

The PumpHouse Theatre

PRIVACY POLICY



1. Your Privacy

- 1.1. The PumpHouse is committed to protecting the privacy and security of your Personal Information.
- 1.2. This Privacy Policy describes how we collect, hold, use and disclose the Personal Information you provide to us and how we comply with the Privacy Act 2020.
- 1.3. When you use, visit or participate in our Website, Social Media Platforms, or purchase Goods or Services from us (including where you purchase tickets from us, hire our facilities, become a "Friend of The PumpHouse" or sign up for our marketing materials), you agree that you have read, understood and accept this Privacy Policy.
- 1.4. We may amend, update, change or replace this Privacy Policy at any time by publishing the changes on our Website. By continuing to use, visit or participate in our Website or Social Media Platforms, or by purchasing Goods or Services from us, or continuing your membership as a Friend of The PumpHouse, you agree to be bound by any updated or amended terms.
- 1.5. We recommend you review this Privacy Policy each time you visit our Website or before you provide your Personal Information to us.

2. Interpretation

- 2.1. In this Privacy Policy, unless the context requires otherwise:

Act means the Privacy Act 2020;

Goods and Services means any goods or services provided by us to you (whether paid or unpaid) including but not limited to the purchase of tickets to one of our live performances through us (or a third-party vendor), when you sign up to receive our updates and newsletters, attendance at one of our live performances, hireage of our facilities or where you visit or participate in our Website or Social Media Platforms;

Personal Information means information relating to an individual that can be used to identify an individual or which is linked to an identified individual;

Social Media Platforms means any social media pages (such as Facebook, Instagram, TikTok, Twitter, Snapchat or Youtube) owned by, affiliated with or administered by us;

The PumpHouse ("we", "us" or "our") means The North Shore Theatre and Arts Trust (The Pumphouse Theatre) (NZBN 9429042789055) (Charities Services Registration Number CC47003);

Website means <https://pumphouse.co.nz/>; and

You or your means the individual using, visiting or participating in our Website, Social Media Platforms, or purchasing our Goods or Services. This includes, but is not limited to, ticket buyers, Friends of The Pumphouse, attendees at events, and anyone who hires our premises.

- 2.2. Capitalised terms that are not defined above have the meaning given to those terms in our Terms and Conditions (Ticket Sales) and/or Terms and Conditions (Venue Hire) *available at* <https://pumphouse.co.nz/terms/>

3. Collecting your Personal Information

- 3.1. The business of The Pumphouse is presenting you with live performances and to operate a

venue for those performances to take place. As part of the normal course of business we sell tickets, hire out our venue to third-parties and encourage philanthropic giving.

- 3.2. To help us deliver these services, we collect information from our customers. Depending on the nature of your interaction with us, the Personal Information you provide may include:
 - a) your name, date of birth, delivery address, email address, and phone number;
 - b) your billing information, including your credit payment card details; and
 - c) the items you purchase and your purchase order history.
- 3.3. We may also collect health information. Unless required by applicable law, the disclosure of this information to us is not mandatory, but we recommend that you provide us with this information where it will assist us to ensure you can access our venue and attend events in a way that protects your health and safety and promotes your enjoyment. This could include information to:
 - a) comply with COVID-19 vaccination status requirements;
 - b) assist with venue accessibility;
 - c) accommodate guide dogs; or
 - d) inform you of the use of special effects used during a performance that could affect your health or safety.
- 3.4. We collect Personal Information directly from you when:
 - a) you purchase or hire Goods and/or Services from us;
 - b) you become a Friend of The PumpHouse;
 - c) you subscribe to emails from us or you enter into competitions or special promotions with us;
 - d) you interact with our Social Media Platforms or through surveys embedded in our emails or on our Website;
 - e) you make enquiries with us or communicate directly with us through our Social Media Platforms;
 - f) when you make a donation to us or to one of our third-party facilitators such as a performance or theatre company;
 - g) you use our Website.
- 3.5. We may also collect your Personal Information from:
 - a) publicly available information;
 - b) third-parties where you have authorised or requested us to do so; and
 - c) otherwise where permitted under the Act.
- 3.6. Our Website may also automatically collect and store information about your visit, including your IP address, the date and time you accessed our Website, the internet address of the Website from which you linked directly to our Website and the pages you accessed while visiting our Website.

