

**A.P. EAGERS**

**LIMITED**

**GROUP**

**PRIVACY POLICY**

# A.P. EAGERS LIMITED

## PRIVACY POLICY

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The A. P. Eagers Limited Group (“A. P. Eagers Group”) consists of a wide range of motor vehicle dealerships conducting business within Queensland which also provide associated services including the provision of finance and insurance products. For us to continue to provide the highest levels of customer service, we must ensure that your personal information is used efficiently.

As part of this process, it is important to the A. P. Eagers Group that you, as a consumer, remain confident that the personal information entrusted to us by you, is treated with the highest degree of privacy.

### Who is A. P. Eagers Limited ?

A. P. Eagers Limited is a leading publicly listed company that offers a range of products and services covering, but not limited to, the sale of new and used motor vehicles, spare parts, servicing and vehicle finance and insurance.

The A. P. Eagers Group is comprised of the following companies.

A. P. Eagers Limited (ABN 87 009 680 013)	Eagers Retail Pty Ltd (ABN 91 009 662 211)
Austral Pty Ltd (ABN 89 009 662 202)	Nundah Motors Pty Ltd (ABN 52 009 681 556)
Eagers Nominees Pty Ltd (ABN 98 009 723 488)	Eagers Finance Pty Ltd (ABN 65 009 721 288)
Eagers Parts & Equipment Pty Ltd (ABN 58 009 727 753)	E. G. Eager & Son Pty Ltd (ABN 20 009 658 306)
A. P. Group Limited (ABN 53 010 030 994)	Leasline & General Finance Pty Ltd (ABN 51 010 131 361)
A. P. Ford Pty Ltd (ABN 43 010 602 383)	A. P. Motors Pty Ltd (ABN 76 010 579 996)
A. P. Motors (No. 1) Pty Ltd (ABN 95 010 585 234)	A. P. Motors (No. 2) Pty Ltd (ABN 97 010 585 243)
A. P. Motors (No. 3) Pty Ltd (ABN 99 010 585 252)	Associated Finance Pty Ltd (ABN 76 009 677 678)

It's business is conducted through the following Motor Vehicle Dealerships:

Eagers Holden Newstead	Eagers Holden Windsor
Eagers Mazda Newstead	Eagers Kia Kedron
Austral Honda Newstead	Austral Land Rover Newstead
Austral MG Rover Newstead	Austral Volkswagen Newstead
Austral Volvo Fortitude Valley	Austral Porsche Fortitude Valley
Southside Ford Woolloongabba	Metro Ford Spring Hill
Metro Torque Ford Eagle Farm	Torque Ford Redcliffe
Torque Ford Strathpine	Torque Ford Caboolture
Southside Toyota Woolloongabba	Southside Honda Buranda
Southside Land Rover Buranda	Torque Toyota Redcliffe
Strathpine Toyota Strathpine	

### **What is “personal information”?**

Personal information as defined by the *Privacy Amendment (Private Sector) Act 2001* is recorded information or an opinion that identifies you or by which your identity may reasonably be determined. For example, this includes things such as your home address, telephone number, name, employment details and the like.

### **Why does the A. P. Eagers Group collect your personal information?**

Without your personal information, such as your name, address and other essential details, it is not possible for the A. P. Eagers Group to conduct its business and accordingly, we will not be able to provide you with the full range of our products and services on offer throughout our dealerships.

By collecting your personal information, we are able to :

- ◆ Determine your ongoing requirements (if any) and provide appropriate advice on our range of products and services. Eg. new and used motor vehicle prices and specifications, special offers, service reminders, finance and insurance packages;
- ◆ Attend to the administration associated with the provision of our wide range of products and services. Eg. Booking for servicing requirements for your car;
- ◆ Improve upon our range of products and services;
- ◆ Protect you from any unauthorised access to your personal information or accounts;
- ◆ Identify you for the purpose of our ongoing business relationship.

If we are unable to collect your personal information, we cannot deliver our products and services to you and in turn, you will not be able to do business with us.

### **How will your personal information be collected by us?**

Collection of your personal information may take place in a variety of ways which may include:

- ◆ The completion of an application form for a product or service;
- ◆ The making of an enquiry by telephone or via the internet;

- ◆ The completion of an application form for a product or service through our website or the internet;
- ◆ The provision of information in face to face meetings or consultations.

These are merely examples of some of the ways in which your information will be collected and are not exclusive.

Wherever possible, the A. P. Eagers Group, will take every reasonable step to ensure that your personal information is collected directly from you.

There will be other occasions in which personal information is collected from you. Some examples may include notification of a change of address to our Service and Spare Parts Division, collection of other personal information associated with any insurance policy that you may take out with Insurers through our dealerships or through the provision or updating of information connected with the financing of our products.

