

Customer Privacy Statement

1. Background

North West Offroad (hereafter referred to as NWO) recognises and values:

- a. The protection of customer personal information; and
- b. That the customer has an interest in the collection and use of personal information.

NWO has implemented this Privacy Policy in accordance with the Privacy Act 1988 (Cth) (Privacy Act), Australian Privacy Principles (APP) and other data protection rules in order to be open and transparent about how we collect, hold, and use your personal information, and under what circumstances we may disclose or transfer it.

This Privacy Statement reflects the Privacy Policy, that is available on the NWO website

2. Disclaimer

While privacy is very important to us, nothing in this customer privacy policy constitutes a 'voluntary opt-in' to any privacy laws, anywhere in the world, which we are not statutorily bound to comply with.

3. Personal Information

3.1 Personal information

Personal information collected and held by NWO shall include the following:

- c. Name and date of birth.
- d. Residential and/or business physical and/or postal addresses, telephone/mobile/fax numbers and email addresses.
- e. Bank account and/or credit card details for agreed billing purposes; and
- f. Any information that you provide or share with us.

3.2 Collection of Personal Information.

NWO shall collect personal information in the following instances:

- a. When you use our [website](#) including (without limitation).
 - I. When you complete an online contact form to contact us or any third party.
 - II. Provide information to us by telephone, or through marketing forums; or
 - III. When you send us an email or other electronic communication.
- b. Where we assist you with the supply of products, the provision of services and any related assistance or other purposes requested through such communication.

Personal information will only be collected directly from you unless you provide written authority for another person to provide the information.

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3.3 IP Addresses

We may also collect Internet Protocol (IP) addresses. IP addresses are assigned to computers on the internet to uniquely identify them within the global network. We collect and manage IP addresses as part of our website and for security purposes. We may also collect and use web log, computer and connection information for security purposes and to help prevent and detect any misuse of, or fraudulent activities involving, the website and our products and services.

3.4 Use of Personal Information

The personal information you provide is used for purposes related to our primary business operations. Examples of when your information may be used include:

- a. Administrative needs.
- b. Dealing with requests, enquiries or complaints and other customer care related activities.
- c. Verifying your identity.
- d. Processing any purchases of goods or services that you may make through us or this site, including charging, billing and collecting debts.
- e. Making changes to your account(s).
- f. Responding to any queries or feedback that you may have.
- g. Conducting appropriate checks for creditworthiness and for fraud.
- h. Preventing and detecting any misuse of, or fraudulent activities.
- i. Conducting research and development in respect of our goods and services.
- j. Gaining an understanding of your information and communication needs or obtaining your feedback or views about our goods and services in order for us to improve them.
- k. Marketing products and services generally.
- l. Carrying out any activity in connection with a legal, governmental, or regulatory requirement imposed on us or in connection with legal proceedings, crime or fraud prevention, detection or prosecution, and
- m. For any other purpose reasonably considered necessary or desirable by us in relation to the operation of our business.

NWO may also use personal information for purposes (as would be reasonably expected by you) in connection with those activities described above. We will not use your information for purposes other than as described in this privacy statement unless we have your written consent, or there is a specific law enforcement, public health or safety reason.

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4. Use of Cookies and Third-Party Integrations

4.1 Cookies

Our [NWO website](#) may use "cookies" to assist in personalising your online experience. A Cookie is a text file or a packet of information that is placed on your hard disk by a web page server to identify and interact more effectively with your computer. There are two types of cookies that may be used by us and are described as follows:

- I. A persistent cookie that is entered by your web browser into the "Cookies" folder on your computer and remains in that folder after you close your browser and may be used by your browser on subsequent visits to this site, and
- II. A session cookie that is held temporarily in your computer's memory and disappears after you close your browser or shut down your computer.

Cookies cannot be used to run programs. Cookies are uniquely assigned to you and can only be read by a web server in the domain that issued the cookie to you. In some cases, cookies may collect and store personal information about you. We extend the same privacy protection to your personal information, whether gathered via cookies or from other sources. You can configure your internet browser to accept all cookies, reject all cookies or notify you when a cookie is sent.

Most web browsers automatically accept cookies, but you can usually modify your browser settings to decline cookies if you prefer. If you choose to decline cookies, you may not be able to fully experience the interactive features of this site.

Please refer to your internet browser's instructions to learn more about these functions.

4.2 Why We Use Cookies

The [NWO website](#) may use cookies in order to:

- a. Remember your preferences.
- b. Recognise you as logged in while you remain so (if applicable). This avoids you having to log in again every time you visit a new page;
- c. Show relevant notifications to you (e.g., notifications that are relevant only to users who have, or have not, created an account or subscribed to newsletters or email or other subscription services); and
- d. Remember details of data that you choose to submit to us (e.g., through online contact forms or by way of comments, forum posts, chat room messages, reviews, ratings, etc).

