

# Privacy Policy

**Authorised By:** Oceania Cycle Sport Pty Ltd

**Introduction Date:** November 2017 **Version:** November 2017

## 1. Policy Statement:

This privacy policy will apply to Oceania Cycle Sport and any of its subsidiary companies which are required by law to have a privacy policy.

This privacy policy and updated versions of it, will be published on Oceania Bicycles' website and the websites of its relevant subsidiary companies.

A reference to 'we' or 'us' in this privacy policy means Oceania Cycle Sport Pty Ltd or relevant subsidiary company and a reference to 'you' means an individual person protected by the provisions of the *Privacy Act 1988*.

## 2. Our Commitment To You

We are committed to protection of your personal information and the purpose of this policy is to ensure that we meet that commitment by managing your personal information in an open and transparent way.

## 3. Our Aim

Our aim is to have sufficient practices, procedures and systems relating so that we can ensure that we comply with the Australian Privacy Principles, New Zealand Information Privacy Principles and any other applicable codes. We also aim to deal with inquiries or complaints from the public how we deal with people's personal information.

## 4. Obtaining a Copy of this Policy

The current version of this policy is available free of charge on our website. If you ask for a copy of this policy in a particular different form, we will try to give you a copy in a different form but in some circumstances this may incur a charge.

## 5. Why Do We Deal With Personal Information?

We deal with your personal information for a number of reasons, including, to assist you with shopping in-store and online with us, so that you can join our club memberships and to deal with your inquiries to our customer interaction centre, to name a few. We hope that by doing this, we can strive to continue to improve the level of customer service that we offer to you.

## **6. What Type of Personal Information Do We Deal With?**

Personal information is information that identifies you or is reasonably linked to you. The kinds of personal information we collect may include contact and payment information like your name, email and physical address and phone number.

## **7. When We Ask For Your Personal Information**

- 7.1 We won't collect your personal information unless it is reasonably necessary for our functions or activities.
- 7.2 We won't collect sensitive information about you unless you allow us to and we need the information for our functions or activities or unless we are required or allowed to by law to do so.
- 7.3 We will only collect personal information in a lawful and fair way.
- 7.4 We will collect personal information about you only from you unless it is not reasonable or practical to do so.

## **8. When We Don't Ask For Your Personal Information**

- 8.1 If we receive your personal information and we haven't asked for it, we will determine whether or not we are allowed to collect that that personal information. Sometimes we may have to use or disclose that personal information in order to determine if we are allowed to collect it.
- 8.2 If we are not allowed to collect the personal information, we will promptly destroy it or ensure it is not capable of identifying you.
- 8.3 If we are allowed to collect the personal information, we will treat it in the same way as we treat personal information that we ask for.

## **9. About Your Personal Information**

- 9.1 If we collect personal information about you, we will take reasonable steps to make sure you are aware of:
  - (a) our identity and contact details;
  - (b) if we collect the personal information from someone other than you or we think you may not be aware that we have collected your personal information, then the fact that we have collected the personal information and how we collected it;
  - (c) if we are required or allowed to collect the personal information then the fact that we are required or allowed to collect it as well as the details of the law that requires or allows us to collect it;
  - (d) why we are collecting your personal information;
  - (e) the main consequences for you if we don't collect all or some of your personal information;

- (f) anyone else, or the types of any other entities, bodies or persons, to who we usually disclose personal information we collect;
- (g) that our privacy policy contains information about how you may access your personal information that we hold and how you can have it corrected;
- (h) that our privacy policy contains information about how you may make a complaint about a breach of the Australian Privacy Principles, or a registered code (if any) that apply to us, and how we will deal with complaints;
- (i) whether we are likely to disclose the personal information to someone overseas;
- (j) if we are likely to disclose the personal information to someone overseas, then the countries in which they are likely to be located if it is practicable for us to tell you or to otherwise make the you aware of them.

## **10. Dealing With Your Personal Information for Secondary Purposes**

- 10.1 If we hold your personal information that was collected for a particular purpose (the primary purpose), we won't use or disclose the information for another purpose (the secondary purpose) unless:
- (a) you allow us to; or
  - (b) we are required or allowed to by law;
  - (c) we believe that the use or disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body and we will keep records of that use or disclosure.
  - (d) you would reasonably expect us to deal with the information for the secondary purpose and the secondary purpose is:
    - (i) if the information is sensitive information—directly related to the primary purpose; or
    - (ii) if the information is not sensitive information—related to the primary purpose; or
- 10.2 If we are required to by law, we will take reasonable steps to ensure that the information is not capable of identifying you before we disclose it.
- 10.3 If we collect personal information from one of our related companies this clause applies as if our primary purpose for the collection of the information was the primary purpose for which the related company collected the information.

