

# Nettex Australia Pty Ltd & Nettex New Zealand Ltd

## Privacy Policy

Policy last updated: 03/08/2018

### 1 Purpose

Nettex Australia Pty Ltd (ACN 002 538 892) and Nettex New Zealand Ltd (**Company**) recognises the importance of your privacy and is committed to protecting your privacy when handling your personal information. This Privacy Policy explains how the Company will collect, hold, use, disclose, protect and otherwise handle your personal information in accordance with the Australian Privacy Principles (**APPs**) contained in the *Privacy Act 1988* (Cth) (**Privacy Act**).

The Company may allow its related entities, such as its subsidiaries, and their employees, to use and process your personal information in the same way and to the same extent that the Company is permitted to under this Privacy Policy. These related entities comply with the same obligations that the Company has to protect your personal information under this Privacy Policy.

### 2 What is personal information?

Personal information is information or an opinion about you from which you can be reasonably identified.

### 3 Why does the Company collect personal information?

The Company collects personal information in connection with providing, administering, improving and personalising its products and services, marketing and to support its business functions.

### 4 What personal information does the Company collect?

The types of personal information collected by the Company include:

- (a) names;
- (b) contact details (including address, email address, telephone number(s) and other contact details);
- (c) banking and credit card details;
- (d) information about your credit worthiness, credit standing, credit history or credit capacity that credit providers are allowed to give and receive from each other ("**Credit Information**"); and
- (e) other information you provide to us.

### 5 How does the Company collect your personal information?

The Company will collect personal information only by lawful and fair means and not in an unreasonably intrusive manner. When you provide the Company with personal information you consent to the use, disclosure and handling of your personal information in accordance with this Privacy Policy and any subsequent amendments (see clause 12).

#### 5.1 Collecting information from you

If it is reasonable and practical do to so, the Company will collect personal information directly from you.

Depending on how you choose to interact with the Company, the Company may collect your personal information when you contact, or are contacted by, the Company or its service providers by telephone, by email, through the Company's website, or when you complete a form or document and provide it to the Company.

#### 5.2 Collecting information from third parties

The Company may also collect information about you from other people (e.g. a third party administrator) or independent sources. However, the Company will only do so where it is not reasonable and practicable to collect the information from you directly. Where the Company has collected your information from a third party, such personal information will be held, used and disclosed by the Company in accordance with this Privacy Policy.

#### 5.3 Collecting Credit Information from credit reporting agencies

The Company may also collect Credit Information from other credit providers or any credit reporting agency, if you have or are seeking to enter into a credit arrangement with the Company. This information is collected for the purpose of assessing and managing your credit arrangement. This information will be provided, received and stored in line with the credit reporting provisions of the Privacy Act.

#### 5.4 Collecting information from visits to the Company's website

The Company may also collect information based on how you use its website, including through 'cookies', web beacons and other similar technologies.

Cookies are small text files that are transferred to your computer's hard drive through your web browser to enable the Company's systems to recognise your browser and record non-personal information such as the date, time or duration of your visit and the pages accessed, for website administration, statistical and maintenance purposes (**Cookie Information**).

We use cookies to provide you with a more consistent experience across our services. No attempt is made by the Company to use Cookie Information to personally identify you. However, if Cookie Information is linked with personal information as set out above, this Cookie Information becomes personal information and will be treated in the same manner as the personal information to which it has been linked.

You can remove or reject cookies by adjusting the settings on your web browser. Please note that some parts of the Company's website may not function fully for users that disable cookies.

#### 5.5 Unsolicited information

If the Company receives personal information that it has not requested and determines that the personal information received is not reasonably necessary to provide its services, the Company will take all lawful and reasonable steps (if any) to de-identify or destroy that personal information.

### 6 **How does the Company hold your personal information?**

The security of your personal information is of paramount importance to the Company. Accordingly, the Company takes all reasonable steps to protect your personal information from misuse, loss and unauthorised access, modification or disclosure. These steps include, but are not limited to, the implementation of the following safeguards:

- (a) password protected databases;

- (b) staff training; and
- (c) system firewalls.

The Company will take all reasonable steps to permanently de-identify or responsibly destroy personal information if it is no longer needed for the purpose for which the information was used or disclosed.

#### 6.1 Data risks

Individuals should be aware that there are inherent risks associated with the transmission of data over the internet and other mediums. Accordingly, the Company cannot guarantee any transmission will be completely secure.

### **7 How does the Company use your personal information?**

The Company may hold, use or disclose your personal information so that it can process orders for its products and provide any products and services that you request.

The Company may also hold, use or disclose your personal information to:

- (a) consider any concern or complaint that you raise against the Company or to manage any legal action between you and the Company;
- (b) prevent or investigate any actual or suspected fraud, unlawful activity or misconduct;
- (c) analyse its customer data for future for business planning and stock management; or
- (d) comply with any relevant laws, regulations, codes of practice and court orders.

#### 7.1 Direct Marketing

The Company may also use your personal information to identify and promote products or services that may be of interest to you.

At any time you may opt out of receiving direct marketing communications from the Company. To do so, you may click on the link within an email, or contact the person in clause 11. Unless and until you opt out, your consent to receive direct marketing communications from the Company and to the handling of your personal information for this purpose will continue.

### **8 How is personal information disclosed to others?**

The Company does not sell, rent or trade personal information to, or with third parties.

The Company may disclose your personal information to third parties in limited circumstances, including to external providers that perform services on behalf of the Company, such as third party data storage platforms and email services.

The Company's website may contain certain links to other websites. The Company does not share your personal information with those websites and it is not responsible for the privacy practices applying in respect of those websites.

#### 8.1 Cross-border disclosure

The Company may transfer your personal information to an entity which is in a foreign country to assist the Company in providing its products and services. This may include third party data storage facilities and email services located in a foreign country.

## **9 How you may access or correct your personal information**

You may contact the Company to request access to the personal information it holds about you at any time. You may also ask the Company to correct information about you that you may believe is inaccurate, incomplete or out of date.

Please contact the Company using the contact details set out in clause 11. The Company will need to verify your identity before giving you access to, or correcting, your personal information. The Company will respond to the request within a reasonable period after the request is made. There is no charge to make a request, however the Company may charge a reasonable fee to cover the administrative costs of retrieving your personal information.

In certain circumstances, the Company may refuse, or be unable, to correct or provide you with access to your personal information. In these circumstances, the Company will write to you to explain the reasons why this is the case.

## **10 How you may complain if you have concerns about how the Company has managed your personal information**

If you have a complaint related to how the Company has managed your personal information, please contact the Company using the contact details set out in clause 11. The Company may ask you to place your concerns in writing so that its compliance staff can fully understand and investigate your complaint.

The Company will provide you with an estimated response timeframe in relation to your complaint. In any event, the Company will endeavour to respond to your complaint with 30 days.

If a complaint remains unresolved, you may contact the Office of the Australian Information Commissioner (OAIC) at [www.oaic.gov.au](http://www.oaic.gov.au) to have the complaint heard and determined.

## **11 How to contact us**

If you have any questions about this Privacy Policy or the Company's management of your personal information, please contact the Company on:

**Attention:** Clifford Kaplan

**Email:** [cliffordk@nettex.com.au](mailto:cliffordk@nettex.com.au)

## **12 Changes to the Company's privacy policy and information handling practices**

This Privacy Policy is subject to change at any time so we encourage you to review this Privacy Policy at regular intervals. If the Company changes this Privacy Policy an updated version will be posted on the Company's website to notify you of this change. By continuing to use the Company's services after that time you will be deemed to have accepted any changes to its Privacy Policy.