

# Privacy Statement

Daimler Truck and Bus Australia Pacific Pty Ltd (ACN 618 413 282) (“we”, “us” or “our”) knows that our use, collection and protection of your personal information is important. We respect your personal information and privacy and are committed to keeping your personal information safe.

This Privacy Policy outlines:

- the kinds of information we collect and hold about you;
- how you can deal with us anonymously;
- the kinds of sensitive information we collect;
- how we collect your personal information;
- the purpose by which and how we collect, use and disclosure your personal information;
- cross border disclosure;
- when we will use your personal information for direct marketing;
- how we keep your information secure;
- how to access, update or correct your personal information; and
- how you can make a privacy complaint.

We are bound by the Privacy Act 1988 (Cth) (“Privacy Act”) and specifically, the Australian Privacy Principles in Schedule 1 of that Act (“APPs”) on which this Privacy Policy is based.

Most of our authorised dealer network is independently owned and operated, and may have privacy policies which differ from ours (except in the case of wholly owned retail outlets, in which case, this policy applies). Our independent authorised dealers are responsible for their own respective privacy policies and privacy related processes. If you have any privacy concerns relating to an independent dealer then please contact the relevant dealer directly.

This Privacy Policy applies to customers, potential customers, suppliers, service providers, dealers, contractors, secondees, potential employees, temporary staff and generally does not apply in relation to our current or former employees.

## 1. THE COLLECTION OF PERSONAL INFORMATION

### 1.1 Kinds of information we collect and hold

We collect information that is reasonably necessary for or directly related to one or more of our functions and activities. The types of personal information we collect include but are not limited to your:

- name;
- gender;
- age and birth date;
- occupation and employment details;
- contact details;
- residential and/or business address;
- registration and driver’s licence details;
- credit card and bank account details;
- other financial information;
- current and past vehicle information and details;
- cookies and website tracking (for information about what cookies are and how we use them, please refer to our Cookies statement on our website);
- location through anti-theft vehicle tracking technology in loan and demonstrator vehicles;
- voice when we record inbound and outbound calls for quality, training and record purposes; and
- image by videos and photos at events, during market research or through security cameras;
- educational qualifications, resume and reference checks; and
- personal interests.

## Anonymity

Where appropriate, we provide you with the option of remaining anonymous when entering into transactions with us, unless such anonymity would be considered unlawful or impracticable. If you elect not to provide us with your personal information, we may not be able to do business with you or consider you for recruitment opportunities.

## **Sensitive Information**

Generally we do not collect sensitive information. However, we may collect sensitive information about you (for example, health information and criminal record checks if you are applying for a job with us), if we have your express consent or if the collection is required or authorised by law.

## **1.2 How we collect your personal information**

We take steps to ensure that we collect personal information by lawful means, and obtain your personal information in various ways, including but not limited to:

- when you contact or correspond with us;
- when you phone our customer support and assistance centres or require support;
- when you attend one of our premises;
- when you visit an authorised dealership to test drive or purchase a vehicle or have your vehicle serviced or repaired. Vehicles that you test drive or loan from us or one of our wholly owned dealerships may also be fitted with anti-theft tracking technology and in this respect we may track your location;
- if you order a product or service from us;
- if you apply to be a dealer or through dealer communications;
- from third party roadside assistance service providers;
- via our websites if you choose to supply the information to us by entering your information into the interactive sections on our websites (for example, enquiry forms, message boards, chat, profile pages, blogs, social networking features and the like). Please be aware that any information you post or disclose on these websites may be available to other site visitors and the general public (depending on the privacy settings you have in place);
- when you attend a (product) focus group, review a product or complete a survey;
- via social media;
- from competitions or promotions you have participated in or our events you have attended;
- from publicly available sources (including but not limited to commercially available sources such as data aggregators and public databases) and also information that you or others may post about yourself online e.g. social media pages. This information may include things like name, demographic, interests and other publically observed data. We (or our service provider on our behalf) may combine this information from information with other information including information we collect directly from you. We may also associate information about your use of our digital services over time with your personal information, e.g. where on any occasion you have logged in, followed a link sent to you by email or where we have otherwise been able to identify you;
- from third party service providers;
- when you apply for work with us and during reference checks;
- from other related or Daimler Group companies;
- from Austroads Ltd's National Exchange of Vehicle and Driver Information Systems if we are conducting a recall; and/or
- from government bodies, enforcement and regulatory authorities.

Where you provide personal information about other individuals to us (for example, joint owners, family members or referees), we rely on you to inform those individuals that you are providing their personal information to us and tell them about this Privacy Policy.

