

## **MITSUMARU (AU) PTY LTD ACN 627 117 042 – PRIVACY POLICY**

### **1. OUR COMMITMENT TO YOUR PRIVACY**

- 1.1 Under the *Privacy Act 1988* (Cth) and the Australian Privacy Principles (“**APP**”), Mitsumaru (AU) Pty Ltd ACN 627 117 042 and its associated entities (“**Mitsumaru**”) have obligations in respect to the collection, storage and use of personal information.
- 1.2 Mitsumaru is committed to protecting the privacy of:
- (a) customers who purchase goods and services from us through our website, in person or otherwise; and
  - (b) any other person who provides us with personal information in the course of our business.
- 1.3 This Privacy Policy is to be read in conjunction with our Terms & Conditions of Trade, which are available at [www.mitsumaru.com.au](http://www.mitsumaru.com.au). In this Privacy Policy, words and phrases have the same meanings as provided for in the Terms & Conditions. In the event that there is a discrepancy between these policies then the terms of this Privacy Policy prevail.
- 1.4 By providing any personal information to Mitsumaru, you expressly represent and warrant to Mitsumaru that you accept this Privacy Policy.
- 1.5 More information on your rights under Australian law are available from the Office of the Australian Information Commissioner (“**OAIC**”) at <https://www.oaic.gov.au/>.
- 1.6 If you have any questions, concerns, or complaints about Mitsumaru’s handling of your personal information or this Privacy Policy, please contact [info@mitsumaru.com.au](mailto:info@mitsumaru.com.au) .

### **2. WHAT INFORMATION DOES MITSUMARU COLLECT AND HOW DOES IT USE IT?**

- 2.1 Mitsumaru may collect anonymous information when you interact with our Website, such as your browser name, IP address, device type, operating system and web log information. Such information does not identify you personally, and we only use this information for statistical purposes and to improve the contact and functionality of the Website, to better understand our users and markets, and to improve our services.
- 2.2 Mitsumaru may use cookies to identify your computer on your server and so that Mitsumaru can track your use on the Website. In some instances cookies may collect and store personal information about you. We may use cookies to recognise you as a user of the Website, to customise our services and advertising, and to collect information in order to alleviate the risk of fraud and illegal conduct. You may set your browser to refuse cookies, or to alert you when cookies are being sent. However, if you do so please note that some parts of the Website may not function properly.
- 2.3 When you purchase goods from us (in person, through our website or otherwise), Mitsumaru may collect:
- (a) your name;

- (b) your contact information including an address for delivery, billing address, email address, and telephone number;
- (c) your demographic information such as postcode, preferences and interests; and
- (d) other information relevant to customer surveys and/or offers.

2.4 Mitsumaru may also collect personal information directly from you in circumstances where you make direct contact with us by telephone, in writing, or via our website. Mitsumaru will only use personal information collected in this manner for the purpose of communicating with you or otherwise in accordance with the purpose for which you provided your personal information.

### **3. WHAT WE DO WITH THE INFORMATION WE GATHER**

3.1 We require this information to understand your needs and to provide you with a better service, and in particular the following reasons:

- (a) internal record keeping, including tracking of sales, accounting and analytics.
- (b) we may use the information to improve our products and services.
- (c) we may use the information to customise the Website according to your interests.

### **4. SENSITIVE INFORMATION**

4.1 Mitsumaru does not collect the following information which is deemed to be “sensitive information” under Australian law:

- (a) information or an opinion about any individual’s racial/ethnic origin, political opinions, membership of political associations, religious beliefs or affiliations, philosophical beliefs, membership of professional or trade associations, membership of trade unions, sexual orientation or practices, or criminal record.
- (b) health information about an individual;
- (c) genetic information;
- (d) biometric information; or
- (e) biometric templates.

### **5. STORAGE OF INFORMATION**

5.1 Mitsumaru has adopted appropriate data collection, storage and processing practice, and has put in place security measures to protect against unauthorised access, alteration, disclosure or destruction of your personal information and data stored on our Website and servers.

5.2 Mitsumaru will only hold your personal information for as long as is reasonably necessary for the purpose for which it was collected, or to comply with any applicable legal or ethical reporting or document retention requirements.

## **6. SHARING OF PERSONAL INFORMATION**

6.1 Mitsumaru may disclose, share or transfer personal information about you:

- (a) where you have asked for credit, to credit reporting bodies and other third parties for the purposes of:
  - (i) assessing an application for credit;
  - (ii) obtaining a credit report;
  - (iii) to notify other credit providers of a default by you;
  - (iv) to exchange information with other credit providers as to the status of this credit account, where you are in default with other credit providers; and/or
  - (v) to assess your creditworthiness including your repayment history in the preceding two years
- (b) if we are required to do so by law;
- (c) if we receive a lawful request from law enforcement agencies or other government officials;
- (d) when we believe disclosure is necessary to prevent physical harm or financial loss, or in connection with an investigation of suspected or actual illegal activity; or
- (e) with other third parties with your consent or direction to do so.

