

## About this policy

Smartrak Aust Pty Ltd (ABN 38 122 889 534) (“we”, “us”) understand that privacy is an important issue for many individuals, and we are committing to complying with the Australian Privacy Principles (**APPs**) under the *Privacy Act 1988* (Cth) (as amended from time to time).

This privacy policy sets out how we collect, use, disclose, and hold your personal information so that we may comply with the APPs.

## The kinds of personal information we collect and hold

“Personal information” means information or an opinion about an identified individual, or an individual who is reasonably identifiable.

We collect and hold kinds of personal information that are reasonably necessary for, or directly relate to, us doing business with you or your employer (or principal if you are a contractor).

The types of personal information that we collect depends on the nature of our relationship with you, and may include your name, contact details (including address, telephone number and email address), date of birth, gender, and, in relation to GPS devices or GPS device tracking or alarm monitoring services provided by us (or our contractors, distributors or resellers), your vehicle registration, asset identification, drivers licence details (including conditions), and information transmitted by that GPS device, including fleet data, vehicle speed, and GPS device location.

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

We collect, hold, use and disclose personal information about you when it is reasonably necessary for our business functions and activities. These include:

- (a) providing you with goods that you order and services that you request (including GPS device tracking and alarm monitoring services, which may include procuring that emergency assistance is provided to you);
- (b) marketing and selling our goods and services;
- (c) communicating with you, including providing you with information (including by way of newsletter) about our business, goods, services and facilities, and relevant news and events that we think may be of interest to you, and seeking your opinion on the quality of, and proposed changes to, our goods, services and facilities;
- (d) assessing and processing any enquiries and requests that you make (including employment enquiries and requests, orders for goods, and requests for services);
- (e) administering and managing our relationship with you;
- (f) providing you with invoices and reminder notices;
- (g) complying with health and safety and other legal requirements; and
- (h) resolving any complaints that you may have about us or our goods, services or facilities.

By providing us with your personal information, you consent to us collecting, holding, using and disclosing your personal information for the purposes listed in this privacy policy. If you do not provide us with personal information about you that we request, we may not be able to undertake certain activities for you (or your employer or principal), including providing you with information, goods or services that you (or your employer or principal) request us to provide.

We will only collect, hold, use and disclose your personal information for purposes other than those listed in this privacy policy if you have consented to such acts, or if we are otherwise permitted, required or authorised by law (including under the *Privacy Act 1988* (Cth)).

We will only collect sensitive information about you with your consent (unless an exception applies under the APPs), and we only collect sensitive information if it is specifically relevant and necessary for our primary purposes of conducting, improving, maintaining and developing a business relationship. All sensitive information is collected and used in accordance with this privacy policy. We do not use government identifiers (e.g. tax file numbers) to identify individuals.

We never sell, rent or trade your personal information.

## How we collect personal information

We collect personal information that is communicated to us in writing or orally, including by way of letters, emails, through forms (including forms on our website, and forms relating to the commissioning or configuration of GPS devices or an application for GPS device related services), and during meetings and phone conversations. This personal information may be communicated to us when you make an enquiry about our goods, services or facilities (including via email or through our website), sign up to receive information from us, seek advice from us, attend an event provided by us or otherwise held on our premises, enter a competition, participate in a survey, or apply for employment with us.

We will usually only collect personal information about you from you (including from any GPS device carried personally with you or within your vehicle), however in some situations we may collect personal information about you from a third party (such as your employer (or principal if you are a contractor) in relation to in-vehicle or personal GPS tracking devices or related services provided by that person in an employment context). We will only collect personal information about you from a third party if it is unreasonable or impracticable for us to collect this information directly from you, or we are otherwise permitted, required or authorised by law to collect this information from the third party.

In most circumstances it will be necessary for us to identify you in order for us to do business with you, however, where it is lawful and practicable to do so, you have the option of dealing with us anonymously or by using a pseudonym.

