

# PRIVACY POLICY OF VITRAGROUP PTY LTD

ABN 76 135 576 724

CONTACT DETAILS: 02 4735 4122

**VITRAGROUP Pty Ltd** (and its Related Entities and Related Bodies Corporate, as defined under the *Corporations Act 2001* (Cth)) (the “**Company**”) is committed to protecting the privacy of your Personal Information and has created this Privacy Policy in accordance with the *Privacy Act 1988* (Cth) (the “**Privacy Act**”). This Privacy Policy describes how the Company (“**we**”, “**our**” or “**us**”) manages your Personal Information in accordance with the Privacy Act, including the Australian Privacy Principles (“**APPs**”) and any relevant privacy code registered under the Privacy Act.

Our obligations or permitted handling of Personal Information under privacy laws are not limited by this Privacy Policy. For example, the Privacy Act allows us to rely on certain exemptions including in relation to employee records.

## 1. Collecting your Personal Information

### a) Personal Information We May Collect

“**Personal Information**” is information or an opinion (whether true or not) about an identified individual, or an individual who is reasonably identifiable (whether recorded in a material form or not). The types of Personal Information we may collect include but are not limited to:

- Name, contact and address details
- Date of birth and country of residence
- Organisational affiliations
- Job title and employer
- Employee record information
- Bank account and credit or debit card details
- Enquiry/complaint details
- Details of any injury or safety incident on any of our sites
- Results of drug and alcohol testing at our sites
- GPS tracking at our sites and between our sites (if any)
- Details of any gift or entertainment provided to you

“**Sensitive Information**” is a type of Personal Information and includes information about an individual’s:

- Health
- Racial or ethnic origin
- Political opinions
- Membership of a political association, professional or trade association or trade union
- Religious beliefs or affiliations
- Philosophical beliefs

- Sexual orientation or practices
- Criminal record
- Biometric information that is to be used for certain purposes
- Biometric templates

The APPs place more stringent obligations when we handle Sensitive Information.

#### **b) How We May Collect Personal Information**

The Company collects Personal Information in different ways:

- From you directly when you contact, communicate and/or transact with us. For example, this occurs when we deal with you in person over the phone or in store, when you send us correspondence (including via email and facsimile), if you engage with us online or through business activities and events.
- From third parties including public sources, share registry service providers, information service providers, any of our related entities, the parties with whom we exchange information as described here and similar lists which are legally acquired by us.
- We may also operate video and audio surveillance devices on our premises for purposes including security, safety, training and dispute resolution.

#### **c) How we may use your Personal Information**

Your information may be used for a variety of purposes, relevant to both our relationship with you and the effective conduct of our business. We may use your Personal Information for purposes which include but are not limited to:

- Administering our products and services to fulfil your orders
- Identifying and telling you about our products or services that we think may be of interest to you
- Conducting and improving our business, including product and service line offering, and improving the customer experience
- Conducting market research and direct or other marketing of our products and services
- Considering and responding to your enquiries, requests and applications
- Managing our relationship with you as our potential or actual customer, supplier or other third-party doing business with us
- Conducting injury and safety management
- Human resources
- Protecting our lawful interests

We also collect Personal Information that is reasonably necessary for, or directly related to those purposes listed above. If you do not provide us with the Personal Information we request, we may not be able to fulfil the applicable purpose of collection. For example, without it we may be prevented from supplying our products and services, providing goods on credit, assessing your application for employment, communicating with you and/or improving our product and service offering.

The Company only collects Sensitive Information where it is reasonably necessary for our functions or activities and either you have consented, or we are required or authorised by law to do so. Generally, Sensitive Information such as health information would only be collected about our staff where necessary. We only use your Sensitive Information for the purposes for which you gave it to us or for directly related purposes you would reasonably expect or if you have provided your consent to the use or disclosure of the information for that purpose.

If you do not wish to receive direct marketing communications from the Company you can request not to receive these communications by notifying us and we will remove your details from our marketing database.

#### **d) How we may disclose your Personal Information**

The Company is assisted by a variety of third parties that help us carry out our activities and it may be necessary to share information about you with and between such parties. Some examples of third parties include:

- Our Related Entities and Related Bodies Corporate, as defined under the *Corporations Act 2001* (Cth)
- Subcontractors and service providers who assist us to provide products and services and to administer and manage our business
- Your guarantors (where applicable)
- Your representatives in the course of conducting our business

The type of service providers we regularly engage include those that assist us with human resourcing, archiving, auditing, accounting, customer contact, delivery, payment, debt collection, legal, business consulting, banking, data processing and analysis, information broking, investigation, insurance, website or technology services.

Your Personal Information may be disclosed to third parties when undertaking joint promotions. We may also disclose your Personal Information to third parties transacting with the Company in relation to our assets or businesses under an undertaking of confidentiality.