Many of these cookies are removed or cleared when you log out, but some may remain so that your preferences are remembered for future sessions.

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4.3 Third Party Cookies

In some instances, third parties may place cookies through this site. For example:

- a. Google Analytics, one of the most widespread and trusted website analytics solutions, may use cookies de-identified data about how long users spend on this site and the pages that they visit.
- b. Google AdSense, one of the most widespread and trusted website advertising solutions, may use cookies to serve more relevant advertisements across the web and limit the number of times that a particular advertisement is shown to you, and
- c. Third-party social media applications (e.g., Facebook, Twitter, LinkedIn, Pinterest, YouTube, Instagram, etc) may use cookies in order to facilitate various social media buttons and/or plugins in this site. Log files track actions occurring on the websites, and collect data including your IP address, browser type, internet service provider, referring/exit pages, and date/time stamps.

Many of these cookies are removed or cleared when you log out, but some may remain so that your preferences are remembered for future sessions.

4.4 Use of Google Analytics

In the case of Google Analytics, information generated by the cookie about your use of the website (including your IP address) will be transmitted to and stored by Google on servers in the United States. Google uses this information for the purpose of evaluating your use of the website, compiling reports on website activity for website operators and providing other services relating to website activity and internet usage. Google may also transfer this information to third parties where required to do so by law, or where such third parties process the information on Google's behalf.

By using the [NWO website](#) you consent to the processing of data about you by Google in the manner described in [Google's Privacy Policy](#) and for the purposes set out above. You can opt out of Google Analytics if you disable or refuse the cookie, disable JavaScript, or use the opt-out service provided by Google.

5. Interacting with NWO

Where you contact us with a general question, we may interact with you anonymously or by using pseudonyms.

However, you are required to provide true and accurate details when requesting the supply of products or services. You will agree you will provide accurate information if so required.

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6. Direct Marketing

From time to time, NWO may send you marketing or promotional material. Marketing and promotional material will only be sent to you if you have opted in to receiving marketing material.

We (or an appointed third party) may also conduct surveys or market research and may seek other information from you on a periodic basis. These surveys will provide us with information that allows continuous improvement in the type, quality and manner in which those products and services are offered to you.

To opt-out of receiving certain marketing material, you may contact us or select the “unsubscribe” link provided in an email.

7. Sharing Your Personal Information

We may disclose your personal information to the following:

- a. Employees, a directly related company and professional advisors such as our lawyers.
- b. Law enforcement agencies to assist in the investigation and prevention of criminal activities.
- c. Credit-reporting and fraud-checking agencies.
- d. Credit providers (for credit-related purposes such as creditworthiness, credit rating, credit provision and financing).
- e. Government and regulatory authorities and other organisations, as required or authorised by law.
- f. Organisations who manage our business strategies, including those involved in a transfer/sale of all or part of our assets or business (including accounts and trade receivables) and those involved in managing our business risk and funding functions.
- g. Third party contractors or service providers with whom we have a direct business association, inclusive of:
 - i. Integration providers;
 - ii. Marketing service providers;
 - iii. Accounting service providers; and/or
 - iv. Information technology service providers including cloud application providers.

NWO will not disclose your personal information other than in accordance with this privacy policy without your consent. Unless necessary for our business purposes, we will de-identify your information where it is shared with third parties under clause 7g above.

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8. Overseas Disclosure

NWO may disclose your personal information to third party contractors, service providers or customers with whom we have a direct business association.

While we do not otherwise actively disclose your personal information to overseas entities (unless provided for in a separate agreement with you), we do engage service providers (such as cloud data services or communications providers) who may have international data centres, hardware and disaster recovery sites. Consequently, these providers may have access to your information. We rely solely on reputable organisations for such cloud services.

9. Security of Your Personal Information

NWO stores your personal information using servers which have built-in measures to combat unauthorised access, modification or disclosure.

While we endeavour to only hold personal information that is accurate, complete and up to date, please contact us if you become aware your information is no longer accurate, complete or up to date.

10. Disposal of Personal Information

If we hold personal information about you, and we do not need that information for any purpose, we will take reasonable steps to destroy or de-identify that information, in accordance with the APP and the European Union General Data Protection Regulation (GDPR), unless we are prevented from doing so by law. You may make a request in writing to remove your personal information and, where permitted, we will do so in accordance with the APP and the GDPR. Under Australian law, financial records, such as those relating to financial transactions, must be retained for 7 years after the transactions contemplated by those records are completed.

NWO shall maintain a Record of customer information and shall abide by retention periods and the following:

- a. Customer records must not be changed and must be stored in a way that restricts the information from being changed or the record damaged.
- b. Customer records must be retained for a period of 5 five years, starting from when you prepared or obtained the records, or completed the transactions (or activities they relate to), whichever is the later.