## **2. PURPOSE OF COLLECTION, USE AND DISCLOSURE OF PERSONAL INFORMATION**

### **2.1 How we may use personal information**

Primarily we collect personal information so we can provide you with the best possible products and services that we and our authorised dealerships have to offer, to create a more personalised experience for you, and in order to comply with our legal, regulatory, industry or workplace requirements. More specific purposes include but are not limited to:

- any purpose which we inform you about when we collect your personal information or to which you have provided your consent;
- any purpose relating to buying, selling, repairing and loaning vehicles and parts;
- if you wish to own or already own a franchise of our products and/or services;
- any related purpose which would be reasonably necessary or directly related to one or more of our functions or activities;
- responding to enquiries in relation to products we sell and services we offer;
- providing support to our customers and authorised dealer network;
- customer assistance, care, contact and information;
- fulfilling and processing orders and administering accounts;
- roadside assistance, vehicle warranty, product issues, service measures and recalls;
- marketing, event and promotional activities;
- informing you of special events or offers;
- market research, customer surveys, customer analysis and product development;
- accounting, billing or other internal administrative purpose;
- recruitment purposes;
- to protect our interests by registering a security interest on the Personal Property Securities Register;
- checking against sanctions lists;
- to comply with industry, legal and regulatory requirements; and/or
- where permitted or required by law, a court or tribunal.

## 2.2 Disclosure

During the course of our day to day business, we may disclose your personal information to third parties outside our organisation, including but not limited to:

- those that you have consented we disclose your personal information to, either impliedly by your conduct, verbally or in writing;
- our authorised dealer network;
- contracted service providers including but not limited to advertising and marketing agencies, financiers, insurers, mailing houses, printers, organisations that assist us to conduct promotions or market research, payroll service providers, recruitment agencies, debt collectors, data analysts, IT service providers, roadside assistance providers, database storage and service providers, cloud service providers and professional advisors;
- to other members that are part of, related to or associated with the Daimler Group (many of whom are based overseas see 2.3 below);
- to related companies for example, Mercedes-Benz Financial Services Australia Pty Ltd that we share corporate services with for example, information technology and human resources;
- for the purposes of facilitating or implementing a sale or transfer of all or part of our assets or business; and/or
- as required by an enforcement authority, regulator, law, court or tribunal.

## 2.3 Cross border disclosure

In the ordinary course of our day to day business activities and those of our related and associated entities and service providers, your personal information may be transferred, accessed, processed and/or stored in various countries within Asia, Africa, Europe and North America and other parts of Australasia. Though for the most part, this will mean Germany, Singapore, the United Kingdom, India and Japan.

Where we arrange for work or services to be undertaken on our behalf, that work is undertaken under conditions of confidentiality and may result in your personal information being transferred, accessed, processed and/or stored (for example, on clouds or servers) in various countries for the purpose of service delivery to us or you.

Unless an exception applies in the Privacy Act, prior to disclosing personal information to overseas recipients we will take reasonable steps in the circumstances to ensure that the overseas recipient adheres to the APPs.

## 2.4 Direct marketing

Direct marketing involves us communicating directly with you to promote the sale of our goods and services. This can be achieved by an array of methods including for example, by mail, telephone, e-mail or SMS/IM/MMS and potentially by third parties on our behalf. We will obtain your consent prior to using or disclosing your personal information for direct marketing purposes.

We do not actively market to children or knowingly collect personal information about children without parental consent. Whilst we do take steps to ensure that children's privacy and rights are not compromised, it is ultimately the responsibility of parents to monitor their children's internet usage.

### 2.4.1 Electronic communications

Where we electronically communicate with you (e.g. by instant messaging, SMS/IM/MMS, and other mobile phone messaging (but excluding voice to voice communications)) for the purpose(s) mentioned above, we comply with the Spam Act 2003 (Cth) as amended from time to time. We take steps to ensure that our electronic communications meet the following conditions, they:

(a) will only be sent with your consent, which you either provide expressly, or in very limited circumstances, that consent is inferred by your conduct or an existing ongoing business relationship;

(b) contain accurate information about us and how to contact us; and

(c) contain a functional unsubscribe facility to allow you to opt out of receiving electronic messages from us in the future.

### 2.4.2 Do Not Call Register Act 2006 (Cth)

The Do Not Call Register Act 2006 (Cth) allows telephone numbers to be registered if they are used primarily for domestic or private purposes in order to allow you to opt out of receiving most telemarketing calls or marketing faxes. If you have registered your private or domestic number on the register, then we will not contact you for telemarketing purposes for example, offering to sell you goods or services except if you have expressly opted in to receive direct marketing phone calls from us of which you can opt out of at any time.

However, we will still contact you for purposes that are not telemarketing purposes, including but not limited to the following:

- product recall, issue and fault rectification calls;
- appointment reminder and rescheduling calls;
- calls relating to payments;
- calls relating to a contract or the subject matter of contract we have with you; and
- solicited calls.

### 2.4.3 Opting out

If you do not wish to receive direct marketing, electronic communications or telephone calls from us for direct marketing purposes, you can opt out at any time. Please let us know by contacting us on +61 3 9566 9266. When you opt out, we will stop sending the material until such time as you change your preferences.

