

PRIVACY POLICY

1 BACKGROUND

This Privacy Policy describes the ways in which CJD Equipment processes and protects your personal information and data. In this policy, all references to “we” or “us” refers to CJD Equipment Pty Ltd ACN 008 754 523 and any of our officers, employees, agents or assigns.

We are a distributor of construction equipment and trucks. In this policy, all references to our “services” or “business operations” means these services and any administrative or secondary operations we may engage in or provide, including but not limited to vehicle leasing and provision of credit.

We value your privacy and are committed to safeguarding your personal information, which we receive in connection with our business operations. To achieve this commitment to privacy, we comply with the Australian Privacy Principles and the Notifiable Data Breach Scheme contained in the *Privacy Act 1988* (Cth) (**Privacy Act**). This legislation governs the way we collect, use, disclose and store your personal information and how we notify you in circumstances where your information is lost or accessed without authorisation. For further information regarding Australia’s privacy legislation, please refer to the Office of the Australian Information Commissioner:

- online at www.oaic.gov.au;
- by email at enquiries@oaic.gov.au; or
- by telephone on 1300 363 992.

By accessing our website, using our services or otherwise providing us with personal information, you confirm that you have read and agree to the terms of this Privacy Policy and expressly consent to the collection, storage, use and disclosure of your personal information in accordance with the terms of this Privacy Policy.

If you do not feel comfortable with any aspect of this Privacy Policy or do not agree to the terms of this Privacy Policy, please immediately leave the website, discontinue the use of our services and contact one of our helpful staff members [here](#).

2 INFORMATION WE COLLECT

We collect information about you in order to provide you with our services. You may choose whether to provide us with this information, however your choices may affect our ability to offer you part or all of our services.

Personal information we collect may include:

- Contact Information:** when you use our services you may provide personal information including your name, date of birth, gender, email address, contact information and any other information which you may provide us.
- Payment Information:** in order to facilitate payments and to receive invoices and reimbursements (where applicable) you provide us with payment information which may include bank details, credit card details or other billing information.
- Credit Information:** when you apply for a credit facility you may provide, or we may collect from third parties, credit information, credit eligibility information and credit report information as those terms are defined in the Privacy Act. Further information regarding credit information is outlined in the “Credit Reporting” paragraph below.
- Communication Information:** when you communicate with us via telephone, email, SMS or online we will collect your contact information and any other information you choose to provide to us.
- Cookie Information:** we use cookies and similar tracking technologies on our website in order to track the use of our website and maintain and improve our services to you. Further information on cookie and online data collection is

contained in the “Website Usage” paragraph below.

- (f) **Third Party Information:** whenever reasonable and practical to do so, we will collect personal information about you directly from you. However, in some cases we may be required to collect personal information about you from third parties such as the government, your employer, credit reporting agencies or from public sources. Where we collect information about you from a third party, we will take reasonable steps to ensure that you are made aware of the fact and circumstances of that collection. We may also receive information from third parties where you have authorised the third party to do so.
- (g) **Mobile Data Information:** You may access or use our services via a mobile device or application. We may collect information about you and your device, such as your IP address, location or device information, and any other information provided by your mobile device. If you do not want us to collect your location information you can disable the GPS or location-tracking function of your device.
- (h) **Third-party Plugin Information:** In some cases, we may have integrated a third-party plugin into our website. The use of such third-party plugins may result in data collection by both us and the relevant third party. We do not control the information you share with third parties via these plugins. You should refer to the third party’s privacy policy to understand their data handling practices.

3 WEBSITE USAGE

Our website uses “cookies” (small data files containing information about you that is stored on your hard drive), “embedded scripts” and other

similar tracking technologies to collect information about your use of our website.

These tracking technologies are used to track your interaction with the website and target your interests to enhance your experience.

Information collected may include server addresses, top level domain names, the date, time and duration of a visit, website page access and documents downloaded, referring and exit pages, whether you are a returning visitor, the type of browser used and the hardware type and operating system of the device used.

