

## PRIVACY POLICY – CUSTOMERS and SUPPLIERS

### Our Commitment

The purpose of this Privacy Policy is to communicate to you how we manage, collect, deal with, protect and allow access to *personal information* in accordance with the *Privacy Act 1988 (Cth)* (the **Privacy Act**) and the Australian Privacy Principles (the **APPs**). We understand the importance placed on the privacy of your *personal information*. We will endeavour to make you aware of the contents of this Privacy Policy before or as soon as reasonably practicable after collecting any *personal information* about you.

This Privacy Policy is available on our website at [www.clarke.com.au](http://www.clarke.com.au) and [www.cseonline.com.au](http://www.cseonline.com.au)

We may be contacted at any time at [sales@clarke.com.au](mailto:sales@clarke.com.au)

### Scope

This Privacy Policy applies to our management of the personal information of our clients, customers and suppliers.

### Why do we collect, hold, use and disclose personal information?

We collect, hold, use and disclose personal information for the following purposes:

- Our primary goal in collecting personally identifiable information is for legitimate business purposes. It is to provide you with information that you request from us, including via your use of the Site, including, without limitation, the provision of information about our Suppliers, products, events and promotions.  
and
- To provide goods purchased on our webshop – [www.cseonline.com.au](http://www.cseonline.com.au) by you. See Appendix A for our GDPR (General Data Protection Regulation) Statement  
and
- as is reasonably necessary and convenient for our business' functions and activities.

Unless otherwise provided by law, we will not collect, hold, use or disclose *sensitive information* without your consent.

If you would like to access any of our services on an anonymous basis or by using a pseudonym, please tell us. However, we will require you to identify yourself if:

- we are required by law to deal with individuals who have identified themselves; or
- it is impracticable for us to deal with you if you do not identify yourself or elect to use a pseudonym.

Please be aware that your request to be anonymous or to use a pseudonym may affect our ability to provide you with the requested goods and/or services.

### What kind of *personal information* do we collect and use?

The nature and extent of *personal information* that we collect varies depending on your particular interaction with us and the nature of our functions and activities.

*Personal information* that we commonly collect, hold, use and disclose could include your name, position, current address, facsimile numbers, email address, telephone numbers, Australian Business Number, bank details, business references, financial details, details about your business and preferred means of contact.

## **How do we collect and hold *personal information*?**

Where possible, we will collect *personal information* directly from you. We collect information through various means, including interviews, appointments, forms and questionnaires (whether in hardcopy or electronic format, including information submitted via our website or other electronic means). If you feel that the information that we are requesting, either on our forms or in our discussions with you, is not information that you wish to provide, please feel free to raise this with us.

In some situations we may also obtain *personal information* about you from a third party source. If we collect information about you in this way, we will take reasonable steps to contact you and ensure that you are aware of the purposes for which we are collecting your *personal information* and the organisations to which we may disclose your information, subject to any exceptions under the Privacy Act.

If we receive unsolicited *personal information* about you that we could not have collected in accordance with this Privacy Policy and the Privacy Act, we will within a reasonable period, destroy or de-identify such information received.

Our internet service provider may record details of visits to our site and when visiting our site your visit may be logged and the following information may be collected:

- your server address, domain name and browser type;
- the date and time of your visit to the site;
- the pages accessed and the documents downloaded;
- the previous website visited;
- your operating system; and
- the links you followed from other sites to get to our site.

The information listed above will only be used by us internally for statistical and research purposes.

## **When do we use and disclose your *personal information*?**

We will only use and disclose your *personal information*:

- if we get your consent; or
- for purposes which are related to the purposes for which the information was collected, in accordance with this Privacy Policy and the Privacy Act.

For the purposes referred to in this Privacy Policy, we may disclose your *personal information* to other parties including:

- [credit agencies;
- our professional advisors, including our accountants, auditors and lawyers;
- our Related Entities and Related Bodies Corporate (as those terms are defined in the *Corporations Act 2001* (Cth)); and
- our contractors and suppliers.

We will only use or disclose your *personal information* for the purposes of direct marketing if:

- we collected the information from you;
- it is reasonable in the circumstances to expect that we would use or disclose the information for direct marketing purposes;
- we provide you with a simple means to 'opt-out' of direct marketing communications from us; and
- you have not elected to 'opt-out' from receiving such direct marketing communications from us.

