

# Privacy Policy Marcolin Australia

In this policy, Marcolin, “we”, “us” and “our” means Marcolin Pty Limited (ACN 637 453 439).

At Marcolin, we take our privacy obligations seriously and are committed to ensuring that we handle personal information in accordance with the Australian Privacy Principles contained in the *Privacy Act 1988*(Cth) (**Act**).

This policy sets out:

* + what is considered personal information;
	+ how we collect, hold, use or disclose personal information;
	+ the purposes for which we collect, hold, use and disclose personal information;
	+ what happens if we are not able to collect personal information;
	+ whether we disclose personal information outside Australia; and
	+ how to contact us, including to make a complaint.

This policy covers all of our activities, including the operation of this website, and our other websites and our social media accounts including any Marcolin Facebook, Instagram, LinkedIn or Weibo pages or other social media accounts (**Social Media**).

We may, from time to time, review and update this policy, including to take into account new or amended laws, new technology or changes to our operations. All personal information held by us will be governed by the most recent updated policy published on our website, with any updates effective as of the date of publication. Your privacy matters to us, so please take the time to get to know our practices.

Please note that we have different privacy policies for the jurisdictions in which we operate. You can view them [here](https://www.marcolin.com/en/privacy-policy/) at www.marcolin.com.

## Changes to our privacy policy

We may vary this privacy policy from time to time. Any updated versions of this privacy policy will be published on our website, with any changes effective on the date of publication.

This policy was last updated in **01/04/2023.**

## What is personal information

When used in this policy, the term "personal information" has the meaning given to it in the Act. In general terms, it is any information that can be used to personally identify you. This may include (but is not limited to) your name, age, gender, postcode and contact details (including phone numbers and email addresses) and possibly financial information, including your credit card, direct debit or PayPal account information. If the information we collect personally identifies you, or you are reasonably identifiable from it, the information will be considered personal information.

“Sensitive information” is information such as health information, information relating to your racial or ethnic origin, membership of political bodies, religion or trade unions, sexual preferences or activities, criminal record or medical information. Due to its sensitive nature, the Act imposes higher obligations where an entity deals with an individual’s sensitive information.

## What personal information do we collect and hold

We may collect the following types of personal information:

* name;
* mailing or street address;
* email address;
* mobile, home or business telephone number or fax number;
* Australian Business Number (ABN), Australian Company Number (ACN), Australian Registered Body Number (ABRN), business name or company name;
* website or domain name;
* age or birth date;
* profession, occupation or job title;
* bank account details;
* details of the products and services you have purchased from us or which you have enquired about, together with any additional information necessary to deliver those products and services and to respond to your enquiries;
* any additional personal information relating to you that you provide to us directly through our websites or indirectly through use of our website or online presence through our representatives or otherwise; and
* information you provide to us through our service centre, customer surveys or visits by our representatives from time to time.

We do not expect that we will collect sensitive information about you, however if we do we will always deal with it in accordance with the Act and this policy.

## How we collect personal information

We collect your personal information directly from you unless it is unreasonable or impractical to do so. We collect such information directly from you in a number of ways, including (but not limited to):

* + when you complete a credit application;
	+ through your access and use of our website, social media or sending an SMS/MMS to us;
	+ when you sign up for our rewards program; and
	+ during conversations between you and our representatives.

We may also collect personal information from third parties including:

* + third party companies such as credit reporting agencies, identity verification companies and government entities for the purpose of credit verification; and
	+ our other contractors and business partners including public relations and advertising agencies, mail and delivery services providers, travel agencies and recruitment agencies.

We may also collect information you publish on social and other media.

## Why do we collect, hold, use and disclose personal information?

We may use and disclose your personal information for the purposes for which it has been collected, or for any other purposes to which you have consented.

You may give us your consent expressly, or it may be implied by your conduct. Subject to the requirements of the Australian Privacy Principles, if you would reasonably expect the information to be used or disclosed for another purpose, we may also use or disclose it for that purpose. Where the information is sensitive information, that other purpose will be directly connected to the primary purpose of collection.

If, in relation to the collection of any personal information, we represent to you how (or for what purposes) the personal information will be collected, held, used or disclosed, and there is any inconsistency between that representation and the terms of this privacy policy, the representation at the point of collection will prevail to the extent of the inconsistency.

The primary purpose for which we collect information about you is to enable us to perform our business activities and functions and to provide the best possible quality of customer experience. We will collect, hold, use and disclose your personal information for any one or more of the following purposes:

* to provide products and services to you;
* to provide you with news, information or advise about our existing and new products and services;
* to communicate with you, including but not limited to, by email, mail, SMS or telephone;
* to manage and enhance our products and services;
* to provide access to protected areas of our website;
* to conduct competitions or promotions on behalf of Marcolin and selected third parties;
* to verify your identity;
* to conduct business processing functions for the operation of our website, social media or our business more generally;
* to conduct our rewards program;
* for our administrative, marketing (including direct marketing), planning, product or service development, quality control and research purposes, or those of our contractors or external service providers;
* to update your personal information or provide updated personal information to our contractors or external service providers;
* to investigate any complaints about or made by you, or if we have reason to suspect that you are in breach of any of our terms and conditions or that you are or have been otherwise engaged in any unlawful activity; and
* as required or permitted by any law (including the Act).

Our business purposes are further detailed on our website at [www.marcolin.com](http://www.marcolin.com).

## What happens if we can’t collect your personal information

If you do not provide us with the personal information described in this policy, some or all of the following might happen:

* + if you do not complete a credit application, we cannot do business with you and supply you with our products and services, which includes giving you access to the protected Digital Hub area of our website;
	+ if you do not register for our rewards program, you will not be able to redeem rewards earned under that program;
	+ if you do not provide us with your contact details, we may not be able to provide you with information about products and services that you may want, including information about new products or special promotions; or
	+ if you do not register for our Digital Hub, your ability to receive certain services, including replenishing stocks, may be limited and you may not be able to receive certain offers and promotions made only to Digital Hub customers.