- 3.7. We do not collect Personal Information from individuals under the age of 13 without parental consent.
- 3.8. Where you provide us with Personal Information relating to a third-party (for example, if you purchase or book tickets for a dependent, friend, or on behalf of any other person), you represent and warrant to us that you are authorised to do so, and that you have ensured the individual is aware of this Privacy Policy.
- 3.9. Where you are present in any public, outdoor and backstage areas of The PumpHouse building we may also collect still and video images of you through our closed-circuit television cameras (**CCTV**). CCTV footage is stored onsite, and only accessible by authorised PumpHouse employees.
- 3.10. Your image captured by CCTV cameras is collected for the following purposes:
 - a) provision of CCTV footage to law enforcement bodies when we are required to meet a legal obligation;
 - b) to undertake and assist investigations (including, but not limited to, external and internal investigations into possible criminal behaviour, employee and customer complaints, employee conduct, health and safety, and breaches of any applicable law or policies);
 - c) to ensure the safety and security of individuals (including, but not limited to, customers, employees, and visitors); and
 - d) to protect our equipment, assets, and critical infrastructure.

4. How we use your Personal Information

- 4.1. We collect, use and disclose your Personal Information only where we have a legal basis to do so.
- 4.2. We will collect, use and disclose your Personal Information where it is necessary to fulfil your order for Goods or Services (including for the purposes of confirming your order), and respond to any queries in relation to your order for Goods or Services.
- 4.3. Where you have given us your consent for us to provide you with marketing communications, newsletters and other information, we may collect, use and disclose your Personal Information for the purposes of sending you marketing materials (such as newsletters and promotions) or to advertise our Goods and Services to you.
- 4.4. We also collect, use and disclose your Personal Information where it is necessary for the purposes of:
 - a) communicating with you;
 - b) to send you news or information about our productions, goods, services and promotions which we believe may be useful to you;
 - c) carrying out competitions, surveys and special promotions;
 - d) to monitor who is accessing our Website or purchasing Goods or Services offered on our Website;
 - e) to profile users of our Website including analysing trends and statistics;
 - f) to help us learn more about your theatre preferences;
 - g) to help us address problems with, and improve our Website, Goods and Services;

- h) to protect the security or integrity of our Website and our business and to detect and prevent crime and fraud;
- i) to send you any accounts and recover any monies owed by you;
- j) where we have contracted or partnered with a third-party to market, sell, and promote our performances and to communicate with our customers;
- k) enforcing our Terms and Conditions (Ticket Sales) and/or our Terms and Conditions (Venue Hire); and
- l) any other purpose permitted under the Act or any other purpose made known to you when collecting your Personal Information.

4.5. When you sign up to receive a newsletter, provided you have not opted out from receiving this information, we may use the information to:

- a) send you information about future events and performances,
- b) correspond with you about competitions,
- c) request feedback from you,
- d) invite you to participate in research,
- e) send you fundraising information and requests,
- f) send you special offers, news, and updates, and
- g) send you any other communication we think will be of benefit or interest to you.

4.6. Providing your Personal Information to us is voluntary. However, if Personal Information we request is not provided to us, we may be unable to provide you access to our Website, or to provide you with our Goods and Services.

5. How we use your Personal Information: Third-Party disclosures

5.1. Under no circumstances do we sell, rent or otherwise make your Personal Information available to any third-party (unless we are legally required to do to a government agency or are authorised to do so under the Act, this Privacy Policy or any other law).

