

AMS INTERIORS & STYLING PTY LTD ACN 628 559 820

PRIVACY POLICY

LAST UPDATED SEPTEMBER 2020

1. About this Privacy Policy

- 1.1. The Owner is committed to respecting your right to privacy and protecting your Personal Information;
- 1.2. This Policy is governed by the *Privacy Act* 1988 (Cth) (the “**Act**”) and the Australian Privacy Principles in Schedule 1 of the Act;
- 1.3. The purpose of this Policy is to ensure the open and transparent use of Personal Information;
- 1.4. This Policy describes how the Owner collects, uses, manages and deals with your Personal Information and Sensitive Information;
- 1.5. This Policy applies to all your dealings with us, whether in person, or via telephone, email, correspondence, our website or by any other means of communication;
- 1.6. This Policy will be reviewed by the Owner from time to time, or if any significant changes to our business occur, to ensure that this Policy continues to comply with the Act; and
- 1.7. This Policy is available from the Owner at your request free of charge.

2. Definitions

For the purpose of this Policy, the following terms will have the following meanings, and all other terms will otherwise have the meanings as attributed to them by section 6 of the Act:

“**Act**” means the *Privacy Act* 1988 (Cth);

“**Business**” means any business conducted by the Owner from time to time including any business as represented on a website of the Owner.

“**Health information**” means:

- (a) Information or an opinion about:
 - (i) The health or disability (at any time) of an individual; or
 - (ii) An individual’s expressed wishes about the future provision of health services to him or her; or
 - (iii) A health service provided, or to be provided, to an individual;that is also Personal Information; or
- (b) Other Personal Information collected to provide, or in providing, a health service; or
- (c) Other Personal Information about an individual collected in connection with the donation, or intended donation, by the individual of his or her body parts, organs or body substances; or
- (d) Genetic information about an individual in a form that is, or could be, predictive of the health of the individual or a genetic relative of the individual’

“**The Owner**” means AMS INTERIORS & STYLING PTY LTD ACN 628 559 820 and any of their related companies, trusts or entities (also referred to in this document as “**we**”, “**us**” or “**our**”).

“Personal Information” means information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not, and whether the information or opinion is recorded in a material form or not.

“Policy” means this Privacy Policy.

“Sensitive information” means:

(a) Information or an opinion about an individual’s:

- (i) Racial or ethnic origin; or
- (ii) Political opinions; or
- (iii) Membership of a political association; or
- (iv) Religious beliefs or affiliations; or
- (v) Philosophical beliefs; or
- (vi) Membership of a professional or trade association; or
- (vii) Membership of a trade union; or
- (viii) Sexual orientation or practices; or
- (ix) Criminal record

that is also Personal Information; or

(b) Health information about an individual; or

(c) Genetic information about an individual that is not otherwise health information; or

(d) Biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or

(e) Biometric templates.

“you”/“your” means any individual or entity who engages in any capacity or has any dealings whatsoever with the Owner.

3. Our Obligations

We will ensure that all of our officers, employees and subcontractors who deal with your personal information are aware of and understand the Owner’s privacy obligations as well as their own obligations under the Act.

We will achieve this through the provision of training and through maintaining procedures to prevent Personal Information from being collected, used, disclosed, retained, accessed or disposed of improperly.

4. Collection of Personal Information

4.1. Whenever you deal with us, whether as a current or prospective user, customer, contractor, or in any other way, we will collect Personal Information in order to provide services to you.

4.2. We do not collect Personal Information unless it is reasonably necessary for, or directly related to, all functions or activities of our Business.

4.3. In accordance with Australian Privacy Principle 2 in the Act we may be unable to give you the ability to be anonymous or to use a pseudonym because as a seller,

buyer, person seeking finance, or person seeking other services/goods we may reasonably require your Personal Information as it directly relates to the functions or activities performed by us.