You may decline our cookies if your browser add-on permits, but doing so may interfere with your use of our website and services. For more information on disabling cookies, refer to the ‘Help’ section of your browser.

4 WHY WE COLLECT INFORMATION

We collect your personal information in order to carry out our business operations in the most professional and efficient manner possible. We use your information for the purpose for which it was collected. Some examples of why we collect your personal information include:

- to provide our services to you or your employer.
- to identify our customers and potential customers.
- to set-up and update your account or your employers account.
- to collect fees and payments owing to us.
- to provide customer support.
- to comply with legal obligations.
- to resolve disputes.
- for insurance purposes.
- to contact you regarding our services to you.
- to respond to your enquiries and concerns.

- to detect, prevent and investigate potential or actual fraud to you, us or any third party.
- to compare information provided by you for accuracy and verify it with third parties where appropriate.
- to deliver targeted marketing materials to you regarding new services and offers we believe may be of interest to you.
- for the purposes of providing credit services to you. Please see the “Credit Reporting” paragraph below for further information.
- to provide to third party manufacturers in order to meet our contractual obligations to identify the owners of the products we sell.

Where your personal information is not ‘sensitive information’ (which includes information regarding your health, racial or ethnic origin, sexual orientation, political beliefs, philosophical beliefs, union or association membership and criminal history) we may use your information for reasonably expected secondary purposes related to the above.

In addition, we may use your information as otherwise authorised by law.

5 INFORMATION WE DISCLOSE

We will only disclose your personal information to the extent required to provide our services to you, for the purposes outlined in the “Why We Collect Your Information” paragraph above, or as otherwise requested or authorised.

We will not rent or sell your information to third parties without your consent.

(a) Direct Marketing

Where we use your personal information to send you marketing and promotional information you will be provided with the opportunity to opt-out of receiving such information. Unless you exercise

your right to opt-out of such communication, you will be taken to have consented to receive similar information and communications in the future.

(b) Overseas Data Transfers

We will not send your personal information to recipients outside of Australia without first:

- taking reasonable steps to ensure that the overseas recipient complies with the Australian Privacy Principles and this Privacy Policy;
- obtaining your consent; or
- otherwise complying with the Privacy Act.

You consent to any such transfers, provided that they are otherwise in accordance with this Privacy Policy.

6 HOW WE HANDLE INFORMATION

We take reasonable steps to protect personal information we hold from misuse, loss or unauthorised access, modification or disclosure.

Personal information we collect and hold is stored on secure servers and is only accessible by those persons who need access to the information or in order to carry out our services. We also maintain physical security measures to protect the use and storage of physical records containing your personal information.

We will only retain your information for as long as required for the purpose for which the information was collected, or to comply with legal obligations or resolve disputes. We will take reasonable steps to destroy or de-identify your personal information when we are no longer permitted to keep it.

Where we detect misuse, loss or unauthorised access, modification or disclosure to your personal information, we will comply with all

relevant provisions of the Notifiable Data Breach Scheme.

7 YOUR RIGHTS & CHOICES

You are entitled to engage with us on an anonymous or pseudonymous basis and may request to do so. We will engage with you in accordance with your request where it is practicable for us to do so. However, by engaging with us on an anonymous or pseudonymous basis we may be unable to provide our services to you.

You are entitled to access the personal information we hold about you and may request that we correct any errors in the information we hold.

If you would like to access or correct your personal information held by us, please contact our Privacy Officer at the address below.

We will take reasonable steps to allow you to access your information unless circumstances exist that would prohibit us from doing so.

We will correct your personal information where we are satisfied that the information is inaccurate, out of date, incomplete, irrelevant or misleading. If we correct any personal information that we have disclosed to third parties we will take reasonable steps to notify those parties of the change or update. You accept that following a request to correct your information we may be required to take reasonable steps to verify your identity or the personal information, which may include confirmation with third parties.

8 CREDIT REPORTING

As a credit provider, we have obligations under Part IIIA of the Privacy Act and the *Privacy (Credit Reporting) Code 2014 (Code)* regarding how we collect, use, store and disclose your credit information.

(a) What credit information do we collect?

