

# PRIVACY AND CREDIT INFORMATION POLICY



## 1 Privacy generally

This privacy and credit information policy (**Policy**) applies to the handling of personal information and credit information by D.B.F. Tools & Construction Supplies Pty Ltd ACN 066 446 222 and D.B.F. Tools & Construction Supplies (Queensland) Pty Ltd ACN 130 359 545 (each a **DBF Group Member**, and together the **DBF Group**).

The DBF Group understands the importance of protecting the privacy of an individual's personal information. This Policy sets out how the DBF Group aims to protect the privacy of your personal information (including credit information), your rights in relation to your personal information managed by a DBF Group Member and the way the DBF Group collects, holds, uses, discloses and otherwise manages your personal information.

In collecting, holding, using, disclosing and otherwise managing your personal information, the relevant DBF Group Member will comply with the *Privacy Act 1988* (Cth) (**Privacy Act**) and the 13 Australian Privacy Principles in the Privacy Act.

To the extent a DBF Group Member collects, holds, uses, discloses and otherwise manages your credit information, the DBF Group Member will also comply with the Credit Reporting Code.

The DBF Group will regularly review its policies regarding personal information and credit information and may therefore update and amend this Policy from time to time. Any updated Policy will be made available on the website [www.dbftools.com.au](http://www.dbftools.com.au) or otherwise on request.

## 2 Kinds of personal information collected

Personal information is information or an opinion about an identified, or reasonably identifiable, individual. During the provision of its goods and services, the relevant DBF Group Member may collect your personal information.

Generally, the kinds of personal information the DBF Group Members collect are:

- (a) contact and identification information such as your name, address, telephone number, email address, date of birth and drivers licence number;
- (b) information regarding your purchasing history with the DBF Group or your other dealings with the DBF Group (such as product returns, warranty claims or product queries);
- (c) credit information (as defined in the Privacy Act) where relevant to the relevant DBF Group Member's assessment of an application for a commercial trading account with that DBF Group Member. The DBF Group does not provide consumer credit and therefore each DBF Group Member only collects limited credit information about sole traders, partners, individuals acting as guarantors of credit applicants or individuals acting as directors or shareholders of credit applicants, in connection with the provision or proposed provision by a of commercial credit. The credit information that the DBF Group Members may collect will be credit related personal information lawfully created and accessible within the Australian credit reporting system, including:
  - (i) identification information;

- (ii) whether you have or have not met any monthly repayment obligations;
  - (iii) whether you have defaulted on a payment (ie. a payment that is overdue in accordance with the invoice period terms agreed between you and the DBF Group Member), provided the relevant DBF Group Member has notified you in accordance with the Privacy Act;
  - (iv) whether you have paid any amount previously reported as being in default;
  - (v) that another credit provider has sought credit-related personal information about you from a credit reporting body;
  - (vi) information about the types of consumer or commercial credit, and the amounts of credit, you have sought from a credit provider;
  - (vii) information about court proceedings related to credit provided to you or for which you have applied;
  - (viii) personal insolvency information and other publicly available information relating to your credit worthiness;
  - (ix) a credit provider's reasonable belief that you have committed a serious credit infringement; and
  - (x) any other information lawfully obtainable within the Australian credit reporting system; and
- (d) credit eligibility information which is credit related information about you that the relevant DBF Group Member obtains from a credit reporting body, together with information the DBF Group Member derives from such information based on its own analysis.

In some circumstances each DBF Group Member may also hold other personal information provided by you.

### **3 Collection of personal information by the DBF Group**

Generally, the relevant DBF Group Member collects your personal information directly from you. For example, the DBF Group Member may collect your personal information through the completion of a hard copy or online form, such as for a commercial trading account with the DBF Group, an interaction or exchange in person or by way of telephone, facsimile, email, post or through your use of the DBF Group website.

There may be occasions when a DBF Group Member collects your personal information from other sources, such as from:

- your employer, where necessary for the DBF Group Member to deal with you in relation to the DBF Group providing its goods or services to your employer;
- the completion of an application form by another person or entity that lists you as a director, guarantor or trade reference;
- a credit reporting body;
- an information services provider; and
- a publicly maintained record or other publicly available sources of information including social media and similar websites.