#### **e) How we hold and store your Personal Information**

We hold your personal information through secure electronic storage facilities (including trusted third-party storage providers based in Australia and overseas) as well as in paper format securely stored at our premises. We take reasonable steps to protect your Personal Information from misuse, interference and loss and from unauthorised access, modification or disclosure.

The Company maintains physical security over paper and electronic data stores, such as through locks and security systems at our premises. We also maintain computer and network security, for example, we use firewalls (security measures for the internet) and other security systems such as user identifiers and passwords to control access to our computer systems.

The Company's staff are required to treat Sensitive Information as confidential. If your Personal Information is no longer required by the Company, it will take reasonable steps to destroy or de-identify that Personal Information.

## f) Overseas disclosure of your Personal Information

We may disclose your Personal Information collected in Australia outside of the jurisdiction. Unless we have your consent, or an exception under the APPs applies, we will only disclose your Personal Information to overseas recipients where we have taken reasonable steps to ensure that these overseas third parties do not breach privacy obligations under the APPs in relation to your Personal Information. In the conduct of our business, we transfer to, hold or access Personal Information from various countries outside of Australia including New Zealand, Singapore, India, British Virgin Islands, Panama, Netherlands and Seychelles.

## 2. Hiring and Recruitment

If you apply for a position with us, we may also collect information about your experience, character, qualifications and screening checks (including background, health, references, directorship, financial probity, identity, eligibility to work, vocational suitability and criminal record checks).

We collect, use and disclose your Personal Information to assess your application, conduct screening checks and consider and contact you about positions available. Your Personal Information may be exchanged with academic institutions, recruiters, screening check providers, health service providers, professional and trade associations, law enforcement agencies, referees and your current and previous employers. We may not be able to further consider you for positions with us without your Personal Information.

## 3. Employees and Contractors

This section applies to our current and former employees and contractors in addition to the Hiring and Recruitment section above. We may collect information relating to your current or former employment or engagement including information about your:

- training, disciplining, performance, conduct, resignation and termination
- emergency contact details
- use of our IT resources
- payroll matters, union or professional/trade association membership
- drug/alcohol tests
- leave and taxation
- banking or superannuation affairs

Various laws require or authorise us to collect your Personal Information. These laws include the *Fair Work Act 2009* (Cth), *Superannuation Guarantee (Administration) Act 1992* (Cth) and *Taxation Administration Act 1953* (Cth). We collect, use and disclose your Personal Information for various reasons relating to your employment or engagement with us including induction, training, health and safety, administration, insurance (including Workers Compensation), superannuation, payroll and staff management purposes.

We may exchange your Personal Information with your representatives (including unions) and our service providers. We may not be able to effectively manage your employment or engagement without your Personal Information.

Where a current or former employee makes a claim under Workers Compensation law in any state or territory, Personal Information will be collected and provided to the relevant statutory authorities and entities under legal obligations imposed by the relevant state or territory.

The Company may utilise encrypted templates based on biometric data from finger scanner systems for payroll purposes or where it is reasonably necessary for our functions or activities. No biometric data (i.e. fingerprint images) is stored in the execution of this process, and the encrypted templates cannot be reverse engineered to form a fingerprint image. The encrypted data is securely stored.

#### **4. Information related to credit**

##### **a) What types of credit-related Personal Information will we collect?**

The following section applies in addition to (and without limiting) the other parts of this Privacy Policy in connection with all trading and customer accounts with us.

When you apply to us for credit or propose to be a guarantor, we collect credit-related Personal Information. This may include:

- identification information such as names, date of birth, gender, recent addresses, employer and driver's licence number
- the fact that any credit has been applied for, amount and type of credit
- details of current and previous credit providers
- credit limits and certain terms and conditions relating to credit arrangements
- records of previous information requests to credit reporting bodies ("CRBs") made by other credit providers, mortgage insurers and trade insurers
- repayment history
- start and end dates of particular credit arrangements
- payment default information including information about related payment arrangements and subsequent repayment
- information about adverse court judgments, publicly-available information relating to credit worthiness and personal insolvency records from the National Personal Insolvency Index
- any credit providers opinion that there has been a serious credit infringement (e.g. fraud)
- information derived from CRBs (e.g. credit scores, ratings and assessments)
- information derived from trade credit insurers
- information we derive from the above information (e.g. our own credit scores, ratings and assessments)

##### **b) How do we collect credit-related Personal Information?**

Credit-related Personal Information may be collected either directly or indirectly from third parties including the CRBs listed below; records published by Australian Courts; information provided by trade credit insurers and other credit providers (e.g. through credit references).