If you elect not to receive any direct marketing material from us, you are likely to miss out on special product and service promotions, invitations to events, publications and other items that fall into this category.

## 3. SECURITY OF PERSONAL INFORMATION

### 3.1 Integrity and quality of personal information

We take reasonable care to ensure that personal information we use, store and subsequently destroy/delete (where relevant) meets certain quality requirements, in that the personal information is accurate, up to date and complete.

## 3.2 Security of personal information

While care is taken to protect your personal information, unfortunately no data transmission over the internet is guaranteed as being 100% secure. Accordingly, we cannot guarantee the security of any information you send to us or receive from us online. That is particularly true for information you send to us via email as we have no way of protecting the information until it reaches us. Once we receive your personal information, we are required to protect it in accordance with the Privacy Act.

Daimler Truck and Bus Australia Pacific Pty Ltd follows the Daimler global policies, guidelines and standards to secure your information. We continually train and remind our staff of the importance of keeping information safe and secure.

We have adopted active security measures to ensure that your personal information is kept safe from misuse, interference, loss, unauthorised access, disclosure and modification, such as:

(a) System security: Our application systems are password protected and can be accessed only by people authorised to do so. Our policies require us to encrypt confidential information, for instance, when you provide information to us using our website or when you send information from your computer to us. Security is inbuilt into the design and operations of our systems through the use of firewalls, ethical hacking and virus scanning tools.

(b) Physical security: Our premises are protected against unauthorised access by way of access card for entry, cameras, alarms and security services.

(c) Data retention: If personal information is no longer required for the purpose for which we are permitted to use, disclose or legally retain it, then we will permanently remove from a record any information by which an individual may be identified in order to prevent future re-identification from the data available. We retain information as long as needed to comply with the law or our own corporate policies and procedures.

Whilst we seek to keep your personal information secure, errors may occur from time to time and we will act quickly to investigate them and implement measures to avoid them from happening again (where possible).

We will at no time sell, rent or trade your personal information to or with any other unrelated entity.

## 4. ACCESS, CORRECTION, COMPLAINTS AND ENQUIRIES

We take reasonable steps to ensure that information we collect, hold or disclose about you is accurate, complete and up to date.

### 4.1 Access to information we hold about you

At any time you can request access to information we hold about you. We aim to respond to your request within 30 days. We may charge a reasonable fee for information requests.

Whilst we are obliged to provide you with access to your information, there are exceptions and those are outlined in the Privacy Act. If one of the exceptions applies to your access request, we will (if reasonable in the circumstances) work with you and attempt to provide you with access in a way to meet both of our needs. If it is reasonable in the circumstances, we will also notify you in writing if we have determined to refuse access to your personal information due to one of the exceptions listed above and the reasons for that refusal.

### 4.2 Correction of information we hold about you

We also encourage you to actively engage with us and let us know when your details change or if your personal information needs correction or updating via our contact information provided below.

### 4.3 Complaints and enquiries

If you are not happy with the way we have handled your personal information or believe that we have breached the Privacy Act or APPs then please contact us and we will try our best to resolve the matter with you. For security reasons, we request that complaints, requests for access to or correction of personal information or any enquiries or questions concerning privacy matters be put in writing and either e-mailed or posted to:

The Privacy Officer  
Daimler Truck and Bus Australia Pacific Pty Ltd  
44 Lexia Place  
Mulgrave, Victoria  
Australia 3170  
By phone: 1300 300 896  
By email: [dtbprivacyofficer@daimler.com](mailto:dtbprivacyofficer@daimler.com)

We may also require proof of your identity.

For information about privacy generally, or if your concerns are not resolved to your satisfaction, please contact the Office of the Australian Information Commissioner at [www.oaic.gov.au](http://www.oaic.gov.au) and on 1300 363 992.

## **5. INFORMATION RELATING TO PROSPECTIVE, CURRENT AND FORMER EMPLOYEES**

Due to the employee records exemption in the Privacy Act, this Privacy Policy does not apply to our past or current employees. However, we recognise that employee records should be handled with the utmost care and we therefore will comply with any obligations that may apply to employee personal information under other applicable laws.

If an employee has any questions or requests relating to their employee records, then the employee should contact Daimler Truck and Bus Australia Pacific Pty Ltd's human resources department.

This Privacy Policy applies to independent contractors, job seekers, secondees and work experience students.

## **6. CHANGES TO THIS PRIVACY POLICY AND OBTAINING A COPY**

We make this Privacy Policy available on our websites and will provide a copy of this Privacy Policy to anyone who requests it free of charge.

We may review and update this Privacy Policy from time to time to ensure it is current. If such a review or update does occur, the most current version of the Privacy Policy is placed on our websites.

**Last updated October 2017**