Generally, a DBF Group Member will only collect your personal information from sources other than you if it is unreasonable or impracticable to collect that personal information from you.

#### **4 Purposes for which personal information is used**

Each relevant DBF Group Member collects, holds, uses and discloses your personal information where it is reasonably necessary for the purposes of:

- facilitating the sale and distribution of its power tools, hand tools, safety products and other related products and consumables;
- facilitating the servicing of power tools, hand tools and other related products;
- assessing an application for and, if successful, administering, a commercial trading account with a DBF Group Member or any other commercial arrangement you have in place with the DBF Group from time to time;
- accounting, billing and other internal administrative purposes;
- undertaking marketing activities, including the communication of information about the products and services of the DBF Group and identifying and informing you of products and services of the DBF Group or selected third parties that may be of interest to you; and/or
- complying with the obligations of the DBF Group under any applicable laws.

Each DBF Group Member also collects, holds, uses and discloses credit information for the following purposes:

- to obtain credit information from credit reporting bodies;
- to manage any credit the DBF Group Member provides;
- to assess applications for commercial credit;
- to collect overdue commercial credit payments;
- to assess whether to accept individuals as guarantors of commercial credit; and
- for directly related internal management purposes.

The DBF Group may also use your personal information for purposes related to the above purposes and for which you would reasonably expect the DBF Group Member to do so in the circumstances, or where you have consented or the use is otherwise in accordance with law.

Where personal information is used or disclosed, the relevant DBF Group Member takes steps reasonable in the circumstances to ensure it is relevant to the purpose for which it is to be used or disclosed. You are under no obligation to provide your personal information to any DBF Group Member. However, without certain information from you, a DBF Group Member may not be able to provide its products and/or services to you or may not be able to assess or approve any application you make for a commercial trading account with the DBF Group Member.

#### **5 Disclosure of personal information**

Each DBF Group Member discloses your personal information for the purpose for which that DBF Group Member collects it. That is, generally, the DBF Group Member will only disclose your personal information for a purpose set out at paragraph 4 of this Policy. This may include disclosing your personal information to:

- third parties engaged to perform administrative or other business management functions;
- people or entities considering acquiring an interest in the enterprise or assets of the DBF Group or a particular DBF Group Member;

- suppliers of the DBF Group (including in relation to promotional or advertising activities conducted by suppliers);
- the DBF Group's professional advisors, contractors, consultants and related bodies corporate; and
- insurance providers.

A DBF Group Member may also disclose your personal information for other purposes with your consent or for any purposes if the disclosure is required or authorised by law.

A DBF Group Member may also disclose your personal information, including your credit information, to lenders, other credit providers and credit reporting bodies. In particular, a DBF Group Member may disclose to credit reporting bodies information about you failing to meet your payment obligations or if you commit a serious credit infringement. A credit reporting body may include any information provided by a DBF Group Member in reports it provides to other credit providers for the purpose of such credit providers assessing your credit worthiness. A DBF Group Member may also disclose your personal information (including credit information) to debt collection or other similar service providers for recovery and collection purposes.

A DBF Group Member's disclosures of your personal information to third parties are on a confidential basis or otherwise in accordance with law. A DBF Group Member may also disclose your personal information with your consent or if disclosure is required or authorised by law.

## **6 Overseas disclosures**

A DBF Group Member is not likely to disclose any personal information, including credit related personal information, to overseas recipients. However, where it is necessary to make any overseas disclosures in order to provide its products and/or services (e.g. for administrative or other business management purposes), the relevant DBF Group Member will take steps reasonable in the circumstances to ensure the overseas recipient complies with the Australian Privacy Principles or is bound by a substantially similar privacy scheme unless you consent to the overseas disclosure or it is otherwise required or permitted by law. If a DBF Group Member is likely to disclose personal information to recipients located overseas, the DBF Group will update this privacy policy regarding the likely disclosures (including, if it is practicable to do so, the countries in which such overseas recipients are likely to be located).