There will be occasions where personal information may be collected about you from other sources. Some examples of these may include, but are not limited to:

- ◆ A referral from an existing customer;
- ◆ Confirmation of your details of employment, salary and the like from your employer when assessing your application for the purchase of a new or used motor vehicle;
- ◆ Credit reference checks that may be conducted from time to time by our finance and insurance departments when assessing any application made by you for finance for the purchase of a new or used motor vehicle;
- ◆ Information provided to us by any of our affiliates when making an application for a policy of insurance.

As a general rule, we will require you to provide your express consent to any collection, disclosure or use of your personal information by the A. P. Eagers Group. This consent will most usually be required to be in writing as part of any application that you may make to us or any of our business partners. However, the A. P. Eagers Group reserves its right to accept your verbal consent from time to time as may be required in order to provide services or products to you.

Further, the A. P. Eagers Group may imply that you have provided consent by reference to your conduct. Instances of this may include any telephone call that you may make to our service centres or dealerships for the purpose of making enquiries about our services or products.

Should you have any concerns about how your personal information is dealt with, including the way in which it is collected, managed or maintained by the A. P. Eagers Group, you may have regard to this privacy policy.

**Will the A. P. Eagers Group disclose your personal information to anyone?**

The A. P. Eagers Group may disclose your personal information in a variety of circumstances.

We may disclose your personal information where you have provided your consent to do so. This consent for the disclosure of your personal information may be given explicitly, either in writing or verbally, or may be implied from your conduct such as when you make an application for a new or used motor vehicle and further indicate that you wish to be provided with assistance in terms of finance or insurance.

There may be other occasions when we are required by law to disclose your personal information. Such examples may include the provision of your personal information to a court of law in response to a subpoena or the issuing of directions from another relevant authorised administrative body including, but not limited to, the Queensland Police Service in relation to any investigation they may be undertaking, the Australian Taxation Office or other similar bodies.

When your personal information is disclosed to any party outside the A. P. Eagers Group, where that party is contracted to the A. P. Eagers Group to provide administrative services or activities on our behalf, that party is bound by the same privacy rules that we follow.

Some examples of the parties outside the A. P. Eagers Group to whom we may disclose or exchange your personal information with, and the reason for such disclosures, are:

- ◆ Insurance Companies, their subsidiaries or agents for the purpose of processing insurance applications;
- ◆ Finance Providers in connection with an application for finance for the purchase of a new or used motor vehicle.

### **How will your personal information be used by the A. P. Eagers Group**

All personal information collected about you by us, will be collected so that we may continue to operate our business by offering new and used motor vehicles for sale together with parts, servicing or accessory requirements and associated financial products such as finance for the purchase of a new or used motor vehicle or insurance on vehicles purchased through any of our dealerships.

To ensure that this is done correctly and efficiently, we may share your personal information within the related group of companies that form the A. P. Eagers Group including all relevant dealerships.

### **Marketing by the A. P. Eagers Group**

As our products and services change, we will, from time to time, use your personal information to provide you with updated information about our range of services and products.

You have the right to request that we do not provide you with such material or information, and should you not wish to receive it, simply contact the dealership concerned and advise them accordingly.

Once we have been informed that you no longer wish to receive information about our products, you will not be sent anything further. You may, at any stage, opt to change your mind about receiving such information.

The A. P. Eagers Group does not and will not disclose your personal information to any party outside the A. P. Eagers Group for the express purpose of allowing them to direct market their products or services to you, unless we have your consent to do so.

From time to time, we may be required by law to provide you with certain information about our products or services including product recalls. In these instances, you will continue to receive such information, even if you have elected not to receive any information about our products and services generally.

### **Keeping your personal information up to date**

In order to efficiently conduct our business by providing you with our range of products and services, we need to ensure that your personal information is accurate, up to date and complete.

We may at any stage in the course of our relationship, ask you to provide any changes to your personal information. However, you may also contact us by getting in touch with the appropriate Dealership to update your personal information or to tell us that such information is no longer accurate or complete.

**What about the security of my personal information?**

Protection of your personal information is a priority for the A. P. Eagers Group. As a result of the A. P. Eagers Group's concerns for the security of your personal information, we will take all reasonable precautions to safeguard such personal information from loss, misuse, unauthorised access, modification or disclosure. The means that we will utilise to protect your personal information may include, but are not limited to the following:

- ◆ Where appropriate, entering into confidentiality agreements with contractors and training and familiarising them with the new legislative obligations and our privacy policies and procedures;
- ◆ Having employees sign a declaration that they have been provided with a copy of the Group's Privacy Policy and that they undertake to abide by it;
- ◆ Where appropriate, having stand-by systems and auxiliary systems to deal with anticipated and unanticipated major business interruptions;
- ◆ External and internal premises security;
- ◆ Restricted access to personal information;
- ◆ Continued upgrading and overview of our information technology practices to prevent unauthorised computer access;
- ◆ Further review and testing of technology employed by the A. P. Eagers Group in terms of the provision of security.

