

CONTINENTAL – COLLECTION NOTICE (APP 5)

Continental Tyres of Australia Pty Ltd ACN 136 883 148 and its related bodies corporate are referred to as “we”, “our”, or “us” in this notice.

The *Privacy Act 1988 (Cth)* contains Australian Privacy Principles (**APPs**) which set out standards, rights, and obligations in relation to the handling, holding, accessing, and correction of personal information. Under APP 5 – Notification of the collection of personal information, we must take reasonable steps, before or at the time we collect personal information, to notify you of certain matters or to ensure that you are aware of those matters.

This notice should be read in conjunction with our Privacy Policy, which contains information about how we handle your personal information (including personal information collected via our website) and how to contact us if you have any questions about our management of personal information. You can obtain a copy of our Privacy Policy directly from our website or by contacting our Privacy Officer using the details set out below.

<p>Who is collecting your personal information?</p>	<p>Your personal information is being collected by Continental Tyres of Australia Pty Ltd and its related bodies corporate. Our Privacy Officer handles enquiries and requests relating to our handling of personal information and can be contacted if you have any questions about our management of personal information or compliance with the Privacy Act:-</p> <p>By telephone: 1800 266 844 In writing: The Privacy Officer, Continental Tyres of Australia Pty Ltd 2, Scholar Drive, Bundoora, 3083 Victoria By email: tyresprivacyofficer.au@contityres.com.au</p>
<p>Collection of your personal information</p>	<p>We will collect your personal information from you directly whenever it is reasonable and practical to do so. There are a number of ways we may collect your personal information, including when you:</p> <ul style="list-style-type: none"> • Submit information to us through our website • Deal with us face-to-face, in writing (by letter, facsimile, or email), or by telephone • Participate in any of our events, promotions, competitions, or subscribe to any of our publications • Submit an application, quote, purchase order and/or service request to us • Visit our website (such as through the use of ‘cookies’ to record the way you use our website) <p>We may also collect personal information from you in the course of supplying products and services to you or through our other dealings with you. In some cases we may collect your personal information from publicly available records, our related bodies corporate, or non-related third parties.</p>
<p>Collection of your personal information from third parties</p>	<p>The kinds of third parties we may collect your personal information from may include:</p> <ul style="list-style-type: none"> • From your employer, in relation to products or services we supply to your employer as our contractor or as our customer • From an individual or entity who may be providing services to you as our contractor • From a third party who supplies us with products or services, including our suppliers, agents and advisors • From a third party (such as a trade referee or credit reporting body) to assist us in assessing your application for credit. For example, to verify the information you have provided to us or to assess your circumstances • From our retail outlets (such as purchasing, servicing, and warranty information) • Where you enter a competition or promotion • Where we need information from your recruitment agency / current or former employer to assist us in assessing your job application or expression of interest as a contractor • From a third party to assist us in locating or communicating with you • From a third party to otherwise assist us in supplying you with products or services
<p>The purpose of collecting your personal information</p>	<p>We collect, use, and disclose personal information reasonably necessary for our business purposes. Those purposes may include:</p> <ul style="list-style-type: none"> • Verifying your identity • Supplying our customers with products and services • Managing the supply of our products and services (including processing invoices, receipts and payments, recording details of products purchased for warranty and administration purposes) • Repairing products returned to us under warranty and/or recalling products • Managing relationships with our customers and stakeholders • Responding to enquiries about applications, accounts, and our products and services (including through our technical publications and catalogues) • Conducting competitions, direct marketing and promotional activities (including communicators with winners about their prizes and associated promotional activities) • Assessing credit applications and/or guarantees (which may involve disclosures to trade referees or credit reporting bodies for those purposes) • Conducting checks for credit worthiness and/or fraud