- 4.4. The types of Personal Information we generally collect includes but is not limited to:
- a. Name;
 - b. Date of birth;
 - c. Residential address;
 - d. Postal address;
 - e. Email address;
 - f. Home telephone number;
 - g. Work telephone number;
 - h. Mobile telephone number;
 - i. Your occupation and business address;
 - j. Other identification information;
 - k. Interests and history;
 - l. Payment details/history;
 - m. Financial information in order to assess and/or process payments;
 - n. Details requested as part of any promotion/special that we are promoting from time to time .
- 4.5. We will use lawful and fair means to collect your Personal Information directly, including when you fill out a form or when you give us Personal Information in person, or via telephone, email, correspondence, our website or by any other means of communication. We may collect information other than from you where it is unreasonable or impractical to collect the Personal Information directly from you.
- 4.6. We may collect Personal Information from a third party or a publicly available source directly related to our functions or activities including but not limited to:
- 4.6.1. a credit reporting agency;
 - 4.6.2. your adviser;
 - 4.6.3. your past or current employers;
 - 4.6.4. persons related to us;
 - 4.6.5. other websites, suppliers, service providers or entities involved in our Business.
- 4.7. By dealing with us, you consent to us collecting your Personal Information from any of the sources referred to in 4.6 above.
- 4.8. If we receive Personal Information that we did not solicit directly from you, we will determine, within a reasonable period after receiving the information, if we would have been able to collect the information directly from you as part of our functions and activities. If we are not satisfied that we would have been able to lawfully collect the information, then we will (if it is lawful and reasonable) destroy the information or ensure that it is de-identified.
- 4.9. There may be limited circumstances in which it is necessary for us to collect a government related identifier such as your tax file number. We will not use or

disclose your government related identifiers unless we are required or authorized to do so by law.

5. Collection of Sensitive Information

5.1. We will not collect Sensitive Information about you unless:

5.1.1. You consent to the collection of the information and it is reasonably necessary to for the functions or activities carried out by us;

5.1.2. We are required or authorized by law to collect the Sensitive Information.

5.2. There may be circumstances where we may require Sensitive Information to be provided by you or circumstances where Sensitive Information is revealed by you, for example:

5.2.1. You may require a good or service with particular features that may reveal Sensitive Information; and/or

5.2.2. In providing details it may inadvertently reveal Sensitive Information.

6. Use and Disclosure of Personal Information

6.1. We will use and disclose your Personal Information or Sensitive Information for the primary purpose of performing functions and activities relative to our Business, including but not limited to:

- a. Assisting you with information or content on or referred to on our website;
- b. Recording or accessing information in relation to our Business;
- c. Client and business relationship management;
- d. Legal and Insurance purposes;
- e. Marketing of products and services to you.

(the “**Primary Purpose**”)

6.2. To enable our office to perform the Primary Purpose in 6.1 above we may need to disclose your Personal Information or Sensitive Information to certain individuals and/or organisations, including but not limited to:

- a. Our related entities;
- b. Other websites, event organisers, and third parties we deal with;
- c. Insurance providers and brokers;
- d. The Government;
- e. Persons or organisations involved in providing, managing or administering your product or service, including independent contractors and employees engaged by us;
- f. Organisations involved in maintaining, reviewing and developing our business systems, procedures and infrastructure including maintaining or upgrading our computer systems;
- g. Persons or organisations involved in purchasing part or all of our business;
- h. Organisations involved in the payments systems including financial institutions, merchants and payment organisations;
- i. Police.

6.3. We will not otherwise disclose your Personal Information or Sensitive Information for another purpose unless:

6.3.1. You have consented;

6.3.2. You would reasonably expect us, or you have been told, that we will use or disclose the Personal Information or Sensitive Information in accordance with the Act;

6.3.3. It is otherwise required or authorised by law; and

6.3.4. It is reasonably necessary for enforcement related activities conducted by, or on behalf of, an enforcement body.

6.4. Personal Information provided by you may be:

6.4.1. Shared with our associated entities as defined by the *Corporations Act 2001* (Cth);

6.4.2. Shared with other businesses that the Owner conducts business with, including businesses conducted by our related entities, distributors, manufacturers and financiers, and shared with our principals and any franchisor from time to time. You acknowledge that the Owner may from time to time operate pursuant to a franchise and we will take all reasonable and practical measures to keep such information strictly confidential; and

6.4.3. Used by us, as necessary, to enter your Personal Information into forms, generation software and other software. Depending on the terms of use of such software, a third party may acquire rights to use or disclose information entered.

