

## **STUDIOCANAL AUSTRALIA & NEW ZEALAND – PRIVACY POLICY**

This Privacy Policy was last updated on **3<sup>rd</sup> February 2021**.

This is the Privacy Policy of Studiocanal Pty Limited ABN 64 096 774 015 and Studiocanal (NZ) Limited (Company Number: 1187431) (“Studiocanal”, “we”, “us” and when relating to us, “our”).

Studiocanal is engaged in the licensing and distribution of feature films and television series to theatrical and non-theatrical exhibitors, subscription and free-to-air television broadcasters, Video on Demand streaming services and home entertainment providers as well as the development and production of feature films and television series.

During the course of these activities, Studiocanal from time to time gathers information from parties with whom we deal for a variety of reasons including, in particular, to enable us to carry out business activities and improve and promote the products and services we provide.

Studiocanal is committed to protecting the privacy of our contacts, customers, suppliers and employees (“you” and when relating to you, “your”) and complying with the Australian Privacy Principles set out in the *Privacy Act 1988* (Cth) and the New Zealand Privacy Principles set out in the *Privacy Act 2020* (NZ) (“the **Principles**”) and (“the **Privacy Acts**”) as applicable.

In this policy we describe how we collect, use and disclose Personal Information from and about you.

### **1. The kinds of Personal Information we collect**

#### **1.1 The kinds of Personal Information that we collect include:**

- (a) contact details such as name, role or position, age, gender, address, email address, mobile number, landline number and fax number;
- (b) information relating to your financial position, business activities, buying habits, opinions, product preferences relevant to Studiocanal’s products, services and business activities;
- (c) information about your commercial interests and requirements, products you may wish to purchase or services for which you may wish to engage Studiocanal;
- (d) information regarding our communications with you and your attendance at conferences or promotional events held by us;
- (e) if you are an employee or prospective employee, information about your qualifications, skills and work experience, as well as performance reviews, career objectives and development plans;
- (f) if you are a supplier or prospective supplier, information about your business skills, services, products and prices.

Studiocanal regards all such information that is collected and identifiable as “Personal Information” within the context of this Privacy Policy.

## **2. How we collect Personal Information**

2.1 In the course of conducting our range of business activities, we collect Personal Information by various means including when:

- (a) you contact us with a question or inquiry by telephone or email;
- (b) you complete an application form (e.g. a creditor/supplier/maintenance form for theatrical exhibition or for a competition or promotion or other marketing activity);
- (c) you enter into a commercial transaction with us and provide us with banking or credit card details;
- (d) you provide information to us at a seminar, event or networking function where we are hosting, presenting or in attendance;
- (e) you, our exhibitors, licensees or partners provide information to us relating to the products or services we are providing;
- (f) we collect information from third parties;
- (g) you visit our website.

2.2 Where practicable we collect Personal Information about you directly from you. However, we may have collected information about you from a third party such as an exhibitor, a third party information provider, a licensee, a marketing or competition partner or a person responding to our questions or inquiries.

2.3 Where practical, customers, suppliers and other parties may deal with Studiocal on an anonymous basis. However, if you do not provide us with accurate Personal Information we may not be able to achieve the purpose for which the information has been sought.

## **3. The purposes for which we collect, hold, use and disclose Personal Information**

3.1 Studiocal may collect, hold and use Personal Information for the purposes identified at the time of collection, which may include:

- (a) to provide and administer Studiocal's products and services, such as verifying your identity; contacting you about orders and bookings; processing payments; training staff; testing its systems; and engaging with Studiocal's suppliers;
- (b) to disseminate Studiocal's communications by itself or with the assistance of third party services providers;
- (c) for customer support, including resolving and providing assistance for orders or tickets or to respond to other enquiries or requests;
- (d) to engage in marketing activities for Studiocal's products and services, or products and services of third parties, and to conduct market and other research and analysis to improve Studiocal's products, services and marketing activities;
- (e) as part of a competition or promotion for our products or services that we, our licensees or marketing or distribution partners are undertaking;
- (f) informing you about special offers or promotions that are relevant to your relationship with us, or that you have opted in to receive;
- (g) billing you (unless you pay by another agreed method) and collecting any debt owed to us by you;

- (h) general administrative and business purposes;
- (i) to provide services in the course of investigating a complaint or a security incident;
- (j) for the purposes of a confidential alternative dispute resolution process;
- (k) monitoring the safety and security of our staff and our sites, and completing incident investigations;
- (l) to maintain records and comply with Australian or New Zealand law;
- (m) to manage employment applications, create and populate a human resources database, and to facilitate employee performance reviews, management, career development in connection with the Studiocanal Group of Companies; or
- (n) for any other purpose that is advised to you.