## **Do we send information overseas?**

[It is unlikely that we will disclose personal information to overseas recipients

If we disclose personal information to overseas recipients, we will take reasonable steps to ensure that such recipients do not breach the Privacy Act and the APPs unless:

- we believe that the overseas recipient is subject to a law that has the same effect of protecting *personal information* in a way that, overall, is at least substantially similar to the way in which the Privacy Act and the APPs protect *personal information* and there are mechanisms available for you to access to take action to enforce that protection of law; or
- we obtain your express consent to the disclosure of *personal information* to overseas recipients.

## **Access to and correction of your *personal information***

You have a right to access your *personal information*.

We are not obliged to allow access to your *personal information* if:

- we reasonably believe that giving access would pose a serious threat to the life, health or safety of any individual, or to public health or public safety;
- giving access would have an unreasonable impact on the privacy of other individuals;
- the request for access is frivolous or vexatious;
- the information relates to existing or anticipated legal proceedings between you and us and would not ordinarily be accessible by the discovery process in such proceedings;
- giving access would reveal our intentions in relation to negotiations with you in a way that would prejudice those negotiations;
- giving access would be unlawful;
- denying access is required or authorised by or under an Australian law or a court/tribunal order;
- we have reason to suspect that unlawful activity, or misconduct of a serious nature relating to our functions or activities has been, is being or may be engaged in and giving access would be likely to prejudice the taking of appropriate action in relation to the matter;
- giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or
- giving access would reveal internal evaluative information in connection with a commercially sensitive decision-making process.

We will also take reasonable steps to correct *personal information* to ensure that, having regard to the purpose for which it is held, it is accurate, up-to-date, complete, relevant and not misleading if:

- we are satisfied the information is inaccurate, out-of-date, incomplete, irrelevant or misleading, having regard to a purpose for which it is held; or
- you request us to correct the information.

If you make a request for access to or correction of *personal information*, we will:

- respond to your request within a reasonable period; and
- if reasonable and practicable, give access to or correct the information in the manner requested.

If we refuse to give access to the *personal information* because of an exception or in the manner requested by you, we will give you a written notice that sets out at a minimum:

- our reasons for the refusal (to the extent it is reasonable to do so); and
- the mechanisms available to complain about the refusal.

If we refuse a request to correct *personal information*, we will:

- give you a written notice setting out the reasons for the refusal and how you may make a complaint; and
- take reasonable steps to associate a statement with *personal information* it refuses to correct.

We reserve the right to charge you reasonable expenses for providing access or making a correction to *personal information*, for example, a fee for photocopying any information requested by you.

Nothing in this Privacy Policy replaces other informal or legal procedures by which an individual can be provided with access to or to correct *personal information*.

### **Integrity of your *personal information***

We will take reasonable steps to:

- ensure that the *personal information* that we collect is accurate, up to date and complete;
- ensure that the *personal information* the we hold, use or disclose is, with regard to the relevant purpose, accurate, up to date, complete and relevant; and
- secure your *personal information*.

We will take reasonable steps to protect *personal information* from:

- misuse, interference and loss; and
- unauthorised access, modification or disclosure.

We will take reasonable steps to destroy or de-identify *personal information* that we hold if we no longer need the information for the primary purpose for which the information was collected and we are not otherwise required by law to retain the information.

### **Complaints**

If you would like to make a complaint about the way we collect, use, disclose, store or administer your *personal information*, or otherwise consider there may be a breach of the Privacy Act or the APPs, you may lodge a complaint with our Privacy Contact Officer at [complaints@clarke.com.au](mailto:complaints@clarke.com.au)

All complaints will be treated seriously and dealt with promptly.

You may also make a complaint directly to the Office of the Australian Information Commissioner (**OAIC**) online, by mail, fax or email. Please visit the OAIC website at <http://www.oaic.gov.au/privacy/making-a-privacy-complaint> for more information.

### **How to contact us**

If you would like more information on privacy or have any questions in relation to this policy please contact our Privacy Contact Officer.

**Glenn Clarke**

# APPENDIX A

## GDPR (General Data Protection Regulation) Statement

### 1. WHAT DO WE DO WITH YOUR INFORMATION?

Clarke and Severn Electronics will be what's known as the "Controller" of the personal data you provide to us. When you purchase something from our store, as part of the buying and selling process, we collect the personal information you give us such as your name, address and email address.

When you browse our store, we also automatically receive your computer's internet protocol (IP) address in order to provide us with information that helps us learn about your browser and operating system.

Email marketing (if applicable): With your permission, we may send you emails about our store, new products and other updates.

