

TERMS AND CONDITIONS

The use of the information and data contained on this website is at your discretion.

The information and data, including pricing, on this website is provided on an 'as is' basis without warranty of any kind and is subject to change without notice.

It is a condition of Australian law that any person who purchases wine or joins any wine club is over 18 years of age. It is an offence as stated within the Liquor Licensing Act 1990 for any person to purchase wine from any licensee who is under the age of 18.

See also our Privacy Policy.

PRIVACY POLICY

EARTHWORKS PRIVACY POLICY

Earthworks believes the responsible collection and use of personal information is fundamental to developing a business based on enduring relationships with its customers, suppliers, owners and staff. "Personal information" is defined as information or an opinion through which an individual's identity is apparent or can be reasonably ascertained.

Earthworks is bound by the Australian Privacy Principles in the Privacy Amendment (Private Sector) Act 2000. Earthworks is committed to respecting the individual's right to privacy and has developed honest, transparent protocols to ensure personal information is handled appropriately.

COLLECTING YOUR PERSONAL INFORMATION

- Information is only collected if it is required for one or more of Earthworks functions.
- It is collected by fair and lawful means and not in an intrusive way.
- Earthworks prefers to collect information directly from the individual.
- Earthworks will take reasonable steps to inform the individual that the collection has occurred, why the collection occurred and how the information may be accessed.
- By joining our mailing list you are giving your consent to be contacted by us for an indefinite period. You may of course opt out from our wine club at any time by simply calling or emailing us.

USE AND DISCLOSURE

PERSONAL INFORMATION IS NEVER SOLD TO OTHER PARTIES.

SPECIFIC NEEDS

To meet the individual's specific needs Earthworks may disclose the personal information to the organisations which:-

- provide/manage/administer a service or product such as the share registry, printers and mail out house
- are involved in the payments system including financial institutions, credit card providers and payment organisations
- are involved in the maintaining, reviewing and developing Earthworks' business systems including testing or upgrading our computer systems provide legal or accounting advice
- require or are authorised by law to access the information.

MARKETING EARTHWORKS WINES

Over the years Earthworks has collected information for the development of direct mailing lists to let consumers know about the availability of Earthworks for sale. This may be done after an initial contact and we assume we have the individual's consent to use service providers to assist us with this unless Earthworks is told otherwise.

Wine offers are made direct to owners through the use of the shareholder list.

From December 2001 onwards each direct marketing communication will prominently display a notice whereby the recipient can elect to opt out of receiving any further direct marketing communications.

EMAIL MANAGEMENT

Website visitors email addresses are only recorded if the user chooses to leave a message.

An email address will only be used for the purpose for which it was provided.

Individuals who have chosen to join an email list may opt out simply by advising Earthworks that the address is to be removed from the mailing list.

WEBSITE

Earthworks does not collect any personal information about an individual when the website is visited unless the user chooses to provide such information. The information received depends upon what the user does when visiting the site.

Site Visit Data - the following is recorded and collected for statistical purposes:-

- The server address of the visitor
- The name of the top-level domain from which the internet was accessed
- The date and time of the visit to the website
- The pages accessed and documents downloaded

The recording of such information enables us to identify the areas of the site that are most popular and to tailor the site accordingly.

Links - the website contains links to other sites. Earthworks is not responsible for the content and privacy practices of other web sites.

KEEPING PERSONAL INFORMATION ACCURATE AND UP-TO-DATE

Earthworks will take all reasonable steps to make sure personal information we collect, use or disclose is accurate, complete and up-to-date.

If an individual believes the personal information is not accurate, complete or up-to-date please contact the Company.

DATA SECURITY

Earthworks protects against misuse; loss; unauthorised access, modification or disclosure of personal information by:

- Requiring all employees to observe confidentiality protocols
- Controlling access to the premises and paper based systems
- Adopting measures to secure the computer network used for storing, processing and transmitting personal information
- Protecting communications via data transmission from interception eg email and unauthorised access to the computer network.

Personal information is retained only for as long as necessary to fulfil the purposes for which information was collected or as required by law. Once used for the intended purpose paper documents containing personal information are shredded.

OPENNESS

The Earthworks Privacy Policy is available from the company's website or on request from the Company.

ACCESS AND CORRECTION

- An individual may gain access to personal information provided the request for access is not frivolous, vexatious, unlawful, or prejudicial to negotiations between Earthworks & the individual.
- Earthworks endeavours to provide access within 10 business days of the written request. Earthworks will verify the identity of the individual seeking access prior to the information being provided. If it is a complex issue Earthworks will advise the individual accordingly but will use all reasonable endeavours to provide access within 20 business days of the written request.
- If access is denied then written reasons will be provided as to why access was denied.

IDENTIFIERS

In certain circumstances we are required to collect government identity numbers eg tax file numbers. Earthworks does not use these numbers to identify individuals for its own purposes.

ANONYMITY

Earthworks does not require individuals to provide personal information unless the information is required to do business.

TRANSBORDER DATA TRANSFERS

- Earthworks operates a subsidiary company which is subject to similar privacy law enacted in the UK. Personal information may be transferred between the companies for business purposes.
- Earthworks has a number of shareholders who are located outside Australia. It may be necessary to transfer information for the performance of a contract between Earthworks and the individual.

SENSITIVE INFORMATION

Earthworks does not collect "sensitive information" about an individual. Sensitive information means information or an opinion about an individual's:

- Racial or ethnic origin; or
- Political opinions; or
- Membership of a political association; or
- Religious beliefs or affiliations; or

- Philosophical beliefs; or
- Membership of a professional or trade association; or
- Membership of a trade union; or
- Sexual preferences or practices; or
- Criminal record
- Health status

RESOLVING PRIVACY ISSUES

Individuals who have an issue which they wish to raise with the Company may do so by contacting the Company Secretary:

Tel: +61 (08) 8561 3200

Email: info@earthworkswines.com

Post: PO Box 10, Angaston, South Australia 5353

If the individual is not satisfied with the responses provided by Earthworks the matter may be taken to the Privacy Commissioner who will investigate the matter. More information may be obtained from the Commissioner's website at <http://www.privacy.gov.au>