

**Privacy Policy**  
**A.P. Eagers Limited**  
**ABN 87 009 680 013**

**Introduction**

A.P.Eagers Limited ABN 87 009 680 013 and all its subsidiaries (“we” / ”us” / ”our”) endeavour at all times to comply with the *Privacy Act 1988* and the *Australian Privacy Principles* and the *Credit Reporting Code* which together will be referred to in this policy as “Australian Privacy Law.”

This Privacy Policy applies to all persons accessing any website of ours, dealing with us or from whom we otherwise collect personal information, including actual and prospective customers. We also collect personal information, sensitive information, consumer credit information and commercial credit information provided by persons dealing with us, applying for or receiving commercial credit from us, and applying for consumer credit from external credit providers to finance the purchase of a motor vehicle or other goods and services from us and, in doing so, endeavour at all times to comply with Australian Privacy Law.

You may ask for a hardcopy of this Privacy Policy by email, post or facsimile to our contact details referred to under the heading “Our Contact Details” on page 10 and one will be provided to you.

**Pseudonyms**

You are not required to provide us with your name or any personal information if you do not wish to. You are free to use any name allowed by law. We, however, may not deal further with you without obtaining your real name and other verifiable pieces of personal information.

We are not permitted by law to provide you with commercial credit nor are any external credit providers permitted to provide you with consumer credit without obtaining proof of your identity.

**The kinds of personal information we collect**

By accessing our website or otherwise dealing with us you agree to our Privacy Policy in relation to the collection of personal information by the website or otherwise.

As a result of your visit to our websites, we may collect and store information about your visit to the websites including:

- the domain name and IP address of the computer from which you accessed the internet;
- the date and time you accessed the website;
- the internet address of the website from which you linked directly to our website; and
- the pages you accessed while visiting the website.

Your internet service provider or the providers of your internet browser software may also collect such information for their own purposes. We are not responsible for the collection, storage and use of such information by these entities and refer you to their respective privacy policies.

As a result of you dealing with us (whether as a prospective or an actual customer, guarantor, contractor, supplier, service provider or employee) or as a result of us purchasing personal information about you from third parties, we may collect and store personal information from you or third parties about you, such as:

- your name;
- address;
- date of birth;
- your employer, previous employers and how long you have been in such employment;
- your email address; and
- your telephone numbers.

If you apply to us for commercial credit we will collect and store commercial credit information in addition to the above personal information. Details of the kinds of commercial credit information we collect, how we use it and with whom we share it are set out below under the heading "Commercial Credit Information."

If, having received commercial credit from us, you apply to vary your payment arrangements with us on the grounds of hardship, you may supply us with sensitive information in addition to the above personal information and commercial credit information. Details of the kinds of sensitive information we may collect, how we use it and with whom we share it are set out below under the heading "Hardship Information."

If you apply for consumer credit through us to an external credit provider, we will collect, store and pass on consumer credit information in addition to the above personal information. Details of the kinds of consumer credit information we collect, how we use it and with whom we share it are set out below under the heading "Consumer Credit Information."

If you apply to us for employment, we may also collect and store personal and, in addition, sensitive information about you including your:

- education, training and other qualifications;
- work history;
- professional or trade associations or union membership;
- hobbies and other interests;
- criminal history;
- other personal statements about your attitudes to:
  - life;
  - work;
  - relationships; and
  - other workers.

Details of how we deal with such employment information are set out below under the heading "Employment Information."

If you choose to join a loyalty program through us whether that program is offered by us or by a manufacturer of motor vehicles supplied by us or by any other organisation, we may collect additional personal and sensitive information about you. Details of how we deal with such information are set out below under the heading "Loyalty Programs".

### **How we collect your personal information**

We may collect personal information about you from your visit to our website through the use of technologies such as anonymous identifiers, session variables, and/or cookies. You may be able to set your internet web browser to block or limit cookies. Some features of our website may not work as efficiently or not at all if you have done so.

As a result of you dealing with us, we may collect personal information directly from you and this may be in person, over the telephone, by mail, over the internet, by other electronic means, by email or fax or by completion of an application or consent form whether on-line or otherwise. We may also collect personal information about you by purchasing it from third parties.