### 2. CONSENT

When you provide us with personal information to create an account, place an order, arrange for a delivery or return a purchase, we will either ask you directly for your expressed consent, or provide you with an opportunity to say no.

If after you opt-in, you change your mind, you may withdraw your consent for us to contact you, for the continued collection, use or disclosure of your information, at anytime, on your account page by using our contact us form or by contacting us at [sales@clarke.com.au](mailto:sales@clarke.com.au).

### 3. DISCLOSURE

We may disclose your personal information if we are required by law to do so or if you violate our Terms of Service.

### 4. PAYMENTS

We use a third party payment processor(s) to process payments made to us. In connection with the processing of such payments, we do not retain any personally identifiable information or any financial information such as credit card numbers.

### 5. THIRD-PARTY SERVICES

In general, the third-party providers used by us will only collect, use and disclose your information to the extent necessary to allow them to perform the services they provide to us.

However, certain third-party service providers, such as payment gateways and other payment transaction processors, have their own privacy policies in respect to the information we are required to provide to them for your purchase-related transactions.

For these providers, we recommend that you read their privacy policies so you can understand the manner in which your personal information will be handled by these providers.

In particular, remember that certain providers may be located in or have facilities that are located in a different jurisdiction than either you or us. So if you elect to proceed with a transaction that involves the services of a

third-party service provider, then your information may become subject to the laws of the jurisdiction(s) in which that service provider or its facilities are located.

As an example, if you are located in Canada and your transaction is processed by a payment gateway located in the United States, then your personal information used in completing that transaction may be subject to disclosure under United States legislation, including the Patriot Act.

Once you leave our store's website or are redirected to a third-party website or application, you are no longer governed by this Privacy Policy or our website's Terms of Service.

### Links

When you click on links on our store, they may direct you away from our site. We are not responsible for the privacy practices of other sites and encourage you to read their privacy statements.

## 6. SECURITY

To protect your personal information, we take reasonable precautions and follow industry best practices to make sure it is not inappropriately lost, misused, accessed, disclosed, altered or destroyed.

All the personal data we process is processed by our staff in Australia however for the purposes of IT hosting and maintenance this information is located on servers within Australia on a secure server behind a firewall. No 3rd parties have access to your personal data unless the law allows them to do so. We have a Data Protection regime in place to oversee the effective and secure processing of your personal data.

### Cookies

Here is a list of cookies that we use. We've listed them here so you can choose if you want to opt-out of cookies or not.

*\$XCART\_SESSION\_NAME (xid...)*, Remembers the user's shopping cart contents. Remembers the user's personal account information (name, address, orders history, etc)

*eucl\_cookie\_access* EU Cookie Law module cookie; stores the user's cookie preferences

*\$XCART\_SESSION\_NAME . 'C\_remember'*

*\$XCART\_SESSION\_NAME . 'B\_remember'*

*\$XCART\_SESSION\_NAME . 'A\_remember'*

*\$XCART\_SESSION\_NAME . 'P\_remember'*

Allow to restore the user's context (store codes that allow X-Cart to know where to redirect the user after login, store some parameters for wishlist and special offers bonuses pages)

*adv\_campaignid*

*adv\_campaignid\_time*

Remember the user's membership in an affiliate program (if any)

*mailchimp\_campaignid*

*mailchimp\_landing\_site*

Stores MailChimp campaign ID and landing site

*partner\_clickid*

*partner*

*partner\_time*

Allow collection of statistics on the user's purchases

*GreetingCookie* Remembers the user's name for the greeting message

*store\_language* Remembers the user's language preferences

*RefererCookie* Stores the URL of the site from which the user came to the store

## 7. AGE OF CONSENT

By using this site, you represent that you are at least the age of majority in your state or province of residence, or that you are the age of majority in your state or province of residence and you have given us your consent to allow any of your minor dependents to use this site.

## 8. CHANGES TO THIS PRIVACY POLICY

We reserve the right to modify this privacy policy at any time, so please review it frequently. Changes and clarifications will take effect immediately upon their posting on the website. If we make material changes to this policy, we will notify you here that it has been updated, so that you are aware of what information we collect, how we use it, and under what circumstances, if any, we use and/or disclose it.

If our store is acquired or merged with another company, your information may be transferred to the new owners so that we may continue to sell products to you.

## 9. QUESTIONS AND CONTACT INFORMATION

If you would like to: access, correct, amend or delete any personal information we have about you, register a complaint, or simply want more information contact our Data Protection Officer at [complaints@clarke.com.au](mailto:complaints@clarke.com.au)