## **7 Direct marketing**

A DBF Group Member may use and disclose your personal information in order to inform you of products and services that may be of interest to you. This may include the DBF Group Member disclosing your personal information to related bodies corporate of either DBF Group Member or other entities with which either DBF Group Member has a commercial relationship or arrangement for the purpose of such other entities contacting you regarding offers or information (which may include offers or information about the products or services of the entity). In the event you do not wish to receive such communications, you can opt-out by contacting the DBF Group via the contact details set out in paragraph 10 of this Policy or through any opt-out mechanism contained in a marketing communication to you.

## **8 Security of personal information**

Each DBF Group Member takes steps reasonable in the circumstances to ensure that the personal information it holds is protected from misuse, interference and loss and from unauthorised access, modification or disclosure. Each DBF Group Member holds personal information in both hard copy and electronic forms in secure databases on secure premises, accessible only by authorised staff. Credit eligibility information, such as information a DBF Group Member may receive from a credit reporting body for the purpose of assessing credit worthiness, is stored through equally secure methods.

A DBF Group Member will destroy or de-identify personal information in circumstances where it is no longer required, unless the DBF Group Member is otherwise required or authorised by law to retain the information.

## **9 Access and correction**

Each DBF Group Member takes steps reasonable in the circumstances to ensure personal information it holds is accurate, up-to-date, complete, relevant and not misleading.

Under the Privacy Act, you have a right to seek access to and correction of your personal information that is collected and held by a DBF Group Member. If at any time you would like to access or correct the personal information that a DBF Group Member holds about you, or you would like more information on the DBF Group's approach to privacy, please contact the DBF Group's Privacy Compliance Officer using the details set out in paragraph 10 of this Policy. A DBF Group Member will grant access to the extent required or authorised by the Privacy Act or other law and take steps reasonable in the circumstances to correct personal information where necessary and appropriate.

Where necessary to resolve a request for correction of your credit related personal information, a DBF Group Member may also consult with other relevant entities. The DBF Group Members' use or disclosure of your credit related personal information for correction purposes is permitted by the Privacy Act.

To obtain access to your personal information:

- you will have to provide proof of identity to ensure that personal information is provided only to the correct individuals and that the privacy of others is protected;
- the DBF Group requests that you be reasonably specific about the information you require; and
- the DBF Group may charge you a reasonable administration fee, which reflects and will not exceed the cost to the DBF Group for providing access in accordance with your request.

A DBF Group Member will endeavour to respond to your request to access or correct your personal information within 30 days from your request. If a DBF Group Member refuses your request to access or correct your personal information, that DBF Group Member will provide you with written reasons for the refusal and details of complaint mechanisms. The DBF Group Member will also take steps reasonable in the circumstances to provide you with access in a manner that meets your needs and the needs of the DBF Group.

If you are dissatisfied with a DBF Group Member's refusal to grant access to, or correct, your credit related personal information, you may make a complaint to the Office of the Australian Information Commissioner.

## **10 Contacting the DBF Group**

For further information or enquiries regarding your personal information, or if you would like to opt-out of receiving any promotional or marketing communications, please contact the DBF Group's Privacy Compliance Officer at [christine@dbftools.com.au](mailto:christine@dbftools.com.au).

## **11 Privacy complaints**

Please direct all privacy complaints to the DBF Group's Privacy Compliance Officer. At all times, privacy complaints will:

- be treated seriously;
- be dealt with promptly;

- be dealt with in a confidential manner; and
- not affect your existing obligations or affect the commercial arrangements between you and the DBF Group.

Specifically, if your complaint relates to credit related personal information and/or a DBF Group Member's failure to comply with its obligations regarding credit related personal information under the Privacy Act and/or the Credit Reporting Code:

- a DBF Group Member will acknowledge your complaint within 7 days of receipt and endeavour to resolve it within 30 days, unless the DBF Group Member informs you otherwise and seeks your agreement in writing;
- a DBF Group Member may consult with relevant third parties in order to sufficiently and expeditiously resolve the complaint; and
- if your complaint relates to a DBF Group Member's refusal to provide access to, or correct, your credit related personal information, you may complain directly to the Office of the Australian Information Commissioner.

The DBF Group's Privacy Compliance Officer will commence an investigation into your complaint. You will be informed of the outcome of your complaint following completion of the investigation. In the event that you are dissatisfied with the outcome of your complaint, or an extension to the time in which a DBF Group Member will resolve it, you may refer the complaint to the Office of the Australian Information Commissioner.

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