

Privacy Policy

1. Introduction.

Pulse Fitness publishes its information services in print and various electronic media, including Web-based formats. We are continually adapting to changes in technology to bring you the information you rely on faster and more efficiently than ever before.

Pulse Fitness publishes this Privacy Policy to reaffirm our commitment to maintaining the privacy of our customers in the electronic environment and inform you of our practices concerning the collection and use of information you provide us.

In this Privacy Policy you will find a description of the policies and procedures that make this Privacy Policy work for them. We have included in this Privacy Policy an explanation of our information practices, such as:

- What information we collect
- How we collect the information
- How we use the information
- How we provide choice to Users about how we use the information we collect
- Whether we disclose the information we collect to third parties
- Whether third parties collect information through our Products

Pulse Fitness reserves the right to make changes to any part of this Privacy Policy in its sole discretion, at any time and without prior notice. Continued use of any Product following any such change will constitute acceptance of those changes. If we decide to revise this Privacy Policy, we will post changes in the Products so Users are aware of our information practices. To continue to stay informed about this important issue, please check this Privacy Policy frequently.

This Privacy Policy applies to all Customers and Users (collectively referred to as "Users"). In addition, this Privacy Policy applies to all Products.

To make this Privacy Policy as easy to read as possible, Pulse Fitness has simplified certain sentences by substituting defined terms for certain concepts. Accordingly, the capitalized terms used throughout this Privacy Policy shall have the meanings assigned to such terms in Section 9 ("Definitions") of this Privacy Policy.

2. Pulse Fitness's Privacy Pledge.

Pulse Fitness makes the following pledge to you:

- Pulse Fitness is committed to protecting the privacy of Users at all times.
- Pulse Fitness only shares Customer Information and other Personally Identifiable Information with third parties as described in Sections 5 and 7 in this Privacy Policy.
- Pulse Fitness maintains security standards and procedures designed to protect Customer Information and other Personally Identifiable Information. We will continue to test and update our technology to improve our ability to protect Customer Information and other Personally Identifiable Information.

3. Our contract with you

By using any Product and/or by affirmatively accepting the License Agreement or this Privacy Policy, each User is entering in to a contract for the purpose of Pulse Fitness collecting, processing and using of all information that the User provides to Pulse Fitness, all information

that is provided to Pulse Fitness on behalf of that User, and all information that Pulse Fitness collects based on that User's use of the Products, including, without limitation, all Customer Information, and other Personally Identifiable Information. At the end of our contract with you we may retain certain information where there is either a legal obligation for us to do so, or where it is in our legitimate interest. See section 7 for additional details.

When joining the club membership your personal identifiable information will be used with our TRAKK fitness software to allow users the best membership experience and fitness experience. Prior to you using the TRAKK fitness App or on any fitness machine you will be required to accept the terms and conditions for use as a prompt before you can access your profile.

4. Our Policies Regarding the Collection of Information.

Pulse Fitness collects personal information when a User:-

- Completes an online membership agreement
- Register your interest in the club
- When you ask for further information regarding the club
- If you take part in any prize draws or competitions
- When you complete a membership onsite with the membership team
- When you send an email to a club
- When you book classes either onsite, online or via an App
- CCTV – When visiting our clubs
- When you swipe entry into a club
- When you contact a membership team for support through email, telephone or online
- When using the TRAKK fitness software solution on the fitness machines and or TRAKK App.
- Cookies:
 - Use of Cookies Generally:
 - A cookie is a piece of data stored by each User's browser that contains information about the user of a computer. Cookies help Web sites recognize return visitors. When you return to a Web site you have visited before and that Web site uses cookies, your browser gives this data back to the Web site's server.
 - Contrary to reports about cookies and online privacy, cookies do not contain viruses and most cannot reveal any Personally Identifiable Information about you unless you willingly provide it as a user on a Web site.
 - You will find that cookies are an industry standard and are used at most major Web sites in much the same way we use them here at Pulse Fitness. You can learn almost everything there is to know about cookies at www.cookiecentral.com. We also encourage you to read the privacy policies of all Web sites you visit before you accept cookies from these Web sites.
 - You can set your browser to reject or to accept cookies. You have the option to reject cookies when you are just browsing the Web and accept cookies when you want to use the Products.
 - Pulse Fitness's Use of Cookies:
 - Each Product places a cookie on the hard drive of each User's computer. If a User rejects any cookie offered by a Product, that User may not use the features of the Product.
 - Pulse Fitness stores your User ID in your cookie.
 - Pulse Fitness uses your cookie to make your experience with the Products more efficient and effective. For instance, by setting a cookie for