If you:

- inquire about our goods or services or about becoming our customer, or if you become our customer, in relation to a motor vehicle or other goods or services;
- apply to us for commercial credit or through us for consumer credit;
- agree to guarantee commercial credit from us or consumer credit through us to another person;

- receive commercial credit from us;
- apply to us to vary the terms of your payments under your commercial credit contract on the grounds of hardship;
- apply for employment with us;
- apply to and agree to join a loyalty program through us whether such program is offered by us or by a manufacturer or distributor of motor vehicles or other goods or services supplied by us or by any other organisation; or
- otherwise deal with us,

we may collect personal, credit and sensitive information about you from other sources when it is impractical or unreasonable for us to collect it directly from you. Among these other sources may be:

- a credit reporting body;
- someone authorised by you such as an agent, broker, accountant, solicitor, financial counsellor, introducer or a guarantor;
- a referee;
- an employer;
- a government body;
- financial institution;
- a professional or trade association or trade union; or
- our agents such as commercial agents, debt collectors or solicitors,

and we may collect that information directly from them in person, over the telephone, by mail, over the internet, by other electronic means, by email or fax or by completion of an application or consent form whether on-line or otherwise.

#### **How we hold your personal information**

We use reasonable endeavours and take reasonable steps to secure your personal information which may include steps such as:

- maintenance of a secure environment for storage of information whether in hard copy or in electronic form;
- requiring that access to such information be confined to authorised personnel only;
- using technology such as encryption and/or password protection to secure information kept in electronic form, where practicable and appropriate.

We require and/or expect other entities which collect your personal and other information from us either by usage or through disclosure to use reasonably available technology to secure that information.

We are not responsible for the security of any computer, mobile phone, tablet computer or other device which you use to access our website or to communicate with us and through which we provide communications, to which you have consented, to you.

#### **The purposes for which we collect, hold, use and disclose your personal information**

If you are a user of any website of ours, a prospective customer, a customer or guarantor of a customer's credit, a contractor or supplier of goods and services to us, an employee, a job applicant or other person from or about whom we collect, hold, use and/or disclose personal information we shall do so only for the following purposes:

- any purpose permitted by Australian Privacy Law or any other law;
- the administration of any contract of supply of goods or services to or by us;
- the provision of products and services to our customers (actual and prospective);
- the administration of any warranty provided to you;
- the consideration of any proposed guarantee of credit;

- to contact you to ask about your experiences with or impressions of goods or services supplied to you or in respect of which you have made enquiries;
- to contact you regarding product recall;
- to provide services such as training to our employees, contractors and providers of goods or services;
- assessment and processing of any job application; and
- otherwise for the administration and management of our business;
- to improve website useability;
- any purpose required by law so as to identify you as required by *the Anti- Money Laundering and Counter-Terrorism Financing Act*;
- in order to investigate or assist with any investigation into any complaint about the conduct of our business, in particular, under Australian Privacy Law or any other law;
- to otherwise enforce any term of any contract or other right which arises out of or in relation to our dealings with you;
- to communicate with you (or to disclose your personal information to third parties so they may communicate with you), by way of direct marketing, information about our products and services or those of other organisations;
- to search and/or register any Personal Property Securities;
- as part of a prospective sale, transfer or restructure of our business;
- to allow the manufacturer or distributor of any products or services purchased by you or in respect of which you have made enquiries or which you get serviced or repaired with us, to achieve any of the purposes outlined above (and this includes the disclosure of your personal information to the manufacturer or distributor for such purposes and we are able to refer you to their Privacy Policies); or
- to otherwise communicate with you for the purposes outlined above.

In addition, if you apply to us for commercial credit or receive commercial credit from us, we will collect, hold, use and disclose your personal information and commercial credit information in order to:

- assess your credit application;
- manage your credit contract;
- consider any application for variation of your payments whether or not on the grounds of hardship;
- collect any debt or otherwise enforce any rights arising under your commercial credit contract.

To find out more on how we deal with your commercial credit information or sensitive information if you apply to us for commercial credit or receive commercial credit from us, please see below under the heading "Commercial Credit Information."

In addition, if you apply through us for consumer credit to an external credit provider, we will collect, hold and disclose your personal information and your consumer credit information in order to:

- progress your consumer credit application to the relevant external credit provider;
- report to you on the progress of your application for consumer credit; and
- otherwise manage the provision of consumer credit to finance your purchase from us.

To find out more on how we deal with your consumer credit information please see below under the heading "Consumer Credit Information."

We may disclose your personal information, including commercial credit information and consumer credit, and sensitive information, to other parties as part of a process of merger, acquisition, sale of our business or our other assets. If you do not wish this to happen, you may notify us by email, post or facsimile to our contact details referred to under the heading "Our Contact Details" on page 10.

