programs and other products and services that may be appropriate or suitable for you);
- (d) to provide a more personalised experience from the Software and to improve our products and services and keep you up to date on such improvements;
- (e) to administer and operate Rewards Plus;
- (f) to market or promote products and services to you based on your profile or activity;
- (g) to market or promote product and services of certain third-party partners through our Rewards Plus program and Software.
- (h) to administer and manage services, including verification, reporting, charging, billing and collecting fees;
- (i) to analyse customer demographics, health, prescriptions, medicine adherence, and purchasing trends so that we can tailor our products and services to you, suppliers and third-party partners;
- (j) to improve the quality of our Software, social media presence, or Rewards Plus;
- (k) to respond to you if you have requested information (including via our Software or via an email or other correspondence you send to us) and to address any issues or complaints that you have regarding our products and services;
- (l) to obtain your feedback (directly or through our service providers), to find out your level of satisfaction with our products and services and for other market research activities; and
- (m) to contact you regarding any of the above, including via electronic messaging such as SMS, email, and social media, by mail, by phone, by fax or in any other lawful manner.

4.3 We may disclose your personal information to third parties in connection with the purposes described above. This may include sharing your personal information with:

- (a) our systems, applications (including our mobile intermediary for the purposes of enabling you to manage your active script list through our Software) and our related companies;
- (b) TWCM Pharmacies and other healthcare professionals or their organisations (such as your pharmacist, doctor, or hospital), in connection with providing health-related products and services to you (including through our Software), to confirm your identity, or as otherwise required or authorised by law;
- (c) specific Third Parties detailed below, to administer and operate our Software or Rewards Plus;
- (d) our partners or customers (eg a health insurer, your employer or a health services booking agent) that is paying for or providing you a voucher to access our CareClinics. The personal information disclosed may include your name, date of birth, and booking details for the purposes of verification, reporting, payment and invoicing.
- (e) other partners that may facilitate the registering of customer to an Account or our Software. We may provide to these partners your personal information (excluding your purchases or health information) for reporting and reconciliation purposes; and
- (f) other service providers that may provide products and services to us including our delivery partners including couriers and mailing house, suppliers, marketing agencies, data analysis specialists, data processing organisations, billing and debt recovery providers, website and data hosting providers, Rewards Plus administrators and other IT suppliers.

- 4.4 We may collect from, disclose to, and utilise the services of TWCM Pharmacies, Intellipharm Pty Ltd, eRx Script Exchange Pty Ltd, Medication Knowledge Pty Ltd, Healthengine Limited, OEXA Pty Ltd, Pack a Pill Pty Ltd trading as Hola Health, BigCommerce Pty Ltd, Web Active Corporation Pty Ltd, Braze Inc, Segment.io Inc, Microsoft Azure and MedAdvisor International Pty Ltd (**Third Parties**) to do any of the following in relation to sensitive information collected from the administration and operation of our Software and Rewards Plus:
- (a) To facilitate the provision of pharmacy products and services to you, including but not limited to fulfilling prescription medicines and repeats with your scripts and eScripts, medication reminders, access to health programs, processing payments for your orders, and to provide you with the functionality of our Software, our booking system when booking a CareClinic or telehealth consultation, and Rewards Plus;
 - (b) collect, store and provide to us or TWCM Pharmacies, your personal information including health information;
 - (c) analyse customer demographics, health, prescription, adherence, and purchasing trends; and
 - (d) provide targeted marketing of products and services based on your profile or activity.
- 4.5 The information collected and stored by our Third Parties may be disclosed back to us and to TWCM Pharmacies that you obtain products and services from.
- 4.6 We will take reasonable steps to ensure that TWCM Pharmacies, Third Parties, our partners, and other service providers only use your personal information as reasonably required for the purpose we disclosed it to them and in a manner consistent with the Privacy Act and Privacy Principles and where commercially practical include suitable privacy and confidentiality clauses in our agreement with them.
- 4.7 If you post information to public parts of our websites, you acknowledge that such information (including your personal information) may be available to be viewed by the public. You should use discretion in deciding what information you upload to such sites.

5. WHAT HAPPENS IF YOU DON'T PROVIDE PERSONAL INFORMATION?

- 5.1 If you do not provide us with certain information about yourself, we may be unable to provide a product or service or the Software to you. Please let us know if you have any concerns about providing personal information so that we can explain why we are collecting it and tell you about our privacy policy and information management practices.

6. DIRECT MARKETING AND OPT-OUT

- 6.1 We will also use your personal information (including health information) to identify products and services that may be of interest to you based on your profile, account activity, purchases and transactions. If you have an Account, we may use your personal information to tailor our communication with you via electronic messaging such as SMS, email and social media, by mail, by phone, by fax or in any other lawful manner to market and promote:
- (a) products or services which may be of interest to you (including products or services of our partners); and
 - (b) the Rewards Plus program, including special offers and promotions from both us and our partners.
- 6.2 If you do not want us to collect or use your personal information for these purposes (i.e. you do not want your purchases to be linked to your Rewards Plus membership account), you can always:
- (a) **at a TWCM Pharmacy:** not use your TWCM membership card or provide your Rewards Plus membership information when making purchases; and
 - (b) **Software:** checkout as a guest.
- 6.3 You are always in control of the direct marketing communications which you receive. Having an Account is voluntary and you can opt-out of receiving direct marketing at any time after to set up your Account.
- 6.4 You can opt-out of receiving future advertising or promotional materials by clicking the “unsubscribe” link provided on all our promotional and direct marketing emails and SMS, or otherwise following the relevant opt-out instructions detailed in our communications. You can also contact us in writing to let

us know of your direct marketing preferences or if you would like to stop receiving any direct marketing communications from us (see section 14 of this Privacy Policy).

