

SMS Messaging Terms & Conditions

Effective Date

27 May 2025

These SMS Messaging Terms and Conditions (the "Terms") govern the use of SMS messaging services provided by The Creche and Kindergarten Association Limited ("C&K", "we", "our", or "us") to customers ("you" or "your"). By opting in to receive SMS messages from us, you agree to abide by these Terms and acknowledge that you have read and understood them. These Terms also explain how we handle your personal information in compliance with the [Privacy Act 1988 \(Cth\)](#), [Australian Privacy Principles](#) (APPs), and the [Spam Act 2003 \(Cth\)](#).

General

When you opt-in to SMS messaging, we will send you a message to confirm your signup.

This includes, but is not limited to:

- **Transactional Messages:** Notifications related to your child's enrolment and attendance at C&K branch centre, account updates, payment reminders, and other service-related communications.
- **Promotional Messages:** Special offers, events, and marketing communications (only if you have explicitly opted in for such messages).

By opting in to receive SMS messages from us, you provide explicit consent to receive communications via SMS. Automated messages may be sent using an automatic telephone dialling system to the mobile telephone number you provided when signing up or any other number that you designate.

Message Frequency

Message frequency varies, and additional mobile messages may be sent periodically based on your interaction with C&K.

- **Transactional Messages:** These will be sent as needed to provide updates and information related to your interaction with us (e.g. enrolment communication, payment reminders).
- **Promotional Messages:** Promotional SMS messages will be sent only if you have opted in, and the frequency will be limited to a reasonable number of messages per week or month.

C&K reserves the right to alter the frequency of messages sent at any time to increase or decrease the total number of sent messages. C&K also reserves the right to change the short code or phone number or alphanumeric sender where messages are sent

Your usual message and data rates may apply. If you have any questions about your text plan or data plan, it is best to contact your mobile provider. Your mobile provider is not liable for delayed or undelivered messages.

Carriers

We are not liable for any delayed or undelivered SMS messages due to carrier delays, network issues, or failure of third-party service providers.

Opt-Out and Unsubscribing – Promotional Messages

You have the right to opt-out of receiving promotional messages at any time. To unsubscribe from future promotional messages, text STOP to any SMS message you receive or click on the included link to Unsubscribe. We will send you a reply SMS message to confirm that you have been unsubscribed and no further promotional messages will be sent. If you wish to receive promotional messages from C&K again, sign up as you did the first time and we will recommence sending promotional messages to you again.

Please note that opting out of promotional messages will not affect transactional messages, which are necessary for the completion of services, such as waitlist confirmations, enrolment offers, centre messages and payment reminders.

Contact Information

If you have any questions, concerns, or requests regarding these SMS Messaging Terms and Conditions, please email us at privacy@candk.asn.au. We will respond with instructions on how to unsubscribe. If we include a link in messages we send you from C&K, you may also access instructions on how to unsubscribe and our company information by following that link.

Transfer of Number

You agree that before changing your mobile number or transferring your mobile number to another individual, you will either reply "STOP" from the original number or notify us of your old number at marketinghelp@candk.asn.au. The duty to inform us based on the above events is a condition of using this service to receive messages.

Spam Compliance

In accordance with the [Spam Act 2003 \(Cth\)](#):

- We will only send SMS messages to individuals who have given their express consent. This includes consent via an opt-in form, keyword subscription, or other clear indication of interest in receiving messages.
- Every SMS message will clearly identify us as the sender and will include a method for you to easily opt-out (e.g., "Reply STOP to unsubscribe").
- We will not send unsolicited SMS messages to you. If you believe you have received an unsolicited message from us, please contact us immediately at privacy@candk.asn.au.

Privacy Compliance

We take reasonable steps to protect your personal information from misuse, loss, unauthorised access, modification, or disclosure. Your mobile number and other personal data will be securely stored and processed in accordance with C&K's [Privacy Policy](#) and applicable privacy laws.

In accordance with the [Privacy Act 1988 \(Cth\)](#), [Australian Privacy Principles](#) (APPs), we take the following steps to ensure your privacy is respected:

- **APP 3 - Collection of Personal Information:** We collect your personal information only when necessary and with your explicit consent.
- **APP 6 - Use or Disclosure of Personal Information:** Your personal information will only be used for the purpose for which it was collected, and we will not use it for any other purpose without your consent, unless required or authorised by law.
- **APP 7 - Direct Marketing:** We will not use your personal information for direct marketing unless you have consented to receive promotional messages. You have the right to withdraw consent at any time, and you may opt-out from SMS marketing messages by following the instructions provided.

To learn more about our privacy practices, including who to contact to request access to your personal information or to update it, please visit <https://www.candk.asn.au/privacy>.

Updating these Terms and Conditions

We reserve the right to change or terminate our messaging program at any time. We also reserve the right to update these Terms at any time. Such updates will be effective immediately upon posting the updated Terms to our website. If you do not agree to the updated Terms, please unsubscribe. Your continued receipt of SMS messages from us after updates to these Terms will constitute your acceptance of the updated Terms.