## How do we disclose your personal information

We may disclose your personal information:

* + to our employees, related bodies corporate, partnerships, joint venture entities and business partners;
	+ to our existing and potential contractors, agents and external service providers for the operation of our websites, social media, rewards program or business, or for the purpose of fulfilling requests by you, and otherwise providing products and services to you, including without limitation, web hosting providers, IT systems administrators, mailing houses, couriers, payment processors, data entry service providers, electronic network administrators, debt collectors, and professional advisors such as accountants, solicitors, business advisors and consultants;
	+ to our sponsors, or promoters of any competition that we conduct or promote via our services;
	+ to police, any relevant authority or enforcement body, or your Internet Service Provider or network administrator, for example, if we have reason to suspect that you have been engaged in any unlawful activity, and we reasonably believe that disclosure is necessary; or
	+ as required or permitted by any law (including the Act).

## Disclosure of personal information outside Australia

We may disclose your personal information to our related bodies corporate, partnerships, joint venture entities and external service providers located overseas for some of the purposes listed above. We take reasonable steps to ensure that the overseas recipients of your personal information do not breach the Australian Privacy Principles.

We may disclose your personal information to entities located outside of Australia, including the following:

* our centralised SAP system located in Italy; and
* our related bodies corporate (and joint venture partners), external services providers and other third parties operating in jurisdictions including France, Hong Kong, Italy, New Zealand and Singapore.

Such countries may have laws that are different and potentially not as protective as the laws of your own country.

## Direct Marketing Materials

We may send you direct marketing communications and information about our services, products or promotions that we consider may be of interest to you. These communications are sent in various forms, including mail, SMS, email or social media, in accordance with applicable marketing laws, such as the *Spam Act 2003* (Cth). If you indicate a preference for a method of communication, we will endeavour to use that method of communication wherever practical to do so.

You may at any time opt out of receiving marketing communications from us by contacting us (details below) and we will ensure that your name is removed from our mailing list. We do not provide your personal information to other organisations for the purpose of direct marketing unless authorised by you.

If you receive communications from us that you believe have been sent to you other than in accordance with this policy, or in breach of any law, please contact us using the details provided below.

## Third party web sites

Our website may contain links to other websites operated by third parties. We make no representations or warranties in relation to the privacy practices of any third party website and we are not responsible for the privacy policies or the content of any third party website. Third party websites are responsible for informing you about their own privacy practices.

## Storage and Security

We may hold your personal information in a number of different formats, including software programs (located both onsite and offsite, including in the cloud), databases, filing systems and in offsite backup storage. Personal information held by us may be stored in email accounts that are accessible through mobile devices.

We will take all reasonable steps to protect the personal information that we hold from misuse, loss or unauthorised access, including by means of firewalls, anonymisation, password access, secure servers and encryption of credit card transactions.

If you suspect any misuse or loss of, or unauthorised access to, your personal information, please let us know immediately.

## Accessing and correcting your personal information

You may request access to any personal information we hold about you at any time by contacting us (details below). Where we hold information that you are entitled to access, we will try and provide you with a suitable means of accessing it (for example, by mailing or emailing it to you) within 30 days from your request. We will not charge for simply making a request and will not charge for making any corrections to your personal information. If you make an access request, we will ask you to verify your identity. There may be instances where we cannot grant you access to the personal information we hold. For example, we may need to refuse access if granting access would interfere with the privacy or safety of others, or if it would result in a breach of confidentiality. If that happens, we will give you written reasons for any refusal and advise you on how to make a complaint.

If you believe that personal information we hold about you is incorrect, incomplete or inaccurate, then you may request us to amend it. We will consider if the information requires amendment. If we do not agree that there are grounds for amendment, then we will add a note to the personal information stating that you disagree with it.

We request that you keep your information as current as possible so that we may continue to improve our service to you.

## How you can complain about a breach of privacy

If you believe your privacy has been breached by us, or have any questions or concerns about our privacy policy please, contact us using the contact information below and provide details of the incident so that we can investigate it.

We have a formal procedure for investigating and dealing with privacy breaches. Once the Privacy Officer receives a complaint, whether it is in writing or verbal, the Privacy Officer will commence an investigation with the business unit from which the alleged breach stemmed. The investigator will endeavour to determine the nature of the breach and how it occurred. We may contact you during the process to seek further clarification if necessary. If a breach is found, the Privacy Officer will take available measures to prevent any further breaches from taking place. We may also contact you to inform you of the outcome of the investigation. We will endeavour to resolve all investigations within a reasonable time.

We will treat your requests or complaints confidentially; however, there are circumstances in which we may disclose your requests in accordance with our legal obligations and having regard to the safety and privacy of others. For example, we may disclose your complaint to the police if criminal allegations are raised. Our representatives will contact you within a reasonable time after receipt of your complaint to discuss your concerns and outline options regarding how they may be resolved. We will aim to ensure that your complaint is resolved in a timely and appropriate manner.

If you want to lodge a complaint, leave a concern or receive additional information, please contact us at:

## *Marcolin Pty Limited*

## *Post: Suite 33.02 , 100 Miller Street,*

## *North Sydney, NSW 2060Tel:**+61 02 8456* *0946Email:* infoaustralia@marcolin.com

## Our policy towards children

Our website, Social Media and other products and services are not directed at children under the age of eighteen. We do not knowingly collect personal information from children under the age of eighteen on our website or Social Media. If you are concerned that we have received personal information from a visitor under the age of eighteen, please contact us and we will delete the information from our records, subject to verification.