7. IMPORTANT NOTICE REGARDING OPTING OUT

- 7.1 If you opt out from receiving any or all direct marketing communications, we will still communicate with you if required by law, or in relation to the products and services we provide you. For example, you will continue to receive delivery information, SMS medication reminders, or confirmation of a CareClinic booking, invoices in relation to your transactions and any other common or necessary administrative communications sent by TWCM in relation to your Engagement.

8. DISCLOSURE OF INFORMATION OUTSIDE THE STATE/TERRITORY OF COLLECTION

- 8.1 Some of the third parties to whom we disclose personal information may be located outside the state or territory in which the information was collected or outside Australia. The state/territories and countries in which such third parties are located will depend on the circumstances. For example, we may disclose personal information to our related companies overseas and to our overseas service providers.
- 8.2 In the ordinary course of business, we may disclose personal information to third parties such as offshore data centres located in New Zealand and USA, or sub-contractors providing support services to our Software in the Philippines.
- 8.3 Except in some cases where we may rely on an exception under the Privacy Act or other law, we will take reasonable steps to ensure that such overseas recipients do not breach the Privacy Principles in relation to such information.

9. HOW DO WE PROTECT PERSONAL INFORMATION?

- 9.1 TWCM will take reasonable steps to keep any personal information we hold about you secure. Please notify us immediately if you become aware of any breach of security.
- 9.2 Our Software is a secure and controlled environment whilst you are logged into your account. This includes the use of SSL/https 128-bit encryption whenever sensitive information is transferred across the internet. It also includes minimum requirements for password strength.
- 9.3 Our website may also contain links to third party websites and provide third party contact details. We do not have control over and are not responsible for the privacy practices of third parties. We are also not responsible for the content of those websites or any Information provided by you to third-parties.

10. ACCURACY OF THE PERSONAL INFORMATION WE HOLD

- 10.1 We try to maintain your personal information as accurately as reasonably possible. We rely on the accuracy of personal information as provided to us both directly (from you) and indirectly.
- 10.2 You can amend the personal information you have provided through:
- (a) **Software:** either directly on our website or by contacting the Helpdesk on 1800 653 662 or via www.terrywhitechemmart.com.au/contactus;
 - (b) **Rewards Plus:** by contacting the Helpdesk on 1800 653 662 or loyalty@twcmhealth.com; and
 - (c) **Health App:** by emailing privacy@medadvisor.com.au.
- 10.3 You may also contact us:
- (a) if the personal information we hold about you is incorrect;
 - (b) to notify us of a change in your personal information; or
 - (c) to request that we delete or de-identify your personal information.
- Our contact details are set out in section 14 of this Privacy Policy.

11. LINKS, COOKIES AND USE OF TWCM WEBSITES AND APPLICATIONS

- 11.1 When you visit our website without an account, we may record anonymous information which tells us about visitors to our website but not the identity of those visitors. For example, we may collect

information about the date, time and duration of those visits and which pages of our website are being commonly accessed.

- 11.2 Our websites may contain links to other sites. This Privacy Policy applies to our websites and not any linked sites which are not operated or controlled by us. We encourage you to read the privacy policy of each website that collects your personal information.
- 11.3 We use 'cookies' and similar technology on our websites and in other technology applications. The use of such technologies is an industry standard and helps us monitor the effectiveness of our advertising and how visitors use our websites/applications. We use such technologies to generate statistics, measure your activity, improve the usefulness of our websites/applications and to enhance the 'customer' experience.
- 11.4 If you prefer not to receive cookies you can adjust your Internet browser to refuse cookies or to warn you when cookies are being used. However, our websites may not function properly or optimally if cookies have been turned off.
- 11.5 When you visit our website, or other digital presences, we may track anonymous information which tells us about your online behaviour, but not your identity.

12. HOW CAN YOU ACCESS AND CORRECT PERSONAL INFORMATION WE HOLD ABOUT YOU?

- 12.1 You may seek access to personal information which we hold about you by contacting us as described in section 14 of this Privacy Policy. We will provide access to that information in accordance with the Privacy Act and health records legislation, subject to certain exemptions which may apply. We may require that the person requesting access provide suitable identification and where permitted by law we may charge an administration fee for granting access to your personal information.
- 12.2 If you become aware that any personal information we hold about you is incorrect or if you wish to update your information, please follow the process in section 10 or contact us (see section 14 of this Privacy Policy).

13. QUERIES, COMMENTS AND COMPLAINTS ABOUT OUR HANDLING OF PERSONAL INFORMATION

- 13.1 If you have any questions, comments or complaints about our collection, use or disclosure of personal information, or if you believe that we have not complied with this Privacy Policy, the Privacy Act or applicable health records legislation, please contact us (see section 14 of this Privacy Policy).
- 13.2 When contacting us please provide as much detail as possible in relation to your question, comment or complaint.
- 13.3 TWCM will take any privacy complaint seriously and any complaint will be assessed by an appropriate person with the aim of resolving any issue in a timely and efficient manner. We request that you cooperate with us during this process and provide us with any relevant information that we may need.
- 13.4 If you are not satisfied with the outcome of our assessment of your complaint, you may wish to contact the Office of the Australian Information Commissioner (click [here](#) for information) or other relevant regulators.

14. HOW CAN YOU CONTACT US?

- 14.1 Please address all privacy complaints and requests to update or access information to:

*Attention: Privacy Officer TW&CM Pty Ltd
Ground Floor, 50 Park Road,
Milton, QLD 4069*

Or

privacy@twcmhealth.com.au

- 14.2 Any requests to access, update or correct your personal information should be made in writing.