7. Overseas Disclosure

7.1. The use and disclosure of Personal Information by third parties may be subject to separate privacy policies or the laws of other jurisdictions.

7.2. We may send your Personal Information to parties in another country in performing the Primary Purpose (for example, a third party supplier) and we will take reasonable steps to ensure that such parties protect the privacy and security of Personal Information or Sensitive Information.

7.3. We will not otherwise send Personal Information or Sensitive Information about an individual outside Australia without obtaining the consent of the individual concerned (in some cases consent will be implied) and otherwise complying with the Act.

8. Accuracy, Access, Correction and Security of Personal Information

8.1. Accuracy

We will endeavor to ensure that your Personal Information and Sensitive Information is accurate, up to date and complete.

8.2. Access and Correction

8.2.1. You may request to access Personal Information held by us about you and to request the correction or amendment of any Personal Information. We will attempt to resolve your request within a reasonable period.

8.2.2. For your own benefit, we will require verification of your identity prior to

allowing access to your Personal Information.

8.2.3. Your request to access your Personal Information is free of charge. Please contact our Privacy Officer in this regard. We may charge a fee to cover our expenses associated with locating, retrieving, reviewing and copying any material requested as well as providing the material in your requested format. We will, where practicable, advise of the costs associated with your request in advance where you ask us to do so.

8.2.4. The Owner reserves its right not to disclose Personal Information or Sensitive Information if such disclosure is prohibited by the Act.

8.3. *Security*

8.3.1. We will take reasonable steps to ensure the security of your Personal Information and Sensitive Information to protect it from misuse, interference and loss and from unauthorized access, modification or disclosure;

8.3.2. We will take reasonable steps to ensure that any Personal Information or Sensitive Information we no longer need will be destroyed or de-identified;

8.3.3. You acknowledge that we have a website linked to distributors and manufacturers and our related entities and that you may provide Personal Information or Sensitive Information through our website and as a result your Personal Information and Sensitive Information may be available to the above mentioned in this paragraph.

8.3.4. You may click on a link on our website to another website not affiliated with us. They may have their own Privacy Policy not associated with us. We take no responsibility in this regard.

9. **Marketing**

9.1. We, or those that we have advised in this Policy that we may share your Personal Information with, may use your Personal Information to market products and services to you.

9.2. We do not use Sensitive Information for marketing purposes unless you have provided your consent.

9.3. If at any time you no longer wish to receive any additional marketing material from us or do not want your Personal Information or Sensitive Information used or disclosed for direct marketing purposes, contact our Privacy Officer to be removed from any marketing material.

10. **Contact Us**

10.1. *Privacy Officer*

10.1.1. Any correspondence should be directed in writing to our Privacy Officer:

AMS INTERIORS + STYLING

Address: AMS INTERIORS + STYLING PTY LTD
C/- ALICIA STEPHENS
13 BLUEROCK DRIVE
LUSCOMBE Q 4207

Email: alicia@tsgaust.com.au

Telephone No: 0414 766 040

10.2. *Complaints*

- 10.2.1. Any complaints by you concerning your Personal Information and Sensitive Information must be made in writing and sent to the above Privacy Officer at the details identified in 10.1.1 above.
- 10.2.2. The Privacy Officer will review your complaint and provide a written response within 30 days from the date of your complaint.
- 10.2.3. If you are not satisfied with our response you may direct your complaint to the Office of the Australian Information Commissioner:

Officer of the Australian Information Commissioner
GPO Box 5218
Sydney, NSW

Email: enquiries@oaic.gov.au

Telephone No: 1300 363 992