If, for any of the above purposes, we disclose your personal information to any supplier of services to our business or to any prospective purchaser of our business we shall do so only if it is reasonably necessary for the purposes listed above and we shall:

- do so in accordance with Australian Privacy Law;
- obtain assurances from those suppliers that they keep your personal information confidential and/or comply with Australian Privacy Law, if required by law to do so.

#### **How to opt out of receiving direct marketing material**

If you wish to raise any concern about direct marketing material you receive from us or through use by others of our databases, please contact us by email, post or facsimile to our contact details referred to under the heading "Our Contact Details" on page 10.

Where we send you direct marketing material we will also provide you with a means to advise us that you no longer wish to receive some or all of this material from a subsidiary, and/ or that you do not wish to receive specific means of communication from that subsidiary.

If at any time you wish to change your preferences in relation to receipt of future direct marketing material (from one or more, or even all of us) so as to opt out of receiving that direct marketing material which you no longer wish to receive from one or more of us, you may only do so by contacting us by email, post or facsimile to our contact details referred to under the heading "Our Contact Details" on page 10 or by any other means referred to in our direct marketing material.

#### **Whether we supply your personal information to overseas recipients**

Your personal information may be transmitted to overseas recipients as part of our ordinary business or normal use of our information technology systems. Although it is not practicable to list all the countries in which these recipients are located, they are likely to be in the USA, the UK, New Zealand, Japan, India, Germany, Canada, Singapore, the Philippines, the Czech Republic, Hong Kong, Spain, South Korea, Sweden, Malaysia or China (**Recipient Countries**).

In addition, we may supply some of your personal information and, if you apply to a loyalty program offered by one of the manufacturers or distributors of motor vehicles or other goods or services supplied by us or by any other organisation, your sensitive information to overseas entities. It is not practicable to list all the countries in which these recipients are located but they are most likely to be in the Recipient Countries.

When we supply your personal information to any overseas recipients, we shall do so only for the purposes listed above and we shall:

- do so in accordance with Australian Privacy Law;
- obtain assurances from those recipients that they have systems which comply with Australian Privacy Law and/or maintain the privacy or confidentiality of your personal information at a standard equal to or higher than that required by Australian Privacy Law, if required by law to do so.

#### **Commercial Credit Information**

"Commercial Credit" is credit to finance the purchase of goods or service from us which are for business use and not for personal, domestic or household purposes.

As notified above, we will collect, hold, use and disclose commercial credit information about you if you:

- apply for or receive commercial credit from us.
- agree to provide a guarantee for any other person or company which applies for or receives commercial credit from us.

The commercial credit information which we may collect from you includes:

- Identification information.
- Financial Information including:
  - Assets; and
  - Liabilities.
- Credit liability information about any credit accounts you have applied for or hold with us including:
  - type of account;
  - when it was opened and, if applicable, closed;
  - if a credit account, then the maximum amount of credit approved;
  - other specific terms and conditions of the account.
- Repayment history information of credit accounts you now hold or which you have held with us including:
  - Whether or not payment was made in any month it was due;
  - Any late payments;
  - In what month the payment was ultimately paid.
- Information about the credit application including:
  - The type of credit, whether consumer or commercial;
  - The amount of credit sought.
- Default information about you when you have failed to make a payment owed to us or to another credit provider which remains overdue for more than 60 days and which, we may disclose to a credit reporting body or which has already been disclosed to a credit reporting body by another credit provider.
- Court proceedings information about a judgment of any Australian court that was made against the customer in relation to any credit that was provided to or applied for by them.
- Publicly available information about the customer that is not otherwise described above but which is relevant to their credit worthiness.
- Credit worthiness or credit eligibility information which we obtain from a Credit Reporting Body.

As notified above, we hold, use, collect and disclose your personal and commercial credit information to:

- assess your credit application and that of any proposed guarantors of your commercial credit;
- manage your credit contract;
- consider any application for variation of your payments whether or not on the grounds of hardship;
- collect any debt or otherwise enforce any rights whether by court proceedings or otherwise arising under your commercial credit contract;
- assist you if we consider you may be at risk of default;
- undertake securitisation activities or any assignment of debt;
- deal with any complaint by you through our Internal Dispute Resolution process or through our External Dispute Resolution scheme as described below.

We shall not disclose your credit information to any other party for the purposes of direct marketing though we may disclose other personal information for that purpose as described above.