5.2. However, we may disclose your Personal Information to one of our third-party service providers who provide services to us. This includes:

- a) in connection with any purpose set out in this Privacy Policy, or otherwise where permitted under the Act;
- b) our contractors and service providers (including IT providers, couriers, mailing service providers and payment processors) to the extent necessary for them to carry out their services to us;
- c) third-party hirers (such as other arts organisations or concert promoters) who use our ticketing services. Where third-party hirers make use of our ticketing service, we will share Personal Information about customers who purchase tickets to their event with them. This enables third-party hirers to know who has attended their event. We will only share contact information for direct marketing purposes where you have given us permission to in accordance with the Unsolicited Electronic Messages Act 2007;

- d) to facilitate your payment for an order of Goods or Services and to send you our marketing materials or newsletters;
 - e) ticketing agents and commercial partners for the purposes of us offering Goods or Services or marketing promotions; or
 - f) other third-parties to perform services on our behalf, to process information for us, or to hold information on our behalf.
- 5.3. Some of these third-parties may be outside of New Zealand, but we will not authorise them to use your Personal Information for their own purposes except where it is necessary for the third-party to enforce its legal rights, or to comply with its legal obligations.
- 5.4. We use third-party information system providers who store and may have access to your Personal Information. Where you provide us with your Personal Information, your Personal Information will be sent to the servers where our and our third-party service providers are located. We use all reasonable endeavours to ensure these third-party service providers are subject to privacy protection laws that offer an equivalent level of protection as New Zealand.
- 5.5. We seek to ensure that all of our agreements with third-party service providers contain appropriate safeguards in respect of your Personal Information however we may authorise a third-party to use such data for their own purposes, however this will only be in relation to aggregated or anonymised data so that it will not be personally identifiable to you.

6. Data Retention and Security

- 6.1. Your Personal Information we collect is held by us or one of our third-party service providers in electronic or hard-copy form.
- 6.2. We will retain your Personal Information for the duration of your relationship with us (including where you hold an active account with us), as needed to provide you with our Goods or Services (including where you have consented to receiving marketing communications), or to meet any legal obligations we may have to retain your Personal Information. We will not hold your Personal Information for longer than is reasonably required for the lawful purpose for which your Personal Information was collected.
- 6.3. In some circumstances we may anonymise your Personal Information so that it can no longer be associated with you, in which case we may use such information without further notice to you.
- 6.4. When you place an order through the Website, a secure server is used. Secure Sockets Layer (**SSL**) encrypts the information you send the Website. The website uses SSL technology that scrambles all confidential data entered by you, such as payment details and address information, before being supplied and decoded by our payment and hosting providers.
- 6.5. While we use reasonable and appropriate technical and organisational measures to protect your personal information, we are also reliant upon you to do the same.
- 6.6. We take all reasonable steps to store Personal Information and safeguard it against loss, misuse, or unauthorised disclosure. Despite taking all reasonable steps to safeguard the security of Personal Information, we cannot guarantee that your Personal Information cannot be accessed by an unauthorised person (e.g. a hacker) or that unauthorised disclosures will not occur.
- 6.7. We may provide access or links to other third-party website. These are provided for convenience only, and we are not responsible or liable for the content of these websites, your access to or us of them, or how your Personal Information may be collected and used by those third-parties.

7. Marketing Communications

- 7.1. With your permission, we may send you information such as newsletters and promotional materials about us and our Goods and Services.
- 7.2. If we ask for your Personal Information for the purposes of sending you marketing communications, we will either ask you directly for your express consent, or provide you with an opportunity to say no.