	<ul style="list-style-type: none"> • Assessing job applications or expressions of interest from potential contractors (which may involve verifying identity and/or work history for those purposes) and managing relationships with our contractors • Assessing and investigating insurance claims or risks • Dealing with complaints • Conducting research, development, and marketing (including direct marketing) • Debt collection, confidential dispute resolution, legal proceedings, or otherwise establishing, exercising or defending a legal or equitable claim • Complying with legal and regulatory requirements. There are various Australian laws which require us to collect and/or disclose your personal information including the <i>Personal Property Securities Act 2009</i> and laws governing State and Territory real property and security interests (for example, to register and search for security interests). <p>We may also use or disclose your personal information for another purpose related to the primary purposes set out above. For example, we may use the information you have already given us to supply you with further products and services. However we will only use or disclose information for another purpose with your consent or if you would reasonably expect us to do so.</p>
What may happen if we do not collect your personal information?	If we do not collect your personal information we may be unable to provide you with our products or services (including contacting you about warranty and recall safety issues), grant credit terms to you, process or assess your application, finalise payment of products or services you have ordered, deliver products you have ordered, or otherwise do business with you or an entity you are connected with.
Who will we disclose your personal information to?	<p>We may disclose your personal information to our related bodies corporate and third parties for the purposes set out above. The third parties to whom we may disclose your personal information include:</p> <ul style="list-style-type: none"> • The manufacturers, suppliers, and contractors we use in our business • One or more Continental retail outlets (for the purpose of those outlets providing products and services, responding to a complaint, and/or to assist them in improving the quality and standard of service they provide) • Insurers, assessors, and underwriters • Professional advisors and consultants (such as lawyers, accountants, and auditors) • Debt collectors • Your guarantors and security providers • Credit reporting bodies, credit providers and other information providers • Government and regulatory authorities (as required by law) • Website hosts • Organisations that assist us in advertising, research and development, analysis, promotions and competitions
Access to and correction of your personal information	Our Privacy Policy contains information about how you can access the personal information we hold about you and seek correction of that information.
Privacy complaints	Our Privacy Policy contains information about how you may complain about a breach of the APPs and how we will deal with such a complaint.
Overseas disclosures of your personal information	Sometimes we will need to disclose your personal information to overseas recipients for the purposes set out above. It is likely that those countries will include New Zealand and Germany.

This Privacy Policy sets out how Continental Tyres of Australia Pty Ltd ACN 136 883 148 and its related bodies corporate (referred to as “we”, “our”, or “us” in this policy) handles your personal information (including personal information collected via our website) and how to contact us if you have any questions about our management of personal information. Continental Tyre retail outlets are independent of us, and may have their own privacy policies and practices which differ from ours. You should contact your retail outlet directly for further information.

For information about our management of credit-related personal information, please see our [Credit Reporting Policy](#).

We are committed to protecting your privacy and ensuring that our Privacy Policy complies with the Australian Privacy Principles set out in the Privacy Act. We conduct regular reviews of our policies and procedures, and we may change our Privacy Policy from time to time. The most current version of our Privacy Policy will be available on our website. A copy of our Privacy Policy is also available free of charge by contacting our Privacy Officer using the contact details set out below. We will take reasonable steps to provide a copy of our Privacy Policy in the form requested eg. hardcopy.

Your use of our website is also subject to our Terms and Conditions of Use. You should note that other websites are made available on our website through hyperlinks. Those websites are not subject to our Privacy Policy and you should review the privacy policies of each of those other websites to assess whether they are suitable to you before using them.

By providing information to us after viewing this Privacy Policy you acknowledge and consent to our collection, use, and disclosure, of your personal information as set out in this Privacy Policy.

What kinds of personal information do we collect and hold?

“Personal Information” is information or an opinion, in any form (whether true or not) about an individual or an individual who is reasonably identifiable.

The kinds of personal information we collect and hold will vary depending on your dealings with us and the circumstances of collection. For example, whether we collect personal information from you as a customer, guarantor, contractor, job applicant, supplier, or in some other capacity.