In compliance with the new privacy laws, the A. P. Eagers Group will, when your personal information is no longer required, securely destroy the information or delete it from our systems.

The A. P. Eagers Group does not send personal information outside of Australia unless it is authorised to do so by law or unless it is necessary to provide you with one of our many services or products.

### **Am I required to identify myself at all?**

Generally speaking, it will not be possible for us to do business with you unless we are able to identify you. In many instances, such as when you wish to purchase a new or used motor vehicle, your personal details will be required to ensure that a contract of sale can be proceeded with.

However, the A. P. Eagers Group is mindful of its obligations under the *Privacy Amendment (Private Sector) Act 2001*. Wherever lawful and practical to do so, we will provide you with the opportunity to deal with us anonymously. This may, for example, include instances where you wish to ring one of our dealerships to make enquiries about current specials or price enquiries concerning new or used motor vehicle parts or accessories or more general enquiries.

### **What about accessing my personal information?**

Under the new *Privacy Amendment (Private Sector) Act 2001*, you are entitled to request access to any of the personal information that we may hold about you.

Generally, a summary of the personal information held by us on you will include your name, address details, contact telephone number, the products and services you have purchased from us. This information will usually be available. You may make a request for your personal information by contacting or visiting the appropriate Dealership.

With more detailed requests for access to personal information, the A. P. Eagers Group reserves its right to charge a fee in order to cover the cost of the retrieval of the information and the supply of it to you.

Generally, all requests for access to any personal information will be handled as quickly as reasonably possible and should be processed within thirty (30) days of receipt of the request. Occasionally, some requests for access may require longer than the thirty (30) day period, and this will depend upon the nature of the personal information being sought.

From time to time, the A. P. Eagers Group may be required by law to retain all or some of your personal information for a period of time after you have ceased your relationship with us. After the nominated time has passed, we will either securely destroy the documentation or delete it from our records. Examples of such instances may include reporting obligations imposed upon us by the imposition of the Goods & Service Tax Legislation or taxation legislation generally.

**Occasionally, your request for access to personal information may be denied.**

**The A. P. Eagers Group will not always be required by operation of the new privacy legislation to provide you with access to your personal information.**

Access may be refused in a number of circumstances. These include:

- ◆ Where the information may relate to existing or anticipated legal proceedings with you;
- ◆ Where denying access is required or authorised by law;
- ◆ Where the request is regarded as frivolous or vexatious.

However, where we deny access or refuse to correct personal information, we will explain why.

### **What about sensitive information?**

Sensitive information is a particular kind of information that requires even greater care.

By way of summary, sensitive information can be information about any of the following:

- ◆ Your political opinion;
- ◆ Your racial or ethnic origin;
- ◆ Membership of a political association;
- ◆ Religious beliefs or affiliations;
- ◆ Philosophical beliefs;
- ◆ Membership of a professional or a trade association;
- ◆ Membership of a trade union;
- ◆ Sexual preferences or practices;
- ◆ Criminal record;
- ◆ Health.

The A.P. Eagers Group will only use or disclose sensitive information about you where we have received your express consent to do so, it is provided for by law or where it is necessary for the establishment, exercise or defence of a legal claim against us.

### **What about online services?**

The A. P. Eagers Group appreciate that many consumers have concerns about personal information that is collected about you online and the security of that personal information when it is exchanged in online transactions.

Generally, email is not a secure way to communicate. You should not rely upon email to provide us with personal information unless providing same to us through one of our online forms on our websites.

The A. P. Eagers Group uses advanced technology in relation to any online transactions. Such measures are constantly updated and reviewed to maintain security.

The A. P. Eagers Group constantly reviews its policies and procedures to ensure compliance with changes in the law and to remain up to date with technology and best industry practice. On this basis, we may need to change this privacy policy from time to time. This privacy policy was last amended on                      of 2001.

### **Contacting us**

#### **Complaints:**

If you believe that the A. P. Eagers Group has not protected your personal information as set out in this Privacy Policy, or is in some other way in breach of its privacy obligations, you may lodge a complaint with us in any of the following ways:

- ◆ By writing to, telephoning or visiting the appropriate A. P. Eagers Dealership.

#### **The Second Step:**

If you cannot resolve your complaint at your local dealership level, you should contact the Company Secretary at A. P. Eagers Limited, 80 McLachlan Street, Fortitude Valley.

If you are not satisfied with the result of your complaint, you may also refer your complaint to the Federal Privacy Commissioner.

- ◆ The Federal Privacy Commissioner may be contacted by writing to the Director of Complaints Office, the Federal Privacy Commission, GPO Box 5218, Sydney, NSW, 1042, or by telephoning 1300 363 992.

Do you require more information?

The *Privacy Act* amendments come into effect on 21 December 2001 and must be complied with from that date.

If you require more information, you may refer to:

The Privacy Commissioner's Office  
Website: [www.privacy.gov.au](http://www.privacy.gov.au)  
Telephone: 1300 363 992