6.2 Some of the organisations referred to above are located outside Australia. By submitting your personal information you expressly consent to Mitsumaru disclosing this information to those organisations and to its storage outside of Australia.

6.3 Mitsumaru will take reasonable steps to ensure that each organisation that it discloses your personal information to is committed to protecting your privacy. By allowing Mitsumaru to disclose your personal information to other organisations, you also consent to the terms and conditions and privacy policies of these entities, which are available upon request. Please be aware that your personal information may continue to be used by third party organisations following termination of our agreement with them.

6.4 You must not include any personal information about other people in any content that you provide to the Website, unless such people have expressly provided their consent to you including their personal information in such content and to you providing the content to us for use on our Website.

## 7. DATA BREACHES

- 7.1 While Mitsumaru will take all reasonable endeavours to secure your data, there is the possibility of unauthorised access to, unauthorised disclosure of, or loss of your personal information that we hold (“**data breach**”).
- 7.2 Under the Notifiable Data Breaches scheme (“**NBD scheme**”), where Mitsumaru has reasonable grounds to believe that there has been a data breach, and that it is likely to cause serious harm to one or more individuals, Mitsumaru will:
- (a) notify the OAIC by way of the prescribed statement; and
  - (b) either:
    - (i) notify all individuals whose personal information was part of the eligible data breach; or
    - (ii) notify only individuals at risk of serious harm from the eligible data breach; or
    - (iii) if the above isn’t practicable, publish a copy of the statement on our Website and take reasonable steps to publicise the contents of the statement.
- 7.3 Where Mitsumaru suspects a data breach has occurred, Mitsumaru will immediately conduct an investigation and if one is found will follow the above procedure.
- 7.4 For more information on the NBD scheme, please see <https://www.oaic.gov.au/privacy-law/privacy-act/notifiable-data-breaches-scheme>.

## 8. THIRD PARTY WEBSITES AND CONTENT

- 8.1 This Website may contain links to other websites (“**Third Party Websites**”) and Mitsumaru may display content or information from other websites within frames on the Website (“**Third Party Content**”).
- 8.2 Mitsumaru is not responsible or liable for the handling, use or disclosure of any personal information collected by a third party (including information collected through a Third Party Website) and to the extent permitted by law Mitsumaru disclaims any liability resulting from the third party’s failure to handle, use and disclose your personal information in accordance with the *Privacy Act 1988* (Cth).

## 9. ACCESS TO THE PERSONAL INFORMATION WE HOLD ABOUT YOU

- 9.1 You may request details of personal information which we hold about you. A small fee will be payable. If you would like a copy of the information held on you please email us at [info@mitsumaru.com.au](mailto:info@mitsumaru.com.au)

- 9.2 If you believe that any information we are holding on you is incorrect or incomplete, please email us as soon as possible at [info@mitsumaru.com.au](mailto:info@mitsumaru.com.au). We will promptly correct any information found to be incorrect.

## **10. HOW WE USE COOKIES**

- 10.1 A cookie is a small file which asks permission to be placed on your computer's hard drive. Once you agree, the file is added and the cookie helps analyse web traffic or lets you know when you visit a particular site. Mitsumaru allow web applications to respond to you as an individual. The web application can tailor its operations to your needs, likes and dislikes by gathering and remembering information about your preferences.
- 10.2 We may use traffic log cookies to identify which pages are being used. This helps us analyse data about web page traffic and improve our Website in order to tailor it to customer needs.
- 10.3 Overall, cookies help us provide you with a better Website, by enabling us to monitor which pages you find useful and which you do not. A cookie in no way gives us access to your computer or any information about you, other than the data you choose to share with us. You can choose to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. However, this may prevent you from taking full advantage of the Website.

## **11. AMENDMENT OF THIS POLICY**

- 11.1 Mitsumaru reserves the right at its sole discretion and at any time to amend this Privacy Policy by publishing the amended version on the Website.
- 11.2 Any amendment to this Privacy Policy will have immediate effect from the time that it is published by Mitsumaru on the Website. Mitsumaru will use its best endeavours to draw your attention to any amendments to the Privacy Policy (for example by email or by way of a notice when you log in to your account). By continuing to use the Website and/or Affiliate Program you are taken to have accepted the amended and most current Privacy Policy
- 11.3 No other amendment to the Privacy Policy shall be of any effect without the written consent of Mitsumaru.