We may also collect credit-related Personal Information directly or indirectly from you or an authorised representative assigned by your organisation including:

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- when you or the authorised representative within your organisation applies for a commercial credit facility with us
- when you as a director of a company, owner of the business or in your own capacity as an individual, provide personal guarantees as collateral for such a credit facility
- when you or your organisation request an increase in an existing credit facility and we require you to complete an application to facilitate such a request
- when you request access to, or correction of, your credit-related Personal Information

**c) How will we use and disclose your credit-related Personal Information?**

We use your credit-related Personal Information for a variety of reasons. We may use this information (amongst other things) to:

- assess a credit applicant's eligibility to qualify for, or request an increase to, a commercial credit facility with us
- determine the strength of an application by you to be a guarantor
- make our own assessments and ratings of your credit worthiness
- verify your identity
- manage the credit facility, guarantee, account and our relationship with you effectively
- assist the CRBs to maintain records in relation to your credit worthiness
- obtain trade credit insurance
- collect overdue payments

We may also disclose your credit-related Personal Information to CRBs. If a credit applicant fails to meet their payment obligations in relation to consumer credit or commits a serious credit infringement, we may disclose this to a CRB. CRBs collect and exchange this information with third parties as permitted by law, this includes credit providers like us and other credit providers.

**d) How can you access or correct your credit-related Personal Information?**

If you would like to access your credit-related information or to find out what information we hold about you, please contact our Privacy Officer using the contact details provided below.

- **Credit-related information held by a CRB or another credit-provider**  
You can request access to, or correction of credit-related information held by a CRB or another credit provider and we will seek to obtain a response from that CRB or other credit provider.
- **Credit-related information held by us**  
You can request access to, or correction of, your credit-related information held by us or make a complaint in relation to our collection, use or disclosure of your credit-related information. We will endeavour to acknowledge receipt of your complaint, investigate and consult with any relevant associated entities (e.g., a CRB) within applicable legally prescribed time limits.

**e) What Credit Reporting Bodies (CRBs) do we associate with?**

Our Credit Reporting Bodies include:

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1. Equifax, PO Box 964 North Sydney NSW 2059, [www.mycreditlife.com.au](http://www.mycreditlife.com.au), 1300 762 207
2. illion, PO Box 7405 St. Kilda Road Melbourne VIC 3004, [www.checkyourcredit.com.au](http://www.checkyourcredit.com.au), 1300 734 806
3. Experian, GPO Box 1969, North Sydney NSW 2060, [www.experian.com.au](http://www.experian.com.au), 1300 783 684
4. Tasmanian Collection Service, 29 Argyle Street, Hobart TAS, [www.tascol.com.au](http://www.tascol.com.au), [enquiries@tascol.com.au](mailto:enquiries@tascol.com.au), (03) 6213 5555
5. Creditor Watch, GPO Box 276, Sydney NSW 2001, [creditorwatch.com.au](http://creditorwatch.com.au) 1300 50 13 12

Contact these listed CRBs or visit their websites to see their policies regarding the management of credit-related information, including details of how to access or correct your credit-related information they hold. You also have the right to request CRBs not to:

- use or disclose credit-related information, if you have been or are likely to be a victim of fraud; and
- use your credit-related information to determine your eligibility to receive direct marketing from credit providers.

## 5. Using our Online Facilities

When you use our websites and online tools, information may be collected including, but not limited to, pages/sections accessed, information downloaded or the date and time of your use of our online facilities. We use this information for statistical, reporting, administration and maintenance purposes in relation to our online facilities.

We collect some of this website information using cookies. A 'cookie' allows a web browser to transfer data over to a computer or device for recordkeeping and other purposes. We use cookies to maintain the continuity of your browsing session serving you with more tailored information to facilitate the ongoing access and use of our online facilities.

If, for any reason, you do not wish to take advantage of cookies you can configure your browser to reject cookies. However, this may reduce or render un-useable some of the features of our online facilities.

We are subject to laws requiring us to protect and keep secure Personal Information once it comes into our possession. However, we are not responsible for the privacy practices or policies of links to other websites and online services. Please be aware that information may be insecure in transit, particularly where no encryption is used (e.g. email, standard HTTP).

## 6. Corrections, Complaints, Access and Further Enquiries

If you would like to:

- access your Personal Information held by us;
- find out more about our information handling practices;
- raise any privacy concerns or complaints; or
- request that information about you which is not accurate, complete or up to date be corrected,

please contact our Privacy Officer by:

- emailing: [privacy@kanjisolicitors.com](mailto:privacy@kanjisolicitors.com);
- calling: (02) 9251 4244; or
- writing to: The Privacy Officer, C/- Kanji & Co Level 33, 88 Phillip St Sydney NSW 2000.

We will respond to requests within a reasonable period of time. The Company reserves the right to charge a reasonable fee for searching and providing you access to your Personal Information.

In some circumstances it may not be possible for us to correct or provide access to your Personal Information in the manner that you have requested. If such a situation arises, we will notify you in writing and tell you why (except to the extent where it would be unreasonable for us to do so).

## **7. Changes to the Privacy Policy**

This Privacy Policy will be amended and updated from time to time, with or without notice to you. Any changes to this Privacy Policy will be notified by posting an updated version of the Privacy Policy on our website. We recommend that you visit our website regularly to keep up to date with any changes.

This Privacy Policy was last updated in SEPTEMBER 2021.