- a Product on a User's hard drive, the User does not have to log in to the Product more than once, which saves time.
 - Setting cookies also enables Pulse Fitness to track and target the interests of Users.
 - Surveys and Promotional Activities:
 - From time-to-time Pulse Fitness may request information from Users via voluntary participation in promotional or market research activities.

The information that we request may include contact information (such as name and business address), and demographic information (such as post code and age level).

Customer Information is at the heart of our ability to provide superior service to Users. We describe in this Privacy Policy the types of Customer Information and other Personally Identifiable Information that we collect, and how and why we may share that Customer Information and other Personally Identifiable Information with others.

The primary reason that we collect and maintain Customer Information and other Personally Identifiable Information is to serve Users and administer our customer relationships through both our membership system and TRAKK fitness software.

5.0 What Information Do We Collect?

The information we collect about you is required for the purpose of creating your member profile in both the membership administration software and the fitness management software, TRAKK. This information is required in order for you to become a member of the club.

- Name, date of birth, gender, email, postal address, health declaration
- Your contact details including mobile telephone details
- Credit /debt card details when purchasing a membership / products / services onsite or online
- Your usage records and statistical analysis from both your membership usage and TRAKK fitness software usage from both fitness machines and use of the TRAKK App.
- Your communication details with us including email, telephone, or mail
- Your membership information regarding bookings and usage
- Your direct debit details for administration of the membership including bank sort code and account number, payment dates, missed payments, cancellation information
- Your cash payments for all sales

6.0 How we use this information

We use your personal information to provide you with the services, products, marketing, and any other information that you have requested for health and safety, security, and administration and to improve your website experience, marketing and TRAKK App experience. To do this, we may use your information with our service providers, associated organisations, and agents for these purposes. We may use this information to:

- Carryout identity checks as part of your membership application. This is carried out Experian, eXerp and VeriFone. These are not credit checks but verification checks.
- Processing your membership application through eXerp software
- Invoice you for using our services as part of your membership
- Contact you with offers, promotions, or marketing campaigns (unless you choose not to receive our marketing messages)
- Keep you informed about our products and services including operational matters relating to your membership. This may be via the App or by email or SMS
- To allow management to monitor gym usage

- Provide relevant services to you
- Communicate to you on your class bookings, cancellation and moving up participation
- Inform you of competitions using both eXerp and TRAKK
- Communicate to you on any questions or concerns you may have raised about our services
- Understand how you use our services and products, to help us develop our services and products
- Carryout market research to you on our products and services relating to your membership and TRAKK
- Prevention and detection of crime and fraud
- Be able to operate our clubs in a safe and secure way

We will store your information for as long as you remain a member and/or as long as you remain using TRAKK fitness App. Following cancellation of your membership we will retain your information as needed to meet our legal obligations including those of health and safety, financial audits, anti-fraud, money laundering regulations and any other government Regulation of Acts which are passed. For financial information we will retain your information for a period of 7 years. For all other non-financial information, we will retain your information for a period of 3 years and 6 months to meet our legal obligations.

7.0 Basis for lawful processing

Pulse Fitness and its affiliated fitness clubs relies on the following lawful bases for processing, storing, and retaining your personal data:

1. In relation to your membership of any Pulse Fitness Club:
 1. your explicit and freely given contract information specified purpose of membership and the use of Pulse Fitness facilities, services, and products.
 2. the processing is necessary for the performance of your membership contract with Pulse Fitness
 3. the processing is necessary for the legitimate purposes of Pulse Fitness or by a third party
2. In relation to your personal data relating to your health
 1. your explicit and freely given consent for the specified purpose of membership and TRAKK fitness software and the use of Pulse Fitness facilities.
 2. processing is necessary to protect your vital interests
3. In relation to your retained data following termination of your membership
 1. the processing is necessary for a legal obligation that Pulse Fitness is subject to data retention of 7 years for financial information and 3 years and 6 months for all other information
4. In relation to marketing information
 1. the processing is necessary for the legitimate purposes of Pulse Fitness or by a third party. You have the right at any time to remove any consent to marketing via email, at the club, or on the TRAKK app

