

A. P. EAGERS GROUP

PRIVACY POLICY

It is important to the A. P. Eagers Group that you, as a consumer, employee or contractor, remain confident that the personal information that you entrust to us, is treated with the highest degree of privacy.

Who is A. P. Eagers Limited?

A. P. Eagers Limited, a leading publicly listed company, and its subsidiaries offer a range of products and services including the sale of new and used motor vehicles, spare parts and accessories, servicing and facilitation of vehicle finance and insurance products.

The A. P. Eagers Group is comprised of A. P. Eagers Limited and its subsidiaries as defined in the *Corporations Act 2001* and includes a wide range of motor vehicle dealerships.

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. Eg. your name, home address, telephone number, employment details and the like.

Why do we collect your personal information?

Without your personal information it is not possible for us to conduct our business and accordingly, we would not be able to provide you with the full range of our products and services or to employ you or engage your services.

By collecting your personal information, we may be able to:

- assist with determining your requirements (if any) and provide appropriate information or advice on our range of products and services. Eg. new and used motor vehicle prices and specifications, special offers, service reminders and facilitation of finance and insurance packages;
- attend to the administration associated with the provision of our products and services. Eg. booking for servicing requirements for your car;
- improve our range of products and services;
- protect you from unauthorised access to your personal information or accounts;
- identify you for the purpose of our ongoing business relationship;
- recruit staff and engage contractors.

If we are unable to collect your 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 or for employment;
- the making of an enquiry by telephone or via the internet;
- the provision of information through our website, the internet, face to face meetings or consultations or in relation to your actual or potential relationship with us.

Where practicable, we will take reasonable steps to collect your personal information directly from you.

Examples of personal information collected from you may include notification of your change of address to our service and spare parts operations, collection of information associated with any insurance policy facilitated 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:

- 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 products or services from us;
- credit reference checks that may be conducted from time to time when assessing any application made by you for finance for the purchase of products or services;
- information provided to us by any of our affiliates in relation to an application for a policy of insurance;
- reference checks when assessing any application made for employment or the provision of products or services.

As a general rule, we will require you to provide your express consent to any collection, disclosure or use of your personal information by us. However, we reserve the right to accept your verbal or implied consent.

We may imply that you have provided consent by reference to your conduct. Instances of this may include telephone calls that you may make to us for the purpose of making enquiries about our services or products.

Will we disclose your personal information to anyone?

We may disclose your personal information in a variety of circumstances, for example, where you have provided your consent to do so or to parties which have contracted to provide services to us or on our behalf. Consent 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 or permitted by law to disclose your personal information. This may include the provision of your personal information to a court of law or other relevant authorised administrative bodies including the Queensland Police Service and the Australian Taxation Office.

When your personal information is disclosed to any party outside our Group, where that party is contracted to us to provide services or activities on our behalf, that party will be bound by similar privacy rules that we follow unless advised otherwise.

Some examples of the parties outside our 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 us

All personal information collected about you by us, will be collected so that we may continue to efficiently operate our business by offering our range of products and services, employing staff and engaging contractors. For this purpose, 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 us

As our products and services change, we may 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 information, and should you not wish to receive it, simply contact the dealership concerned and advise them accordingly.

We will not disclose your personal information to any party outside our Group for the express purpose of allowing them to direct market their products or services to you, without your consent to do so.

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, we need to keep your personal information accurate, up to date and complete.

We may in the course of our relationship, ask you to advise of any changes to your personal information. 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 us. We will take reasonable precautions to safeguard the information from loss, misuse, unauthorised access, modification or disclosure. We may use various means of protecting the information, including the following, where appropriate:

- entering into confidentiality agreements with contractors and training and familiarising them with legislative obligations and our Privacy Policy and procedures;
- having employees sign declarations that they have been provided with a copy of the Group's Privacy Policy and that they undertake to abide by it;
- 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;
- upgrading of our information technology practices to prevent unauthorised computer access;
- review and testing of technology employed by us in terms of the provision of security.

We will, when your personal information is no longer required, securely destroy the information or delete it from our systems as required by the privacy laws.

We do not send personal information outside of Australia unless authorised or permitted to do so by law or unless it is necessary to provide you with our 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, where lawful and practical to do so, we may provide you with the opportunity to deal with us anonymously, for example, where you wish to ring one of our dealerships to make enquiries about current specials or prices.

What about accessing my personal information?

By contacting or visiting the appropriate dealership, you may request access to the personal information that we may hold about you. A summary of your personal information, including your name, address, telephone number and the products and services you have purchased from us, will usually be available.

With more detailed requests for access to personal information, we reserve the 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, requests for access to personal information will be handled as quickly as reasonably possible and should be processed within thirty (30) days. Occasionally, longer periods may be required depending on the nature of the information being sought.

We may be required or permitted by law to retain all or some of your personal information for a period of time after our relationship has ceased. After the nominated time has passed, we will either securely destroy the documentation or delete it from our records as required by law. Examples of this may include reporting obligations imposed upon us by the Goods & Service Tax legislation, taxation legislation or other legislation generally.

As we will not always be required by law to provide you with access to your personal information, requests for access may be refused in a number of circumstances, including:

- 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 trade association;

- membership of a trade union;
- sexual preferences or practices;
- criminal record;
- health.

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

What about online services?

We appreciate that many consumers have concerns about personal information that is collected about them 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 on email to provide us with personal information unless it is through one of our online forms on our websites.

Updating this policy

We constantly review policies and procedures for compliance with changes in the law and to remain up to date with technology and industry practice. On this basis, we may change this policy from time to time. This policy was last amended in August 2008.

Contacting us

Complaints:

If you believe we have not protected your personal information as set out in this policy, or are in some other way in breach of our privacy obligations, you may lodge a complaint with us by writing to, telephoning or visiting the appropriate dealership.

If you cannot resolve your complaint at the 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 refer contact the Federal Privacy Commissioner 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 came into effect on and must be complied with from 21 December 2001.

If you require more information, you may refer to:

The Privacy Commissioner's Office
Website: www.privacy.gov.au
Telephone: 1300 363 992