

PRIVACY STATEMENT

SYDNEY MINI GARAGE

This document sets out the Privacy Policy of Sydney MINI Garage and explains how we manage personal information.

1. WHAT PRIVACY LAWS APPLY TO US?

Whenever we collect, hold, use, disclose or otherwise deal with any personal information (including credit, health or other sensitive information), we are bound by and must comply with Australia's national privacy laws. These are mainly found in the Privacy Act 1988 (Cth) and Spam Act 2003 (Cth) as amended from time to time and the National Privacy Principles (NPPs).

2. WHAT IS PERSONAL INFORMATION?

Personal information includes any information or opinion (whether true or not) about a person who can be identified from that information, which is recorded in some material form, including as part of a database. This ranges from basic personal details such as name, address, e-mail address and telephone numbers to credit, health and other sensitive information including information given as a consequence of providing products or services.

We may collect and hold the following kinds of information about a person:

- name, address, email details, contact numbers, date of birth and driver's licence;
- vehicle details and purchase date;
- any vehicle finance or insurance provided and the name of the person's financier, insurance provider or broker;
- warranty and service details;
- information collected from marketing campaigns, product research, test drive requests and customer surveys;
- any other information a person provides to us; and
- any other personal information which we are required to collect for identification verification purposes.
- If a person makes an application for consumer or commercial credit we will hold additional information the person provides in a consumer or commercial credit application that the person makes and may also hold a consumer or commercial credit report about the person from a credit reporting agency (respectively consumer credit information and commercial credit information).

3. WHAT WE EXPECT

We take great care at all times to deal with all personal information in a compliant and confidential manner and expect all of our employees, contractors, business partners and service providers to comply with Australian privacy laws and treat personal information accordingly.

4. COLLECTION OF PERSONAL INFORMATION

We may collect personal information directly from a person or via our website, email, SMS, or from marketing campaigns including competitions, promotions, events, sponsorships or from other partnerships, dealers or service providers. Collection includes when we keep personal information that we come across by accident or have not asked for. We may also collect personal information:

- from vehicle manufacturers, importers, distributors and suppliers;
- from financiers, insurance providers, agents and brokers;
- from other organisations which are part of the our group of companies;
- from our involvement in roadside assistance and accident management programmes; and
- from our service providers such as marketing service providers.
- We will only collect personal information that is necessary for one or more of our functions and activities.

We will collect personal information about a person from them whenever practicable. Collection will only be done in a lawful and fair manner. Whenever we collect personal information, we will take all reasonable steps to inform the person whose information is being collected:

- that we are collecting their information;
- how to contact us;
- the particular purposes for which we are collecting the information;
- the organisations or types of organisations to whom we may disclose the information;
- the main consequences (if any) for that person if all or part of the information is not provided to us (unless this is obvious);
- the fact that the person can access their information; and
- any law that requires us to collect the information.
- There will be times when we collect personal information about a person from someone else. When this happens, we will take appropriate steps to make sure that the person is aware of the matters listed above.

We will not collect sensitive or health information from anyone unless they have consented or the collection is otherwise required or permitted by law.

5. USES AND DISCLOSURES OF PERSONAL INFORMATION

The personal information (apart from a person's consumer credit information) which we collect and hold will in general be used and disclosed for the purpose of carrying out our functions and activities, as an organisation in the business of selling vehicles, parts, accessories, related products and services, including financial and insurance services. These purposes include:

- sales and aftersales activities including warranty, servicing, roadside and accident management provisioning, insurance claims and repairs;
- customer contact, care and information;
- customer surveys and analysis, running competitions, organising test drives;

- marketing activities, including communication of information about our organisation and our products and services;
- research and development relating to our products and services;
- to assist in and facilitate finance and insurance applications;
- for any other purpose which we tell the person about when we collect their personal information or to which they have given their consent;
- for any related purpose which would be reasonably expected in the circumstances; or
- where otherwise permitted or required by any law.