In order to obtain credit information about you from Credit Reporting Bodies we may be required to disclose to them commercial credit information about you which we hold. Those Credit Reporting Bodies may then include that commercial credit information about you in reports they provide to other credit providers.

We may disclose your commercial credit information to other credit providers on production of your written consent and at our discretion informed by our obligations under Australian Privacy Law.

This includes all the commercial credit information described above with the exception of your Financial Information. It does, however, particularly include:

- Credit worthiness or credit eligibility information;
- Information about your credit application.

The Credit Reporting Bodies to which we may disclose your credit information are:

Dunn and Bradstreet (Australia) Pty Ltd  
 PO Box 7405, St Kilda Road,  
 MELBOURNE Vic 3004  
 Website: [www.checkyourcredit.com.au](http://www.checkyourcredit.com.au)

Veda Advantage Ltd  
 Website: [www.veda.com.au](http://www.veda.com.au)

We refer you to the Privacy Policies of these Credit Reporting Bodies.

### **Hardship Information**

“Hardship Information” is information supplied by you or otherwise collected by us in relation to consideration of a variation in the terms of repayment of any commercial credit granted by us to you.

As notified above, we may collect such information if you:

- have received credit from us;
- are experiencing difficulty in meeting your repayment obligations under your commercial credit contract with us; and
- have applied for or approached us for a variation in those obligations on the grounds of hardship whether as result of receiving a notice or statement from us or otherwise.

In the course of you applying for a variation in repayment terms on the grounds of hardship, or us otherwise considering such a variation, we may collect from you or from other sources information about illness, unemployment or other reasonable causes of hardship. This will, most likely, be “sensitive information” under Australian Privacy Law.

We will only collect sensitive information that is relevant to consideration of a variation in your repayment terms on the grounds of hardship. Such information may include:

- health information about you or another member of your family;
- the reasons for your current financial position or that of your business;
- changes to your marital status;
- other matters relevant to consideration of a variation to the terms of repayment of your commercial credit and which are not otherwise usually collected by us as personal information or commercial credit information

We will only collect, use, hold and disclose your sensitive information for the following purposes and in the following ways to:

- assess your application for a variation to the terms of repayment under your commercial credit contract on the grounds of hardship (‘hardship variation’).
- explain our decision whether or not to agree to a hardship variation.
- administer, monitor and record any agreed hardship variation.

We shall not disclose your sensitive information to any party except for the purposes described above and as permitted by Australian Privacy Law.

In particular, we shall not disclose your sensitive information to any credit reporting body or any other credit provider except as described above and as permitted by the Australian Privacy Law and without limitation we may disclose your repayment history or default information as notified above.

### **Consumer Credit Information**

“Consumer Credit” is credit, from external credit providers (to finance purchases of goods and/or services from us or another party), which will be used wholly or predominantly for personal, domestic or household purposes.

As notified above, we may collect consumer credit information from you if you:

- apply for consumer credit from an external credit provider to finance purchases of goods or services from us or another party.
- agree to provide a guarantee for consumer credit from an external credit provider to finance another person’s purchase of goods or services from us or another party.

The consumer credit information we may collect, hold and disclose includes:

- Identification information.
- Financial Information including:
  - Income (from all sources including government benefits) and current employment status and recent history;
  - Assets;
  - Expenses;
  - Debts.
- Credit liability information about the credit accounts the customer has applied for or hold whether with us or some other credit provider including:
  - type of account;
  - when it was opened and, if applicable, closed;
  - if a credit account, then the maximum amount of credit approved;
  - other specific terms and conditions of the account.
- Information about the credit application including:
  - The type of credit, whether consumer or commercial;
  - The amount of credit sought.

Our subsidiary Leaseline & General Finance Pty Ltd (ABN 51 010 131 361) may use this consumer credit information to make preliminary assessments only about your application for consumer credit and will only disclose this consumer credit information to external credit providers to which you have made application for credit. We refer you to the Privacy Policies of these external credit providers.

We will not disclose this consumer credit information to any credit reporting body nor will we make any consumer credit inquiry of a credit reporting body about you.

#### **External services**

If you have contacted our Privacy Officer (see page 10 for contact details) and are not satisfied with our Privacy Internal Dispute Resolution Process in relation to your personal information, you may also refer your complaint to the Office of the Australian Information Commissioner as follows:

The Office of the Australian Information Commissioner  
GPO Box 2999  
CANBERRA ACT 2601  
Tel: 1300 363 992  
Fax: 02 9284 9666  
Website: [www.oaic.gov.au](http://www.oaic.gov.au)

or such other body as may replace this office from time to time.