3.2 We may disclose your personal information, and you consent to us disclosing your personal information, to third parties engaged by us to perform functions or provide products and services on our behalf, such as processing credit card information, mail-outs, debt collection, marketing (including competitions and promotions), research and advertising or where compelled or required to do so by law or order of a court or tribunal of relevant jurisdiction.

3.3 Where Studiocanal collects personal information about you in order to conduct a marketing promotion or competition, your entry into that promotion or competition as a participant is conditional on providing this information. If the information requested is not provided, you may not participate in that promotion or competition.

3.4 Wherever practical, Studiocanal will obtain your express consent to the collection of Personal Information, including collection of Personal Information from third parties. In some circumstances, Studiocanal will interpret your actions as indicating your consent to the collection of Personal Information. This may occur where you have provided Personal Information for a particular purpose and that purpose cannot be achieved without Studiocanal making use of that Personal Information.

3.5 In the event of a merger, acquisition or sale of the whole or part of the business of Studiocanal, we reserve the right to transfer your information as part of such transaction.

#### **4. The parties to whom your Personal Information is disclosed**

4.1 In general, only officers, employees or contractors of Studiocanal may have access to Personal Information. However, subject to our confidentiality obligations, we may share some relevant Personal Information with service partners, companies (including Studiocanal's related bodies corporate) or individuals other than officers, employees or contractors of Studiocanal where we believe that access is necessary to achieve the purpose for which the Information was collected. To the extent that these service partners, companies or individuals are located in Australia and/or New Zealand and Studiocanal gives them access to a Personal Information, they are subject to the Privacy Acts and the Principles which prevent the Personal Information being used for any other purposes. We also will disclose your information if required by law to do so or in circumstances permitted by the Privacy Acts – for example, where we have reasonable grounds to suspect that unlawful activity, or misconduct of a serious nature, that relates to our functions or activities has been or may be engaged in, in response to a subpoena, discovery request or a court order.

## **5. Disclosure of information outside the jurisdiction of collection**

- 5.1 Studiocal may disclose Personal Information to third parties outside Australia and New Zealand. Some of the third parties described above including our service providers and related bodies corporate may be in the United States of America, France, Germany and the United Kingdom. Studiocal will only do so in compliance with the Privacy Acts and the Principles and will take reasonable steps to ensure these third parties handle the Personal Information in accordance with the Privacy Acts and the Principles. Studiocal will take reasonable steps to protect Personal Information regardless to which country it is transferred. In addition, where we distribute third party products, those third parties may disclose your information to overseas recipients or entities. By providing your Personal Information to us you consent to this transfer. If you do not wish for your data to be transferred overseas then you should not provide us with your Personal Information. The collection and use of your information by these third parties may also be subject to separate privacy and security policies - you should refer to such policies for further information on how these third parties handle your information.

## **6. Opting out of marketing communications**

- 6.1 Personal Information collected for direct marketing purposes will only be collected, used or disclosed with your consent as provided for in this Privacy Policy. In circumstances where Studiocal cannot practically obtain your consent, then Studiocal may still engage in direct marketing to you, but will:
- (a) include an 'unsubscribe' facility so that you can unsubscribe from the mailing list at any time; and
  - (b) clearly and accurately identify the sender of the message; and
  - (c) include information about how you can contact Studiocal if you wish to be removed from any mailing list or to contact Studiocal's Privacy Officer.

## **7. Storage and Security**

- 7.1 Personal information may be stored in hard copy, electronic files or both. Hard copy Personal Information is wherever practical, kept under locked security. Personal information stored electronically is wherever practical, password protected. Studiocal uses third party information system providers who may store or have access to Personal Information. Where possible and practical, Studiocal will endeavour to comply with recognised Australian, New Zealand and/or international standards relating to information security. Studiocal deletes and de-identifies Personal Information when the information is no longer needed by Studiocal.
- 7.2 Except to the extent liability cannot be excluded due to the operation of statute, we exclude all liability (including in negligence) for the consequences of any unauthorised access, disclosure of, misuse of or loss or corruption of your Personal Information. Nothing in this Privacy Policy restricts, excludes or modifies or purports to restrict, exclude or modify any statutory rights under any applicable law. Please notify us immediately if you become aware of any breach of security.