The kinds of personal information we collect and hold may include any of the following:

- Your name, title, and residential or business address
- Your occupation, current / previous employer, qualifications, and/or career history
- Your date of birth and other forms of identification (such as a driver’s licence)
- Your telephone number and other contact details, including email addresses and fax numbers
- Information about your vehicle (such as its numberplate and vehicle identification number)
- Details relating to your use of our products and services (including the type and date of tyre/wheels purchased, replaced, and repair/service history)
- Name of the relevant Continental retail outlet
- Your internet Protocol (IP) address and online passwords
- Records of your communications and interactions with us
- Credit card or debit card information and banking details
- Your ABN and government related identifiers, such as tax file numbers
- Information about the way you use our website

You do not have to give us your personal information. However if you choose not to give us your personal information we may be unable to provide you with our products or services (including contacting you for warranty or recall safety issues), grant credit terms to you, assess your application, finalise payment of products or services you have ordered, deliver products you have ordered, or otherwise do business with you or an entity you are connected with.

We will not generally collect sensitive information. If we do collect sensitive information about you we will only do so with your consent or where the collection is required or authorised by law.

Government related identifiers

“Government related identifiers” are identifiers such as driver’s licence numbers or tax file numbers. We do not collect, use or disclose government related identifiers unless they are reasonably necessary to verify your identity for our business purposes, or where the use or disclosure is required or authorised by law. We do not adopt those identifiers to identify you or the information we may have collected about you.

Can you deal with us anonymously or by using a pseudonym?

You have the option of dealing with us anonymously or through the use of a pseudonym where it is practical to do so. For example, when you make general enquiries with us about the type of products or services we supply, or when you provide us with feedback. If you choose to deal with us using a pseudonym we will not link that pseudonym to personal information.

However we may be unable to deal with you or an entity you are connected with if we cannot identify you. For example, we may not be able to supply purchased goods or services to you without knowing your name and address. In some circumstances we may be required by law only to deal with an individual who has identified themselves.

How do we collect your personal information?

We will collect your personal information from you directly whenever it is reasonable and practical to do so. There are a number of ways we may collect your personal information, including when you:

- Submit information to us through our website
- Deal with us face-to-face, in writing (by letter, facsimile, or email), or by telephone
- Participate in any of our events, promotions, competitions, or subscribe to any of our publications
- Submit an application, quote, purchase order and/or service request to us
- Visit our website (such as through the use of 'cookies' to record the way you use our website)

We may also collect personal information from you in the course of supplying products and services to you or through our other dealings with you.

In some cases we may collect your personal information from publicly available records, our related bodies corporate, or non-related third parties. The circumstances where we collect your personal information from third parties may include:

- From your employer, in relation to products or services we supply to your employer as our contractor or as our customer
- From an individual or entity who may be providing services to you as our contractor
- From a third party who supplies us with products or services, including our suppliers, agents and advisors
- From a third party (such as a trade referee or credit reporting body) to assist us in assessing your application. For example, to verify the information you have provided us or to assess your circumstances
- From our retail outlets (such as purchasing, servicing, and warranty information)
- Where you enter a competition or promotion
- Where we need information from your recruitment agency / current or former employer to assist us in assessing your job application and/or expression of interest as a contractor
- From a third party to assist us in locating or communicating with you
- From a third party to otherwise assist us in supplying you with products or services

At all times we will ensure that your personal information is collected in a lawful and fair way, and that we comply with the Privacy Act and the Australian Privacy Principles.

Collection of "cookies" and IP addresses

When you visit our website, the server may attach a "cookie" to your computer's hard drive or browser. A "cookie" assists us to store information about how many visitors there are to our website and to make assumptions about what information you may be interested in. However this information is not linked to any personal information you may provide and it cannot be used to identify you. You can refuse all cookies by turning them off in your browser, although this may mean you cannot access certain parts of the website.

Our system automatically collects the unique network address of your computer (generally known as an IP Address) so that our system can send information to your computer. While it is possible to determine the general location of a computer from its IP address, an IP address is otherwise anonymous. We do not use your IP address to personally identify you.

The internet is not a secure method of transmitting information. Other than where we use Secure Socket Layer (SSL) technology (such as for the transmission of credit card information), to the maximum extent permitted by law we cannot and do not accept responsibility for the security of information you to or receive from us over the internet, or the unauthorised access or use of that information.

How do we manage unsolicited information?

If we receive any unsolicited personal information about you, which is not reasonably necessary for our business purposes, we will take steps to destroy or permanently de-identify that information as soon as it is reasonable and practical for us to do so. However we may be unable to destroy or de-identify unsolicited personal information if it would be unlawful for us to do so.

