

PRIVACY STATEMENT

Coombes Johnston European, trading as **Coombes Johnston BMW & Coombes Johnston MINI Garage**,

Coombes Johnston BMW collects personal information from our customers and people who visit our website and showroom and use our services (together “customers”). Our customers’ privacy is extremely important to us at Coombes Johnston BMW. We want to be sure that all of our employees understand the terms and conditions relating to the way in which we collect information, the ways in which we can use of that information and our obligations in relation to information we collect. Individual employment agreements also set out employees’ obligations when dealing with personal information.

This Privacy Statement sets what information we collect, what we do with it and our customers’ rights to view, correct or change it.

Coombes Johnston BMW’s collection, use, holding and disclosure of personal information is governed by the Privacy Act 2020. Additional information about privacy regulation is available at the Office of the Privacy Commissioner www.privacy.org.nz which provides further details of the New Zealand Privacy Act and how it protects personal information in New Zealand.

WHAT IS PERSONAL INFORMATION?

Personal information is “information about an identifiable individual”. This includes information such as a person’s name; phone number; email address; and any observations where an individual is identified. Information will be personal information even if it does not name an individual where the individual is identifiable in other ways (eg. a home address). It can also include vehicle details, where those details can be linked to the identity of the owner.

WHAT PERSONAL INFORMATION DO WE COLLECT FROM CUSTOMERS?

We collect information from customers who visit our website or showroom and service centre, and when customers purchase our products and services.

When registering on our site, customers may be asked to enter their name, email address, phone number, and any other relevant detail that can assist us in providing a customer experience that we wish to deliver, and our visitors would expect.

We may also collect personal information from customers when they:

- visit our showroom and service centre;
- phone us;
- open an account with us
- make an inquiry through social media
- send us an email; or
- make a purchase.
- Attend an Coombes Johnston BMW Limited event

The information we collect from customers will depend on the nature of their visit and the types of services and products provided to them. We may collect a customer or visitor’s

name, email address, phone number, date of birth, driver's licence details, vehicle information, warranty, payment and service information.

We do not retain or store any credit or debit card details. All credit or debit card payments are processed through third party payment services providers.

WHAT DO WE USE THIS INFORMATION FOR?

Under the Privacy Act, we may only collect personal information if it is collected and necessary for a lawful purpose in connection with one of our functions or activities.

Personal information should only be collected to help us efficiently carry out our activities as a business. Personal information is only collected if it is necessary to do the following:

- To make the customers' experience and transaction with us as easy and seamless as possible.
- To process any transactions made via the website, respond to any queries or questions customers might have, and provide any support or information requested.
- To provide customers with ongoing support and customer services, including providing reminders about warranty, warrant of fitness and services, and providing access to roadside assistance services
- To comply with our regulatory requirements, such as carrying out any required recalls.
- To provide customers with updates about our products, events and other marketing and promotional material.
- To conduct research about our customers and statistical analysis (on an anonymised basis).
- To protect or enforce our legal rights and interests.

HOW DO WE PROTECT PERSONAL INFORMATION?

We are required to have reasonable safeguards against unauthorised access, modification, disclosure, or misuse of personal information. We ensure this by:

- Regularly having our website scanned for any potential security gaps or breaches.
- Storing personal information collected in secure databases, which can only be accessed by staff members using a unique log-on.
- Ensuring that hard copy information is securely stored within our premises.

USE AND DISCLOSURE OF PERSONAL INFORMATION

We can only use personal information that we collect for the purposes in connection with which it was collected, or purposes that are directly connected to those purposes. Personal information should only be accessed for these purposes.

We can only disclose personal information to third parties where disclosure is connected to the purpose for which the information is collected. We may disclose personal information to third party roadside assistance providers and provide information to Coombes Johnston BMW's business partners(including BMW New Zealand Limited & BMW Group Australia for warranty and marketing purposes.

We may also:

- Share aggregate or information that does not directly identify the person with third parties in order to improve our services.
- Disclose information if it is reasonably necessary to enforce our agreements, policies and terms of use or exercise our legal rights or defend ourselves against any third-party claims or allegations.
- In the event of a reorganisation, merger, acquisition or sale, transfer or share personal information to the relevant third party.

Before disclosing information to third parties, we must take reasonable steps to ensure that the information is accurate, up to date, complete, relevant and not misleading.

We do not sell or trade to outside parties our customers' personally identifiable information.

RETENTION OF INFORMATION

We may only retain personal information where we have an ongoing legitimate business purpose to do so.

CUSTOMER RIGHTS

Customers whose information we collect have the right to request access to personal information, and request that we correct any personal information we hold about them. If a customer is given access to their personal information, they must be advised that they can request that the information be corrected.

PRIVACY OFFICER AND REQUESTS FOR ACCESS TO INFORMATION

We are required to have a privacy officer who is responsible for responding to Privacy Act requests and dealing with the Privacy Commissioner in relation to any investigations under the Act.

Customers can request access to their personal information by making a request for information verbally, in writing, or by filling out the Privacy Request Form, which is available on request. While a customer does not need to use the Privacy Request Form to request access to information, we recommend asking a customer to use the Form, to ensure that we have all the necessary information to respond to the request. We are required to give reasonable assistances to customers who wish to make a request for information under the Privacy Act or who are making a request for information. Requests for access to personal information should be referred to the Privacy Officer who will co-ordinate the response and ensure that access is given to information the customer is entitled to access in a timely manner.

Under the Privacy Act, a request for access to personal information must be responded to no later than 20 working days after it is received. However, Auckland City BMW can notify the customer requesting access that it needs more time to respond to the request because: the request is for a large quantity of information, or requires searching through a large quantity of information; there is a need for further time to consult on the request; or processing the request raises complex issues meaning a response cannot reasonably be given in the time period.

Documents containing personal information may only be withheld if one of the reasons in sections 49 to 53 of the Privacy Act applies. The reasons that are most likely to apply to Auckland City BMW are: if disclosure is likely to unreasonably prejudice the

commercial position of the person who supplied the information or who is the subject of the information; if the information does not exist, or cannot be found despite reasonable efforts; if the disclosure would involve the unwarranted disclosure of someone else's affairs; disclosure would breach legal professional privilege; or the request is frivolous, vexatious or the information requested is trivial. If we refuse access to personal information, the customer must be informed of the reason for the refusal and the right to make a complaint to the Commissioner.

RESPONDING TO POTENTIAL BREACHES OF PRIVACY

Coombes Johnston BMW takes potential breaches of privacy seriously. A breach of privacy occurs where there is unauthorised or accidental access to, disclosure, alteration, loss, or destruction of personal information held by Coombes Johnston BMW, or an action that prevents the agency from accessing personal information.

Where a breach of privacy occurs, the Privacy Officer should be informed, and steps taken to contain the breach, assess the risk of the breach and notify impacted individuals.

The Privacy Commissioner must be notified of any privacy breach that is likely to cause serious harm to an affected individual.

More information on responding to breaches is available:

<https://www.privacy.org.nz/responsibilities/privacy-breaches/responding-to-privacy-breaches/>