## **8. Cookies**

8.1 Studiocanal may collect Personal Information about you when you use or access our website(s), through the use of 'cookies'. A cookie is a small file that stores information on your computer, mobile phone or other device. They enable the entity that put the cookie on your device to recognise you across different websites, services, devices and/or browsing sessions. You have the ability to accept or decline cookies and can choose to disable cookies through your internet browser. If you choose to decline cookies, some areas of Studiocanal's or other websites may not function properly. Studiocanal may use cookies to compile statistics that allow us to understand how a website is used and to facilitate your visit to a website (including remembering your preferences). We will handle any Personal Information collected by cookies in the same way that we handle all other Personal Information as described in this Policy.

## **9. Access to/correction of/updating Personal Information**

9.1 You can contact us to access, review, correct, update, suppress or otherwise limit our use of your Personal Information. Unless we are subject to confidentiality obligations or some other restriction on giving access to the information and we are permitted to refuse you access under the Privacy Act, we will endeavour to make your information available to you within 30 days. Examples of circumstances where we may refuse to give you access to your Personal Information include where:

- (a) giving access would be unlawful;
- (b) we reasonably believe that giving you access would pose a serious threat to the life, health or safety of any individual or to public health or public safety;
- (c) giving access would have an unreasonable impact on the privacy of others;
- (d) the information could reveal the intentions of a party in negotiations;
- (e) giving access could prejudice the taking of appropriate action in relation to unlawful activity;
- (f) giving access could reveal evaluative information in a commercially sensitive decision-making process.

9.2 If you request to correct your Personal Information, we will correct, or, if we consider more appropriate, note your request for amendment of the information on your record.

9.3 We will not charge you to make a request to access your record but we may charge you to actually provide access depending on the costs associated with obtaining and providing the material.

9.4 These actions can usually be taken by contacting a customer relations representative using the contact information on the "Contact Us" section below.

## **10 Contractors**

10.1 Studiocanal may from time to time employ subcontractors to provide services to it. In these situations, Personal Information may be collected about those subcontractors. This Privacy Policy applies equally to those subcontractors.

## **11. Notification of Changes**

- 11.1 We may from time to time (without notice to you) make changes to this Policy that are necessary for our business requirements or to comply with the law. You can obtain a current copy of this Policy through our website at [www.studiocanal.com.au](http://www.studiocanal.com.au) or [www.studiocanal.co.nz](http://www.studiocanal.co.nz) or by contacting our Privacy Officer directly (see contact details at clause 12).

## **12. Complaints / Contact us**

- 12.1 If you have any concerns or complaints about the manner in which your Personal Information has been collected or handled by Studiocanal, please contact the Privacy Officer. Your concern or complaint will be directed to the appropriate complaint manager who will consider and endeavour to respond to your complaint within 30 days.

It is our intention to use our best endeavours to resolve any complaint to your satisfaction. However, if you are unhappy with our response:

- In Australia you may contact the Office of the Australian Information Commissioner who may investigate your complaint further. Further information about the application of the Australian Privacy Act can be found at [www.oaic.gov.au](http://www.oaic.gov.au).
- In New Zealand you may contact the New Zealand Privacy Commissioner who may investigate your complaint further. Further information about the application of the New Zealand Privacy Act can be found at [www.privacy.org.nz](http://www.privacy.org.nz).

- 12.2 If you have questions about our Policy or privacy practices, wish to provide feedback about this Policy or would like to access or correct your personal information held by AstraZeneca, please contact our Privacy Officer at:

Studiocanal Pty Limited  
Level 2, 47-49 Murray Street, Pyrmont NSW 2009  
GPO Box 5315, Sydney NSW 2001  
Ph: +61 2 9003 3980  
Email: [privacyanz@studiocanal.com](mailto:privacyanz@studiocanal.com)

Attention: Privacy Officer