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11. Accessing Your Personal Information

You must request, complete and submit the NWO Privacy Access Request Form with proof of identity. Once the request is received by NWO and after being satisfied of your proof of identity, we will advise you of the of the process to access your personal information we hold, that is, except in the following prescribed circumstances that include,

- a. Where we believe giving access would pose a serious threat to the life, health or safety of any individual, or to public health or public safety.
- b. Where giving you access would be unlawful.
- c. Where granting access would have an unreasonable impact on the privacy of other individuals.
- d. Where we would be in breach of our obligations under a Technical Assistance Notice (TAN), Technical Capability Notice (TCN) or Computer Access Warrant (CAW) from an Australian Government agency.
- e. Where the request for access is frivolous or vexatious, or
- f. Where there are anticipated legal proceedings.

NWO will amend any personal information about you that is held by us and that is inaccurate, incomplete or out of date where you request us in writing to do so.

If we disagree with your view about the accuracy, completeness, or currency of a record of your personal information that is held by us, and you ask us to associate with that record a statement that you have a contrary view, we will take reasonable steps to do so.

12. Third Party Websites

You may click-through to third party websites from this site, in which case we recommend that you refer to the privacy statement of the websites you visit. This Privacy Policy applies to this site only and we assume no responsibility for the content of any third-party websites.

13. General Data Protection Regulation (GDPR)

We welcome the General Data Protection Regulation (GDPR) of the European Union (EU) as an important step forward in streamlining data protection globally. Although we do not operate an establishment within the EU and do not target any offering of products and services towards clients in the EU specifically, we intend to comply with the data handling regime laid out in the GDPR in respect of any personal information of data subjects in the EU that we may obtain.

The requirements of the GDPR are broadly similar to those set out in the Privacy Act and include the following rights:

- a. You are entitled to request details of the information that we hold about you and how we process it. For EU residents, we will provide this information for no fee;

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- b. You may also have a right to
- c. Have that information rectified or deleted.
 - i. Restrict our processing of that information.
 - ii. Stop unauthorised transfers of your personal information to a third party.
 - iii. In some circumstances, have that information transferred to another organisation; and
 - iv. Lodge a complaint in relation to our processing of your personal information with a local supervisory authority.
- d. Where we rely upon your consent as our legal basis for collecting and processing your data, you may withdraw that consent at any time. If you object to the processing of your personal information, or if you have provided your consent to processing and you later choose to withdraw it, we will respect that choice in accordance with our legal obligations. However, please be aware that:
- e. Such objection or withdrawal of consent could mean that we are unable to provide our products and services to you, and could unduly prevent us from legitimately providing our products and services to other clients subject to appropriate confidentiality protections; and
- f. Even after you have chosen to withdraw your consent, we may be able to continue to keep and process your personal information to the extent required or otherwise permitted by law, in particular:
 - g. To pursue our legitimate interests in a way that might reasonably be expected as part of running our business, and which does not materially impact on your rights, freedoms or interests; and
 - h. In exercising and defending our legal rights and meeting our legal and regulatory obligations.

14. User Security

New digital threats are emerging all the time, and the online environment is more hostile than ever. To protect your data online, including any data or material transmitted by you to us, we recommend reviewing this Customer Privacy Statement, additionally reviewing relevant procedures and safety tips recommended by the following.

- Department of Industry, Innovation and Science <https://business.gov.au/online/cyber-security> and/or
- Australian Cyber Security Centre (<https://www.cyber.gov.au/>)

15. Complaints Procedure

Your privacy is important to us. If you have a complaint or concerns about our privacy management processes related to your personal information, we ask that you, in the first

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instance, speak with our staff and/or complete and submit a NWO Complaint Form and email to us. The form is available on the [NWO Website](#).

Once we have conducted any investigation regarding your privacy complaint or concern, and you are still not satisfied with the outcome, you may contact the Ombudsman Tasmania and/or access a hardcopy compliant form via the following:

Call **1800 001 170** and we can post a complaint form to you. You can also [download a form to complete \(PDF, 100.2 KB\)](#). Forms can be hand delivered, posted or emailed to us.

The Ombudsman Tasmania contact information is:

Level 6, NAB House,
86 Collins Street,
Hobart. 7001

GPO Box 960,
Hobart. 7001

Email: ombudsman@ombudsman.tas.gov.au

Phone: 1800 001 170

16. Monitoring and Review

This statement will be monitored and reviewed in accordance with:

- a. NWO's Internal Review Schedule.
- b. Where recommended by related authority, and/or
- c. Where there is an amendment to Privacy Acts, Legislation, and/or Standards, inclusive of The Australian Privacy Principles.

A Privacy Policy reflective of this Statement is also available on the [NWO website](#) that is also included in our Internal Review Activities.

17. Authority

The authority for the release of this Customer Privacy Statement is the CEO NWO.

Peter Holman
Chief Executive Officer

30 Nov 2023