## **11. Direct Marketing**

- 11.1 If we hold your personal information we won't use or disclose the information for the purpose of direct marketing without your consent, except as provided below.
- 11.2 We may use or disclose your personal information (other than sensitive information) for the purpose of direct marketing if:
- (a) we collected the information from you;

- (b) you would reasonably expect us to use or disclose the information for that purpose;
  - (c) we provide you the opportunity to easily request not to receive direct marketing communications from us; and
  - (d) you haven't made such a request to us.
- 11.3 We may also use or disclose your personal information (other than sensitive information) for the purpose of direct marketing if:
- (a) we collected the information from:
    - (i) you and you would not reasonably expect us to use or disclose the information for that purpose; or
    - (ii) someone other than you; and
  - (b) either:
    - (i) you have consented to the use or disclosure of the information for that purpose; or
    - (ii) it isn't practical to obtain that consent; and
  - (c) we provide a simple way for you to easily request not to receive direct marketing communications from us; and
  - (d) in each direct marketing communication with you:
    - (i) we include a prominent statement that you may make such a request; or
    - (ii) we otherwise draws your attention to the fact that you may make such a request; and
  - (e) you haven't made such a request to us.
- 11.4 If we use or disclose your personal information:
- (a) for the purpose of direct marketing by us you may request not to receive direct marketing communications from us; or
  - (b) for the purpose of facilitating direct marketing by someone else you may request us not to use or disclose the information for that purpose; and
  - (c) you may request us to provide its source of the information.
- 11.5 If you make a request under clause 11.4 we will not charge you for the making the request or meeting it and we will respond to the request in a reasonable time as required by law.

## **12. Quality of Personal Information**

We will take reasonable steps to ensure that the personal information that we collect or use is accurate, up to date and complete.

### **13. Security of Personal Information**

- 13.1 We will take reasonable steps to protect your personal information, including from misuse, interference and unauthorised access or disclosure.
- 13.2 If we no longer need your personal information and we are allowed to do so by law, then we may destroy the information or make sure that it is can no longer identify you.

### **14. Remaining Anonymous**

Except where it isn't practical or where the law provides otherwise, you do not have to identify yourself or you may wish to use a pseudonym instead of your real name when dealing with us on a matter.

### **15. Access to Your Personal Information**

- 15.1 You may ask us for access to your personal information. Please direct any requests for access to your personal information to our Privacy Officer whose contact details are provided on our website at [www.oceaniacycles.com.au](http://www.oceaniacycles.com.au).
- 15.2 There are some times when we won't give you access to your personal information, they are when:
- (a) we reasonably believe that giving access would pose a serious threat to the life, health or safety of any person, or to public health or public safety;
  - (b) giving access would have an unreasonable impact on the privacy of another person;
  - (c) the request for access is frivolous or vexatious;
  - (d) the information relates to existing or anticipated legal proceedings between us and you, and would not be accessible by the process of discovery in those proceedings;
  - (e) giving access would reveal our intentions in relation to negotiations with the you in such a way as to prejudice those negotiations;
  - (f) we are allowed or required by law not to give you access;
  - (g) we suspect that unlawful activity, or misconduct of a serious nature, that relates to our functions or activities has been, is being or may be engaged in and that giving access would be likely to prejudice the taking of appropriate action in relation to the matter;
  - (h) giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or
  - (i) giving access would reveal evaluative information we have generated in connection with a commercially sensitive decision-making process.
- 15.3 If you ask to access to your personal information we will respond within a reasonable time and give you access in the way you ask, if it is reasonable and practicable to do so.

- 15.4 If we don't give you access to your personal information or don't give access in the way you ask, we will try to give you access in a different way that meets both your needs and our needs. If we can't do that, then we will give you a written notice that sets out:
- (a) the reasons for the refusal except to the extent that, having regard to the grounds for the refusal, it would be unreasonable to do so; and
  - (b) the options available to you to make a complaint about the refusal; and
  - (c) anything else we have to tell you by law.
- 15.5 We may charge you a reasonable fee for giving access to your personal information that we hold but we won't charge you just for making the request.

## **16. Correction of Personal Information**

- 16.1 We will take reasonable steps to correct your personal information if we believe it is inaccurate, out of date, incomplete, irrelevant or misleading or if you ask us to correct it.
- 16.2 If we correct your personal information that we disclosed to someone else and you ask us to notify them of the correction, we will take reasonable steps to give that notification unless it is not practicable or the law requires us not to.
- 16.3 If we don't correct your personal information, we will give you a written notice setting out:
- (a) why it hasn't been corrected, unless it would be unreasonable to do so; and
  - (b) how you may make a complaint should you wish to do so; and
  - (c) anything else we have to tell you by law.
- 16.4 If we don't correct your personal information then you may ask us to put a statement with your information stating that it may be inaccurate, out of date, incomplete, irrelevant or misleading. If you ask us to do this, we will take reasonable steps to put the statement with your information.
- 16.5 If you ask us to correct your personal information or to put a statement with it, we will respond to your request within a reasonable time. We won't charge you a fee for making of request, for correcting your personal information or for putting a statement with your information.

## **17. Overseas Disclosure of Personal Information**

Before we disclose your personal information to someone overseas we will take reasonable steps to ensure that they don't breach the Australian Privacy Principles in relation to your personal information. Please note however, that this won't apply when you consent to us disclosing your personal information in that or if we are allowed or required by law to make an overseas disclosure of your personal information.

## **18. Where Your Personal Information May Go**

If we do disclose your personal information to someone overseas, they are likely to be located in any one or more of the following countries:

(a) New Zealand

### **19. What if You Are Not Happy With The Way We Treat Your Personal Information?**

If you have any queries or would like to raise any concerns about your personal information, please e-mail, or write to us at the following;

Email:

**privacy@oceaniacycles.com.au**

Postal Address:

Privacy Officer

Oceania Cycle Sport

3 Raylee Place

Lynbrook, Victoria, 3975.

Or visit our Website at: <http://www.oceaniacycles.com.au/custompage.aspx?custompage=Privacy1>