## Cookies

Our websites utilise cookies. Cookies are small pieces of information that can be stored in your computer memory (session cookies) for the purpose of recording information about your visit to our website. Cookies may collect and store your personal information. We use cookies to enhance your experience of our website and to monitor web traffic and provide us with analytics which help us to improve our services and offerings. Cookies allow our website to remember who you are during your visit so that when visiting a secure section of our website you do not need to login on each page accessed. You can configure your browser to accept all cookies, reject all cookies, or notify you when a cookie is sent.

## Who we may disclose your personal information to

We may disclose your personal information to our related entities (located in New Zealand), and to our contractors, agents, and consultants, and professional advisors (including business partners, advertising partners, mailing and printing houses, IT providers and other service providers) who assist us in undertaking our business functions and activities, including running our websites, and providing GPS device tracking and alarm monitoring services. In relation to alarm monitoring services, we may also disclose your personal information to emergency services.

Before disclosing your personal information in the manner described above we take steps to ensure that any third party access to personal information complies with the APPs.

We will also disclose your personal information where we are required or authorised by law to do so.

## How we hold personal information

We hold personal information by recording and storing it in a variety of forms, including in hardcopy and electronic files and databases. Servers on which we store personal information are located in Australia and New Zealand (and servers on which our third party service providers store information may be located outside of Australia).

We take reasonable steps to ensure that the personal information we hold is protected from misuse, interference, loss and unauthorised access, modification or disclosure.

If we hold personal information about you that we no longer need for any purposes for which it may be used or disclosed under the APPs, we will take reasonable steps to destroy that information or to ensure that it is de-identified.

## How you may access and seek correction of your personal information

If we hold personal information about you, you have the right to request access to that personal information, and to request its correction if you think that it is inaccurate, out-of-date or incomplete. Such request may be made by contacting us in writing in accordance with clause 0.

We will respond to your request for access or correction to your personal information within a reasonable period after the request is received (and we will endeavour to respond within 30 days after the request is received).

To the extent reasonable and practicable, we will provide you with access to your personal information in the manner requested by you.

Although we will generally grant you access to your personal information upon your request, in certain situations we may legally refuse to grant you access.

If we refuse to grant you access to your personal information or refuse to give you access to your personal information in the manner in which you request, we will provide you a written notice that sets out the reasons for our refusal (provided that it is not unreasonable in the circumstances to set out those reasons), and the complaint process that you may use if you disagree with our refusal.

If we consider it appropriate, we may charge you for giving you access to personal information that we hold about you (provided that the charge is not excessive).

## Correction of your personal information

We take reasonable steps to ensure that the personal information we hold is accurate, up to date and complete (having regard to the purpose for which that information is held). To assist us to do this we rely on you to provide us with accurate, up-to-date and complete information in the first instance, and for you to notify us if you believe that any personal information that we hold about you is inaccurate, out-of-date or incomplete.

If we refuse your request to correct your personal information, we will provide you with a written notice that sets out the reasons for our refusal (provided that it is not unreasonable in the circumstances to set out those reasons), the complaint process that you may use if you disagree with our refusal, and the fact that you have the right to request that we associate a statement with the personal information that you have requested be corrected stating that you believe that that personal information is inaccurate, out of date, incomplete, irrelevant or misleading (as the case may be).

## How you may complain about a breach of the APPs and how we will deal with such a complaint

If you feel that we have not complied with an APP or we have acted in a manner that is inconsistent with this privacy policy, you may make a written complaint by posting or emailing your complaint to the postal address or email address set out in clause 0.

If you make such a complaint we will investigate your complaint, and we will endeavour to respond to your complaint (and notify you of the outcome of our investigation) within 30 days of us receiving the complaint.

If you feel that we have not resolved your complaint to your satisfaction, you may raise your concerns with the Office of the Australian Information Commissioner in writing by email to [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au) or by mail to GPO Box 5218, Sydney NSW 2001, Australia.

## Contacting us

If you have any questions about this privacy policy, or if you would like to request access to, correction of, or make a complaint about our management of, your personal information, you can contact us by email at [info@smartrak.com.au](mailto:info@smartrak.com.au) . Please address all of your correspondence to The Privacy Officer – Smartrak Aust Pty Ltd.

This privacy policy is subject to change without notice. Please check our website regularly for the current version, or contact us in accordance with this clause to request a copy.  
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