We will only use a person's consumer credit information:

- to assist in and facilitate credit applications;
- for purposes directly related to a person's loan application or provision of credit; or
- in accordance with the consents and authorities a person has given in their consumer credit application.

A person's commercial credit information will be used in the same way as their other personal information, save that it will not be used to assess an application by them for consumer credit without prior consent.

We may disclose personal information we collect (other than a person's consumer credit information) to:

- vehicle manufacturers, importers, distributors, and suppliers so that they may use the personal information for one or more of the above purposes or to assist us to carry out the particular purpose. They in turn may need to disclose the personal information on to other organisations within their vehicle manufacturer group or other service providers in order to fulfil the relevant purpose;
- financiers, insurance providers, agents and brokers;
- other organisations which are part of our group of companies;
- other business partners, service providers or advisers (including mailing houses, market research firms, marketing service providers, messaging service providers, after-market organisations and body shops);
- any other person or entity to which the person has consented to us disclosing their personal information; and
- any disclosure which is required or authorised by law.
- We will only transfer personal information outside Australia if we reasonably believe that the country to which we are transferring the personal information has similar or equivalent privacy laws to those in Australia and we will take reasonable steps to protect all personal information and to ensure that it is treated in accordance with the legislative requirements concerning data protection in that country. Otherwise, we will obtain the person's consent to the transfer of their information or ensure that one of the other prescribed circumstances as provided for in NPP9 exists.

We will only disclose a person's consumer credit information as permitted by the Privacy Act.

A person's commercial credit information will be disclosed in the same way as their other personal information, save that it will not be disclosed to a credit reporting agency for the purpose of assessing an application by a person for consumer credit without the person's prior consent.

We may contact and communicate with a person either via the telephone, post, facsimile, email or SMS. Generally, we will not direct market to anyone unless they have been given an opportunity to opt out of receiving future direct marketing communications.

However, if we contact a person for the purposes of direct marketing, without having obtained their consent first, because it is impracticable for them to do so, we will at that time provide the person with the opportunity to decline any further marketing communications at no cost to them.

If we collect sensitive or health information, we will only use this information with the person's consent unless otherwise permitted by law.

6. SECURITY AND MANAGEMENT OF PERSONAL INFORMATION

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

We will take reasonable steps to destroy or permanently de-identify any personal information which we hold when it is no longer required for any purpose for which it was collected or for which it may be legitimately used or disclosed.

7. COMPLAINTS, ACCESS AND CORRECTION

We will take all reasonable steps to ensure that the information we collect, hold or disclose about a person is accurate, complete and up to date.

If we hold personal information about a person, they are generally entitled to access that information and may request that it be updated or amended if it is incorrect or incomplete, save to the extent that is expressly provided by any privacy or other applicable laws.

If a person believes that we have not dealt with their personal information in a manner that complies with the Privacy Act and the NPPs, they should contact us to resolve their concerns and to discuss how we can better deal with their information. We may refer the person to the relevant organisation, if appropriate.

All complaints, requests for access to, or to correct, personal information or any queries concerning privacy matters should in the first instance be put in writing via e-mail or post, addressed to the following:

Shane Parkins, 65 Craigend St, Rushcutters Bay NSW 2011.
Shane.Parkins@sydneybmw.com.au
02 9334 455

8. TRANSPARENCY

A copy of this Privacy Policy will be made available to anyone who requests it and a link to this Privacy Policy will be provided from our website. A request for a copy of this Privacy Policy may be made via e-mail or post as above.

9. CHANGES TO THIS PRIVACY POLICY

This Privacy Policy may be reviewed and amended from time to time and we will place the updated Privacy Policy on our website or it will be made available by contacting us on the above details.

10. PRIVACY STATEMENT AND COLLECTION STATEMENTS

We may also issue privacy and collection statements through our website or other points of contact and collection which will refer to this Privacy Policy but will also give more specific information about the collection, use and disclosure of personal information being collected at that time (by reference to the relevant circumstances of collection).