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

We will only collect, use, and disclose your personal information for the purposes disclosed to you at the time it is collected, or to which you have consented, or as otherwise set out in this Privacy Policy.

We collect, use, and disclose personal information reasonably necessary for our business purposes and as required by law. Those purposes may include:

- Verifying your identity
- Supplying our customers with products and services
- Managing the supply of our products and services (including processing invoices, receipts and payments, and recording details of products purchased for warranty and administration purposes)
- Repairing products returned to us under warranty and/or recalling products
- Managing relationships with our customers and stakeholders
- Responding to enquiries about applications, accounts, and our products and services (including through our technical publications and catalogues)
- Conducting competitions, direct marketing and promotional activities (including communications with winners about their prizes and associated promotional activities)
- Assessing credit applications and/or guarantees (which may involve disclosures to trade referees or credit reporting bodies for those purposes)
- Conducting checks for credit worthiness and/or fraud
- Assessing job applications and/or expressions of interest from contractors (which may involve verifying identity and/or work history for those purposes)
- Assessing and investigating insurance claims or risks
- Dealing with complaints
- Market research and analysis, quality control, and product development
- Debt collection, confidential dispute resolution, legal proceedings, or otherwise establishing, exercising or defending a legal or equitable claim
- Complying with legal and regulatory requirements. There are various Australian laws which may require us to collect and/or disclose your personal information including the *Personal Property Securities Act 2009* and laws governing State and Territory real property and security interests (for example, to register and search for security interests).

We may also use or disclose your personal information for another purpose related to the primary purposes set out above. For example, we may use the information you have already given us to supply you with further products and services. However we will only use or disclose information for another purpose with your consent or if you would reasonably expect us to do so.

When will we disclose your personal information to third parties?

We may disclose your personal information to our related bodies corporate and third parties for the purposes set out above. The third parties to whom we may disclose your personal information include:

- The manufacturers, suppliers, and contractors we use in our business
- One or more Continental retail outlets (for the purpose of those outlets providing products and services, responding to a complaint, and/or to assist them in improving the quality and standard of service they provide)
- Insurers, assessors, and underwriters
- Professional advisors and consultants (such as lawyers, accountants, and auditors)
- Debt collectors
- Your guarantors and security providers
- Credit reporting bodies, credit providers and other information providers
- Third parties you have consented to us disclosing your information to (such as referees)
- Government and regulatory authorities (as required by law)
- Website hosts
- Organisations that assist us in advertising, research and development, analysis, promotions, and competitions

We will not sell, trade, or otherwise disclose your personal information to third parties other than as set out above, or if required by law.

Direct marketing

Direct marketing involves communicating with you directly for the purpose of promoting our goods and services to you. From time-to-time we may use and disclose the personal information we hold to let you know about special offers, promotions, competitions, and products and services we think may be of interest to you. We will engage in marketing unless you tell us otherwise. However you can opt-out of receiving marketing communications from us by contacting our Privacy Officer using the details set out below. We will ensure that your name is removed from our marketing list in those circumstances. You also have the right to ask us to identify the source of the personal information we use or disclose for the purpose of direct marketing.

We do not provide your personal information to other organisations for the purposes of direct marketing without your express consent.

If you want to opt-out of direct marketing you have received from a Continental Tyres retail outlet (or ask about the source of the personal information used for direct marketing) you will need to contact the retail outlet directly.

Do we disclose your personal information to overseas recipients?

Sometimes we will need to disclose your personal information to persons located overseas, for the primary purposes set out above under 'Why do we collect, hold, use, and disclose your personal information?'

It is likely that such countries will include New Zealand and Germany.

Before we disclose your personal information we will take reasonable steps, in the circumstances, to ensure that an overseas recipient does not breach the Australian Privacy Principles in relation to that information. However we must tell you that if you consent to us disclosing your personal information to an overseas recipient (and agree that the reasonable steps do not apply) we will not be obliged under the Privacy Act to take those steps and we will not be liable under the Privacy Act if the recipient does not act comply with the Australian Privacy Principles.