8.0. Our Policies Regarding the Use and Disclosure of Information.

- a) **Information Use and Sharing.** We may use the Customer Information and other Personally Identifiable Information that we collect among various departments within Pulse Fitness and its subsidiaries that perform functions such as servicing User accounts, preparing reports regarding Product use, market research, and promotional activities. The reasons that we share this Customer Information and other Personally Identifiable Information include the following:
 - To protect Users.

- We use the Customer Information and other Personally Identifiable Information we maintain about Users and their use of their membership and or TRAKK fitness software, including registration information, as follows:
 - To help us identify Users.
 - To help us prevent unauthorised persons from accessing Customer Information and other Personally Identifiable Information and the Product features that we make available to specific Users for their use.
- To provide superior service.
 - We use Customer Information and other Personally Identifiable Information to respond quickly and efficiently to User needs.
- To tell you about new or enhanced services and/or products.
- By understanding more about Users and their use of the Products, we can better meet User needs and determine how other Product features could be of value to Users.
- E-mail Updates:
 - Once a User completes the registration process, Pulse Fitness may keep the User updated by e-mail, SMS or in App messaging on important news and events concerning Pulse Fitness, Product features, and other information that Pulse Fitness deems relevant.
- To improve and develop our information, products and services.
- Every Product feature that we offer is designed to reflect the ways Users actually use the Products.
 - We collect and analyse information about Product use so that we can tailor new types of information, products and services to meet User needs.
 - When it comes to sharing Customer Information and other Personally Identifiable Information outside Pulse Fitness, we do so only for specific purposes. We share Customer Information and other Personally Identifiable Information with third parties as follows:
- General
 - We reserve the right to share with Pulse Fitness subsidiaries and/or other reputable organisations the following information, for purposes of permitting those organisations to sell their products and services to our Customers:
 - With respect to each Customer, the following current information: company name, industry, business mailing address, and primary contact information (name, e-mail address, street address, mailing address, and telephone number).
 - We reserve the right to share Customer Information and other Personally Identifiable Information with third parties that provide hot links to the TRAKK fitness software to promote the Products, such as web portals, or otherwise sell Subscriptions on our behalf through their own marketing channels. In certain instances, these parties will co-own certain Customer Information and other Personally Identifiable Information about Product revenue generating activity that originates from that third party. Such Customer Information and other Personally Identifiable Information may include, without limitation, the following information: company name, street address, e-mail address, contact name, lead date, first sale date, and services accessed.
 - We reserve the right to share Customer Information and other Personally Identifiable Information with other third parties that perform services on our behalf, such as companies that help us market Products, renew subscriptions, or assist new customers.
 - We reserve the right to share all Customer Information and Personally Identifiable Information with third parties who act as independent

contractors to help us administer the Products, such as data centres that host our servers and technical system consultants who program our hardware and Software.

We reserve the right to share Customer Information and Non-Identifying Information in the form of aggregated demographic information that is not linked to Personally Identifiable Information with our subsidiaries, advertisers, and other third parties.