8. How to Opt-Out

- 8.1. If you no longer wish to receive marketing communications from us, please send us an email with your name to info@pumphouse.co.nz or mail your request to The PumpHouse, PO Box 331137, Takapuna, Auckland with your email address included.
- 8.2. Where you unsubscribe from receiving our marketing communications, it may take up to two working days for your request to be processed.
- 8.3. If you wish to cancel your Friends of the PumpHouse membership with us, request that we delete your Personal Information, or withdraw your consent to use your Personal Information, please contact us on the details set out above or at <https://pumphouse.co.nz/visit/contact/>
- 8.4. In this case, we will only retain Personal Information in such a case where it is necessary to comply with our legal obligations, resolve disputes, or enforce our Terms and Conditions (Ticket Sales) and/or Terms and Conditions (Venue Hire). (See <https://pumphouse.co.nz/terms/>)
- 8.5. Please note that you will continue to receive pre-show information relating to event/s you have purchased a ticket to. This information can include show reminders, updates, a post-show survey and changes to the event itself and/or relevant information we become aware of. If you would like to also opt out of receiving information of this type and receive a hardcopy of your ticket only, please email us using the contact details above.

9. Cookies

- 9.1. We may use cookies on our Website. We may also authorise third-parties to place cookies on our Website.
- 9.2. By visiting or participating in our Website, you agree to the placement of cookies on your computer or device. A cookie is a small data file that is stored on your computer or device when you visit our Website. A cookie can contain information about your device, your internet protocol (IP) address, your session, and your online activity on our Website.
- 9.3. We use a number of different cookies, including functional, performance and advertising cookies. Cookies make your browsing experience better by allowing our Website to remember your actions and preferences (such as login and search criteria). Cookies also provide information on how people use our Website, for instance whether it is their first time visiting, or if they are a frequent visitor. We may use cookies to:
 - a) improve your Website browsing experience. For example, to remember your search criteria so you do not have to re-enter them to do multiple searches, and to remember your site preferences for your next visit to our Website;
 - b) gather statistics on Website usage. For example, page views and drop off points, so we can monitor site usage and make improvements to site usability; and
 - c) enable us to present customised and appropriate messages from us.
- 9.4. Most browsers automatically accept cookies, but you can choose to disable or reject cookies through your browser controls, usually found in the "Tools" or "Preferences" menu of your

browser. If you choose to disable or reject cookies, some functionality of our Website may not operate correctly.

- 9.5. For more information about cookies, including how to see what cookies have been placed on your device, visit www.aboutcookies.org. More information on how to modify your browser settings or how to disable, manage or filter cookies can be found in your browser's help directory.
- 9.6. In some of our email messages, we use a "click-through URL" linked to content on our websites, or that of associated third-party service providers. When customers click one of these URLs, they pass through a separate web server before arriving at the destination page on our Site. We track this click-through data to help us determine interest in particular topics and measure the effectiveness of our communications. If you do not consent to us collecting information on your click-through activity, do not click text or graphic links in the email messages. We also advise customers take necessary precautions when accessing URLs in email correspondence to determine the content is from a legitimate source or website or known sender.

10. Accessing and Updating your Personal Information

- 10.1. You are entitled to access, and seek correction of, your Personal Information. To access or correct any of your Personal Information, please contact us on the details set out below, or on <https://pumphouse.co.nz/visit/contact/>
- 10.2. We aim to ensure that the Personal Information we hold is accurate, complete and up-to-date. If any of your Personal Information that you have provided to us changes, we encourage you to contact us to update that Personal Information.
- 10.3. If you contact us to access or correct your Personal Information, we may ask you to verify your identity.
- 10.4. Where a dispute arises between you and us and we cannot resolve it with you, then you may wish to contact the New Zealand Office of the Privacy Commissioner at www.privacy.org.nz.

11. Governing Law

- 11.1. This Privacy Policy, and your use of our Website is governed and construed in accordance with the laws of New Zealand.
- 11.2. You submit to the non-exclusive jurisdiction of the Courts of New Zealand and you agree that the Courts of New Zealand have the non-exclusive jurisdiction to hear and determine any matter arising out of or in connection with this Privacy Policy and your use of our Website.

12. Contact Information

- 12.1. We are committed to helping you have a safe and enjoyable experience with us. Should you have any questions or feedback, please feel free to contact us:

Call: (09) 486 2386

Email: info@pumphouse.co.nz

Attention: Privacy Officer

Last updated: 28 May 2024