

# MJG STONE PTY LTD ATF MJG STONE TRUST

## APP PRIVACY POLICY

### **Our commitment to privacy**

Your privacy is important to us. We comply with the Australian Privacy Principles ("APP") as well as our obligations of confidentiality and the credit provider provisions in the Privacy Act 1988 ("Cth") ("the Act").

### **This policy and other privacy statements**

This privacy policy explains how we collect personal information and how we maintain, use and disclose that information, and reflects our obligations under APP 1.3 to have a policy on this aspect of our business. It also provides some detail about your privacy rights along with our general rights and obligations and our policy in relation to the personal information we keep on record.

When you apply for supply of our products on credit terms, the application form includes notices about privacy and requests for consent. Those privacy notices (called privacy statements) specify in more detail how any information about you may be used and disclosed in relation to the particular product or service.

When you apply for or use one of our products or services, you consent to us collecting, maintaining, using and disclosing personal information about you and provided by you or by another person in accordance with the privacy statement in the application form and this policy.

This privacy policy does not apply to parties that may be linked or associated with our website. Those website owners are responsible for the privacy of the information they collect and should be contacted directly for details of their privacy policies.

Unless the context otherwise requires, any terms used in this privacy policy that have a defined meaning in the Act have the same meaning as defined in the Act, as amended from time to time.

### **Who we are**

MJG Stone Pty Ltd T/A MJG Stone ("MJG Stone") is an Australian Company in the business of delivering and fabricating quality marble, granite, limestone, quartz and techni stone benchtops, splashbacks and more.

Our contact details are as follows:

MJG Stone Pty Ltd

ACN                629 017 287

ABN                26 155 039 002

Address:        1 Anne Street, SOUTHPORT QLD 4215

Phone:            +61 7 5503 1288

Facsimile:       +61 7 5503 1366

## **What information we hold**

We are permitted to hold personal information about you for the purposes of our activities as a credit provider.

Generally, we keep a record of one or more of the following types of personal information about you if you apply for commercial credit with us:

1. information that identifies you, such as your name and address and other information provided by you and people nominated by you;
2. information about any real and personal property in which you have an interest;
3. information provided by trade references you nominate in any application for commercial credit with us;
4. credit information about you and information about any property which secures your obligations to us;
5. information regarding any defaults by you of the terms of any application for commercial credit with us.

All information sought is required for our business purposes, which are detailed generally in this privacy policy and more specifically in our application form or on web pages which allow you to contact us.

We do not actively seek to collect sensitive information (for example health information or information about your racial or ethnic origin or any criminal record), unless it is necessary for our business purposes. If we do have to collect sensitive information, we will do so in accordance with the APP.

Sometimes we act as an agent for others when collecting information about you, such as for our insurer. We will tell you when we do this.

During the course of our relationship with you, we may gather information about you relating to all products and services that we or our preferred suppliers provide to you. This information is used to help us form views about how we can improve our relationship with you.

## **How we collect personal information**

Generally, we only collect personal information about you from you, unless it is not reasonable or practical for us to do so or you consent to us obtaining information from a third party. For example, you may authorise us to collect information from a third party, such as any trade references provided by you and credit reporting agencies. We may also collect information about you from publicly available sources such as company registers or land title registries.

## **How we use personal information**

We use your personal information:

- (a) To assess any credit application by you and your credit worthiness (including a commercial credit application and commercial credit worthiness) or to assess you as guarantor(s) of a credit and/or commercial credit application made by another person;
- (b) To obtain any security in respect of credit provided to you
- (c) To notify other credit providers of a default by you;
- (d) To collect any overdue payments;
- (e) To enable recovery of any debts from you or any guarantor as a result of your default under the application for credit or commercial credit;
- (f) To allow us to exchange information with other credit providers as to the status of your commercial credit arrangements with us where you are in default with other credit providers; and
- (g) Generally to monitor your credit or commercial credit arrangements with other credit providers.

When we request your information we may give more specific details about the way we use your information.

## **When we disclose personal information**

Usually we must get your consent before we tell anyone about you, your accounts or your credit information. You can give us your consent expressly or it may be implied by your conduct.

Sometimes the law requires us to give out information about you. For example, giving your account details to a Court if we are ordered to do so under a subpoena.