How to we store and protect your personal information?

We store personal information in both paper-based records and in electronic form (such as on computer servers) on our systems or the systems of our service providers. We take all reasonable precautions to safeguard your personal information from misuse, interference and loss, and unauthorised access, modification or disclosure, including:

- Restricting access to personal information stored in our electronic and paper-based records
- Using technology products to prevent unauthorised access to our electronic databases (such as industry standard firewalls)
- Staff training, policies and procedures in relation to the use of our computers and management of personal information

When we no longer need your personal information we will take reasonable steps to destroy or permanently de-identify that information.

The internet is not a secure method of transmitting information. Other than where we use Secure Socket Layer (SSL) technology (such as for the transmission of credit card information), to the maximum extent permitted by law we cannot and do not accept responsibility for the security of information you send to or receive from us over the internet, or the unauthorised access or use of that information.

How can you access your personal information?

We take all reasonable steps to ensure that the personal information we collect, use, and disclose is accurate, up-to-date, complete, relevant and is not misleading. If your personal details change at any time (such as your address or phone number) please contact our Privacy Officer.

Under the Privacy Act you have a right to access the personal information we hold about you, subject to some exceptions allowed by law. Factors that may affect your right to access include:

- We reasonably believe that access would pose a serious threat to the life, health or safety of any individual, or to public health or safety
- Access would have an unreasonable impact on the privacy of another individual
- The request for access is frivolous or vexatious
- The information relates to existing or anticipated legal proceedings between you and us, and would not be accessible by the discovery process;
- Access would prejudice our negotiations with you
- Access would be unlawful
- Denying access is required or authorised by or under an Australian law or a court/tribunal order
- Access would prejudice appropriate action being taken in relation to enforcement related activities, unlawful activity or serious misconduct
- The information relates to a commercially sensitive decision-making process

If you would like to request access to your personal information, please contact our Privacy Officer using the contact details set out below.

We will usually respond to requests for access to personal information within 30 days of receiving the request. If we refuse your request, we will give you a written notice setting out the reasons for our refusal (except to the extent it would be unreasonable to do so) and the mechanisms available to you to complain about the refusal.

We will not charge you for an access request, however we may charge you a reasonable fee for retrieving your information. We will inform you of any fee and obtain your agreement to that fee before the information is provided to you.

How can you request correction of your personal information?

We take all reasonable steps to ensure that the personal information we collect, use and disclose is accurate, up-to-date, complete, relevant, and is not misleading. However if you believe that is not the case you have a right under the Privacy Act to request that we correct your personal information.

If you would like to request correction of your personal information, please contact our Privacy Officer using the contact details set out below.

We will usually respond to requests for correction of personal information within 30 days of receiving the request. If we grant your request, we will give you a written notice of our decision and take reasonable steps to correct your personal information. Those steps make include making additions, deletions, or alterations to our records.

If we refuse your request, we will give you a written notice setting out the reasons for our refusal (except to the extent it would be unreasonable for us to do so) and the mechanisms available to you to complain about the refusal. You may also request us to associate a statement with your information to the effect that the information is inaccurate, out-of-date, incomplete, irrelevant, or misleading, so that it is apparent to other users of the information.

We will not charge you for correcting personal information or for associating a statement with the personal information.

How can you contact our Privacy Officer or make a complaint?

If you have any questions regarding our Privacy Policy, or believe we have not complied with our obligations under the Privacy Act in relation to your personal information and wish to make a complaint, please contact:

The Privacy Officer

By telephone: 1800 266 844

In writing: The Privacy Officer, Continental Tyres of Australia
2 Scholar Drive, Bundoora, 3083 Vic

By email: tyresprivacyofficer.au@contityres.com.au

We will investigate any complaints and respond to you as soon as practicable. If you are not satisfied with the way your privacy-related complaint is handled by us, you may refer your complaint to the Office of the Australian Information Commissioner (**OAIC**). Details of how to lodge a complaint with the OAIC may be found at www.oaic.gov.au or by calling 1300 363 992.

Last updated on 26 May 2014.