If you have provided personal information to our subsidiary Leaseline & General Finance Pty Ltd for the purpose of applying for consumer credit and you have contacted our Privacy Officer (see page 10 for contact details) and are not satisfied with our Privacy Internal Dispute Resolution Process, you may also refer your complaint to the Credit Ombudsman Service Limited as follows:

Credit Ombudsman Service Ltd  
PO Box A252  
SOUTH SYDNEY NSW 1235



Tel: 1800 138 422  
Fax: 02 9213 8440  
Website: www.cosl.com.au

### **Employment Information**

As notified above, we may collect personal and sensitive information from you in relation to an application for employment with us. We will collect, hold and use that information solely for the purposes of assessing your application.

We will not, without your express written consent, disclose any such employment information to any person or entity. We will destroy our record of your application within six (6) months of any unsuccessful employment application unless you approve otherwise. If you are successful, your information will become part of your employment record with us.

### **Loyalty Programs**

As notified above, if you choose to apply and join a loyalty program offered by us or through us by a manufacturer or distributor of motor vehicles or other goods or services supplied by us or by any other organisation, we may collect the following kinds of information in addition to the personal information detailed above:

- Marital status;
- Gender;
- Household Income;
- Number of children living at home;
- Sporting interests;
- Leisure and cultural interests;
- Previous motor vehicles owned by you;
- Your decision to purchase a particular motor vehicle; and
- Financial information about the purchase.

This information will be collected, held, used by us or disclosed to the manufacturer, distributor or other organisation providing the loyalty program and some of this information may be provided to our agents or their agents for the following purposes only:

- Providing the services offered as part of the Loyalty Program;
- Informing you about other goods and services offered by us or by the relevant manufacturer, distributor or other organisation;
- Providing information to third party contractors who supply services to the loyalty program or directly to you as part of that program;
- To obtain your feedback on the loyalty program; and
- Otherwise monitor, manage and administer the loyalty program.

We refer you also to the Privacy Policy of the relevant manufacturer, distributor or other organisation offering the loyalty program.

### **How you may access your personal information**

You may request access to your personal, sensitive and credit information held by us by sending your request by email, post or facsimile to our contact details referred to under the heading "Our Contact Details" on page 10.

If we are unable to grant your access to personal, sensitive or credit information, we will give you our reasons in writing within a reasonable time. These may include where providing the information to you may:

- reveal personal information about another individual person;
- pose a threat to the health or safety of another individual person;
- not be permitted by law;

- reveal internal information of a commercially sensitive nature which is not required to be disclosed to you by Australian Privacy Law.

There is no charge to make a request for access to your credit information but we may apply an administration fee for providing access to your credit information.

We cannot give you access to credit information held about you by any credit reporting body whether that body obtained the information from us or not. We refer you to the Privacy Policy of that credit reporting body.

#### **How you may correct any personal information we hold about you which is incorrect**

If you believe any personal information which we hold about you is incorrect, please contact us by email, facsimile or post to our contact details referred to under the heading "Our Contact Details" on page 10 and tell us what information which we hold about you is, in your belief, incorrect and how you want it changed.

We will deal with your request according to Australian Privacy Law and provide you our response and/or reasons within seven (7) business days of our making our decision and, in any case, no later than thirty (30) days after receiving your request.

If we have supplied credit information which we have agreed to correct to a credit reporting body, we will notify that body within seven (7) business days of making that decision.

#### **How you may complain about how we deal with your personal information**

If you are not satisfied with our response to any request you make in relation to your personal information or otherwise have any complaint about how we collect, hold, use or disclose your personal information, please contact our Privacy Officer at our contact details referred to below. Our Privacy Officer will then follow our Privacy Internal Dispute Resolution Process.

#### **Our Contact Details**

All communications you send to us must be sent by post, facsimile or email to the following address AND marked to the attention of "The Privacy Officer":

By email: [privacy@apeagers.com.au](mailto:privacy@apeagers.com.au)

By post: PO Box 199,  
Fortitude Valley Qld 4006

By facsimile: 07 3608 7111

#### **Changes to this Policy**

From time to time, we may make changes to this Privacy Policy for various reasons including:

- changes to the law;
- changes to technology; or
- changes to our business practices, procedures and/or systems.

We will notify such changes by including the updated policy on our website. Where the changes may affect you in a particular way, and you have a contract with us, we will notify you if required by the contract, Australian Privacy Law or our Privacy Policy.