Depending on the product or service that we provide to you, if it is necessary we may also disclose your personal information to:

- (a) a credit reporting body;
- (b) our external service providers (which may be located overseas) for the purposes of our business, for example claims investigators, mailing houses, property valuers, surveyors, auctioneers and real estate agents. Information is only disclosed on a confidential basis;
- (c) other persons who have an interest in any property offered to us as security;
- (d) any party acquiring an interest in our business or your credit or loan account and any related securities provided by you or any other person;
- (e) government agencies in connection with your application for commercial credit, such as for stamping and registration of mortgages or caveats;
- (f) any organisation which you request us to or any persons acting on your behalf, including your financial adviser, broker, solicitor, or accountant - unless you tell us not to, referees, any person with whom you transact (for example merchants, to process your transactions) or any financial institution nominated by you (for example in a direct debit).

We will not disclose any sensitive information, including health and medical information, unless you tell us to.

We will not disclose any default information to a credit reporting body unless we have given you 14 days prior written notice of our intention to do so.

We may at other times give you more details about our disclosure practices in relation to specific products or services - for example on the forms we use to collect personal information about you.

## **How we protect personal information**

We use secure methods to destroy or de-identify any personal information as soon as the law permits, provided the information is no longer needed by us for any purpose. Ordinarily, for information about a particular account, we destroy the information seven years from the date you close the account.

We have physical, electronic and procedural safeguards to protect your information which is held by us. For example, your personal information is stored in secured office premises and in electronic databases requiring logins and passwords.

Access to information stored electronically is restricted to staff whose job purpose requires access. We require all staff to maintain the confidentiality of customer information.

We take all reasonable steps to protect your personal information from misuse, loss, unauthorised access, modification or disclosure.

## **Direct marketing**

We may use or disclose your personal information (other than sensitive information) for the purpose of direct marketing by or on behalf of us.

You may opt out of receiving direct marketing communications from us by notifying us in writing that you wish to opt out of receiving such communications.

## Accessing personal information

You can request access at any time to personal information we hold about you. We will process your request within a reasonable time, usually 14 days for a straightforward request. More time may be needed, depending on the nature of the request.

There is no fee for requesting access to your information, however we may charge you the reasonable cost of processing your request.

We reserve the right to refuse access to personal information if any of the following circumstances apply in our sole discretion:

- (a) giving access would pose a serious threat to the life, health or safety of any individual, or to public health or public safety; or
- (b) giving access would have an unreasonable impact on the privacy of other individuals; or
- (c) the request for access is frivolous or vexatious; or
- (d) the information relates to existing or anticipated legal proceedings between us and you, and would not be accessible by the process of discovery in those proceedings; or
- (e) giving access would reveal our intentions in relation to negotiations with you in such a way as to prejudice those negotiations; or
- (f) giving access would be unlawful; or
- (g) denying access is required or authorised by or under an Australian law or a court/tribunal order; or
- (h) both of the following apply:
  - (i) We have reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to our functions or activities has been, is being or may be engaged in;
  - (ii) giving access would be likely to prejudice the taking of appropriate action in relation to the matter; or
- (i) giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or
- (j) giving access would reveal evaluative information generated within the entity in connection with a commercially sensitive decision-making process.

## Correction of personal information

We try to ensure that all information we hold about you which we collect, use or disclose is accurate, complete and up to date. You must promptly notify us if there are any changes to your personal information.

You may ask us at any time to correct personal information held by us about you, which you believe is incorrect or out of date. We will deal with your request within a reasonable time.

You may ask us at any time to notify any credit provider or credit reporting agency to which the personal information has been previously disclosed by us of any corrections made and we will take reasonable steps to comply with such request unless it is impractical or unlawful to do so.

If we disagree as to the accuracy of the information, you may request that we attach a statement

## Complaints

If you have a complaint regarding a possible breach of the APP, the Act or any APP Code applicable to us, you must first refer the complaint to us in writing. Our officers will assess your complaint and issue a response to you in writing within 30 days of receiving your complaint and all relevant information regarding your complaint.

If you are not satisfied with our response, you may refer your complaint to the Office of the Australian Information Commissioner ("OAIC"). For more information on how to make a complaint to the OAIC, refer to <http://www.oaic.gov.au/privacy/making-a-privacy-complaint>.

## Changes to privacy policy

We may amend this privacy policy from time to time. Not all changes to our privacy policy will require your consent, for example where office security procedures are changed. We will notify you of any change to our information handling policy that requires your consent before being implemented.