- We reserve the right to disclose certain Customer Information and Personally Identifiable Information to government agencies and consumer reporting agencies as permitted or required by applicable law. Pulse Fitness may make these disclosures for specific, limited purposes, such as verifying individuals' identities (reducing fraud and identity theft).
 - Pulse Fitness will also disclose a User's Customer Information and Personally Identifiable Information when and to the extent we believe, in good faith, that we are legally compelled to do so pursuant to an order of a court of competent jurisdiction or other governmental body (including, without limitation, such disclosures required by applicable securities laws as are necessary to comply therewith or with the rules and regulations of any applicable stock exchange). In such an event, Pulse Fitness will use reasonable efforts to do the following:
 - Give the User reasonably prompt written notice of such requirement so that the User has an opportunity to comment thereon or object thereto and to preserve the confidential nature of the Customer Information and Personally Identifiable Information that Pulse Fitness is required to disclose.
 - At the User's expense, use commercially reasonable efforts to cooperate with any of the User's efforts to preserve the confidential nature of the Customer Information and Personally Identifiable Information that Pulse Fitness is required to disclose.
- User Information
 - We reserve the right to share a User's Customer Information and Personally Identifiable Information with the Customer who purchased the User's Subscription.
 - We also reserve the right to share a User's Customer Information and other Personally Identifiable Information in the manner described in Section 6 of this Privacy Policy.
- Customer Information
 - We also reserve the right to share the aggregate Customer Information and other Personally Identifiable Information for any Customer with respect to all Users for which that Customer purchased a Subscription in the manner described in Section 6 of this Privacy Policy.
- **b) Our Policies Regarding the Use and Disclosure of Information About Former Customers.** For a period of time after a Customer relationship ends, our policies and practices regarding the use and disclosure of Customer Information about former Customers are the same as those regarding the collection and disclosure of Customer Information and other Personally Identifiable Information about existing Customers. See the information under the heading in Section 6 of this Privacy Policy. However, after the relationship ends, we may use such Customer Information and other Personally Identifiable Information about former Customers less and less over time. We reserve the right to eventually remove such Customer Information and other Personally Identifiable Information about former Customers from our records.
- **c) Links to Third Party Web Sites.** The Pulse Fitness Privacy Policy applies solely to the Products. The Products may contain links to Web sites owned and operated by third parties. Any User's use of third party Web sites is at their own risk and subject to any terms and conditions of use, policies regarding the collection of information, privacy policies, and other practices and procedures for such Web sites. Pulse Fitness is not

responsible for any such terms and conditions of use, policies regarding the collection of information, privacy policies, or other practices and procedures of the third party Web sites that a User may access through hot links in the Products. We cannot guarantee how these third parties use cookies or whether they place cookies on your computer that may include Customer Information and other Personally Identifiable Information. We encourage Users to be aware when they leave the Products and to read any terms and conditions of use, policies regarding the collection of information, privacy policies, and other practices and procedures of each Third Party Web site before Users provide them with any Customer Information and other Personally Identifiable Information

9. Information Confidentiality and Security

Pulse Fitness is committed to prevent any unauthorised access to each User's Customer Information and other Personally Identifiable Information. We maintain procedures and technology designed to prevent such unauthorised access.

- a) **Security Programs.** No one can guarantee that data transmission over the Internet will be 100% secure. Nevertheless, Pulse Fitness has taken technical, administrative, and physical steps to protect against unauthorised access to Customer Information and other Personally Identifiable Information used to administer its customer accounts. All such information is handled securely within Pulse Fitness and is not disclosed to unauthorised third parties.
- b) **User IDs and Passwords.** Each User is responsible for maintaining the confidentiality of his or her User ID and password, and are responsible for all Product activities that occur under his or her User ID and password, including, without limitation, all related Customer Information and other Personally Identifiable Information. Each User agrees to immediately notify Pulse Fitness of any unauthorised use of his or her User ID or password or of his or her Customer Information and other Personally Identifiable Information or any other breach of security regarding the Products or his or her Customer Information and other Personally Identifiable Information. Pulse Fitness will not be liable for any Loss whatsoever arising from a User's failure to comply with these security requirements and each User agrees to hold Pulse Fitness harmless from any and all Losses that arise from that failure to so comply.

10.0 Opt Out

Pulse Fitness will only send you information relating to your membership and TRAKK fitness monitoring. We will only send your personal information to third parties for marketing only if your consent to do so. If you cancel your membership or cease to use the TRAKK fitness App, we will only send you information that we think will be of interest to you. If you wish to opt out of marketing messages you receive from us, please inform the membership team or member of staff at the club or write to the club requesting your removal of marketing messages. If you receive an email marketing communication, you may opt out by selecting the opt out link contained within this email message.

11. Tips To Help You Protect Customer Information

If any User suspects that someone has had unauthorised access to his or her Pulse Fitness account, or access to his or her Customer Information and other Personally Identifiable Information, such as his or her User ID or password, the User should contact us immediately so we can take appropriate action to protect the User and his or her Customer Information and other Personally Identifiable Information.

If you have any questions or concerns regarding Pulse Fitness data protection practices, please contact us.