We collect limited credit information about sole traders, partners and individuals acting as guarantors in connection with commercial credit facilities we provide. In order to assess and investigate your credit-worthiness, we need to collect the following information from you, together referred to as **credit-related personal information** for the purposes of this Privacy Policy:

- **credit information**, which includes information about your identity, consumer credit accounts you hold or have held, repayment history, details of previous credit applications, previous credit defaults, ongoing or prior court proceedings and personal insolvency events; and
- **credit eligibility information**, which is credit information and credit worthiness assessments provided by credit reporting bodies and credit worthiness assessments we derive from credit reports we have received from a credit reporting body.

Where possible we will collect credit-related personal information from you directly when you complete our “Commercial Credit Application Form”, however we may need to collect or confirm this information from third parties, such as credit reporting bodies, other credit providers, government agencies or your trade references. When applying for credit with us, you authorise us to collect, and consent to us disclosing, your credit-related personal information in accordance with this Privacy Policy.

(b) How do we use your credit-related personal information?

We use your credit-related personal information in order to help us and our financiers to decide whether to provide credit facilities to you, or your related business or organisation. The specific purposes we use your credit-related personal information for include, but are not limited to:

- assessing your credit application and credit-worthiness.
- collecting payments owed to us.
- participating in the credit reporting system.
- responding to complaints, requests or other proceedings.
- complying with regulatory or legal requirements.
- providing information to organisations wishing to acquire all or part of our business or debt for the purposes of assessing or implementing such a transaction.
- assessing your suitability to act as a guarantor.
- internal management purposes.
- assessing or obtaining security arrangements.
- assisting you to avoid defaulting on your obligations.
- any other purpose you have consented to.

(c) Who do we disclose your credit-related personal information to?

We disclose your credit-related personal information where necessary in connection with the purposes of collection outlined above or where otherwise requested or authorised. This will involve disclosing your credit-related personal information to third parties including credit reporting bodies, guarantors, credit providers, debt collectors where permitted by law, our financiers and agents and potential transaction counterparts. We may also disclose this information to third parties permitted under Part IIIA of the Privacy Act or the Code, as otherwise permitted by law or with your consent.

We generally will not disclose your credit-related personal information to entities located overseas. Where we need to disclose this information to overseas entities, we will not do so without first taking reasonable steps to ensure that overseas recipients do not breach the Australian Privacy

Principles and otherwise comply with relevant provisions of the Privacy Act when dealing with your credit-related personal information.

(d) Credit Reporting Bodies

The primary credit reporting bodies we engage with regarding your credit-related personal information to include:

- Equifax: <https://www.equifax.com.au>
- Creditorwatch: <https://creditorwatch.com.au>

Further information regarding how these credit reporting bodies manage your credit-related personal information can be found in its credit reporting policy, generally available at its website or by contacting them directly.

(e) Your rights relating to credit-related personal information

You have the following rights with respect of your credit-related personal information we hold:

- the right to access credit-related personal information;
- the right to request a correction to incorrect credit-related personal information; and
- the right to lodge a complaint if you believe we have not complied with our obligations under the Privacy Act or the Code.

You may exercise these rights by contacting our Privacy Officer. Details of how to contact us and how we manage any complaints are included in the “How to Contact Us” paragraph below. We will endeavour to respond to any enquiry within 30 days.

9 HOW TO CONTACT US

If you have any queries, concerns or complaints, or would like to discuss any matter concerning your privacy, please contact our Privacy Officer [here](#).

If you are concerned that we may have breached the Australian Privacy Principles, please contact us immediately. We will undertake a reasonable and expeditious assessment of the concern and suggest relevant resolution processes.

Alternatively, you may wish to contact the Office of the Australian Information Commissioner.

10 CHANGES TO THIS PRIVACY POLICY

We may update this Privacy Policy from time to time. If we change this Privacy Policy in any material way, we will post a notice on our website prior to the change becoming effective for a period of 30 days. We encourage you to periodically review this page for the latest information on our privacy practices.

The effective date of this Privacy Policy is: 24 January 2019