



[www.arkdesignbrand.com.au](http://www.arkdesignbrand.com.au)

This Privacy Policy applies to any personal information collected about you by Ark Design in its capacity under Fourth Dekro Pty Ltd (ABN 44 006 714 852) (**we, us, our**).

We understand the importance of protecting the privacy of an individual's personal information. This Privacy Policy sets out how we aim to protect the privacy of your personal information, your rights in relation to your personal information managed by us and the way we collect, handle, use, disclose and otherwise manage your personal information.

We review our practices with respect to personal information on a regular basis. We may update this Privacy Policy based on a review of those practices from time to time or as otherwise required. You will be able to access the most up-to-date version of our Privacy Policy on our website at any time.

When handling your personal information, we will comply with the Privacy Act 1988 (Cth) (Privacy Act) and with the thirteen Australian Privacy Principles under the Privacy Act, as well as this Privacy Policy.

### **1 Collection of personal information**

Personal information is information or an opinion about an identified, or reasonably identifiable, individual. During your dealings with us, we may collect your personal information. We generally collect the following kinds of information:

- (a) personal information provided by you, including your name, address, telephone number, email address and credit card or other payment details; and
- (b) information that we obtain about you in the course of supplying our products and services to you, including information contained in queries you submit to us (including product returns and warranty claims), information about the products you order from us and information contained in your purchasing history.

There may be times in which we collect and hold other types of personal information provided by you.

### **2 How we collect personal information for you**

Generally, we collect personal information directly from you in the course of your dealings with us. For example, we may collect your personal information when you submit an order via our website or over the phone, or when we discuss your orders with you in person. There may be occasions when we collect your personal information from other sources. Those sources may include:

- (a) your employer, where necessary for us to deal with you in relation to us providing goods or services to your employer;
- (b) an information services provider;
- (c) a party you provide as a trade reference; or
- (d) publicly maintained records

### **3 We use your personal information in our business**

We collect your personal information for the purposes of providing you with products and services and otherwise operating our business as a wholesaler of home and garden giftware. We may use your personal information:

- (a) to respond to enquiries you submit to us from time to time;
- (b) to supply our products and services to you and manage our relationship with you;
- (c) to assess an application for a credit account with us and, if successful, administer the account (or any other similar arrangement in place from time to time);
- (d) to undertake various marketing activities, including to identify and inform you of other products or services that may be of interest to you;
- (e) to fulfil any of our legal requirements;
- (f) to improve our products or services through obtaining and analysing your feedback and comments on our products or services; and
- (g) for any other purpose permitted or referred to under this Privacy Policy or under any terms and conditions you enter into or otherwise agree to with respect to our products and services. We may also use your personal information for other purposes where you have consented to the use of your information for those purposes or the use is otherwise authorised by law. We may also use it for purposes related to the purposes listed above where you would reasonably expect us to do so in the circumstances. We take reasonable steps to ensure that our use or disclosure of your personal information is relevant to the purposes for which we have collected it.

You are under no obligation to provide your personal information to us. However, without certain information from you, we may not be able to provide all of our products or services to you or accept, complete or deliver an order to you.

### **4 We may disclose your personal information to other people**

We may disclose your personal information to third parties for the purposes specified under the heading 'Direct marketing', or for any other purposes specified above. That means, generally, we will disclose your personal information for a purpose related to the provision of our products or services to you, as well as the purposes described in paragraph 3 of this Privacy Policy. This may include disclosing your personal information to:

- (a) third parties who may assist us in providing these products or services, including manufacturers, customer support service providers and postal and delivery service providers;
- (b) people or entities that we may deal with in the course of our business, including people or entities that:
  - (i) have an interest in our business or assets;
  - (ii) are looking to acquire an interest in our business or assets; or
  - (iii) we consult with for purposes related to our business, including our professional advisers, consultants, contractors and related bodies corporate; or
- (c) our insurers. We may also disclose your personal information with your consent or if disclosure is required or authorised by law.

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### **5 Overseas disclosure**



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We may disclose your personal information to overseas recipients in order to provide our products and services to you and for administrative or other business management purposes. The recipients of such disclosures are generally located in India and China. Overseas recipients may have different privacy and data protection standards. However, before disclosing your personal information to an overseas recipient we will take steps reasonable in the circumstances to ensure that the overseas recipient complies with the Australian Privacy Principles or is bound by a substantially similar privacy scheme, unless you consent to the overseas disclosure or it is otherwise required or permitted by law.

If we are likely to disclose personal information to overseas recipients located in any countries other than the countries listed above, we will update this Privacy Policy accordingly.

#### **6 Your personal information may be used for marketing purposes**

From time to time, we may disclose your contact details and other personal information to a third party so that the third party may contact you for promotional purposes and to provide you with information about offers relating to certain products or services. We may also use your personal information to contact you for our own promotional purposes (including to inform you of our own offers relating to certain products or services) in accordance with the purposes specified in paragraph 3 above.

In the event you do not wish to receive such communications from third parties, you can opt-out by contacting us via the contact details set out below or through an opt-out mechanism contained in a relevant communication.

If you unsubscribe or opt-out from receiving the communications described above, your personal information will not be provided to any third parties for marketing or other purposes from the time you unsubscribed or opted-out (except to the extent required by law to disclose it).

#### **7 Security of your personal information**

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

We hold personal information in both hard copy and electronic forms in secured databases on secured premises, accessible only by authorised staff. We will destroy or de-identify personal information in circumstances where it is no longer required by us for the purposes for which it was collected, unless we are otherwise required or authorised by law to retain the information.

#### **8 You can access and correct your personal information held by us**

We take steps reasonable in the circumstances to ensure that the personal information we hold is accurate, up-to-date, complete, relevant and not misleading. Under the Privacy Act, you have a right to request access to and/or seek correction of your personal information that is collected and held by us. We encourage you to contact us via the contact details set out below should you want to access or correct any personal information relating to you that we hold. Likewise, please contact us if you would like more information about our approach to privacy. We will grant you access to your personal information held by us to the extent required or authorised by the Privacy Act or other law and take steps reasonable in the circumstances to correct personal information where necessary and appropriate.

To obtain access to your personal information:

- (a) you may have to provide proof of identity (to ensure that personal information is provided only to the correct individuals and that the privacy of others is protected);
- (b) you must be reasonably specific about the information you require; and
- (c) we may charge you a reasonable administration fee, which reflects the cost to us, for providing access to the information in accordance with your request.

We will endeavour to respond to your request to access or correct your personal information within a reasonable period of time (which will generally be within 30 days of the date of).

If we refuse your request to access or correct your personal information, we will provide you with written reasons for the refusal and details of complaint mechanisms. We will also take steps reasonable in the circumstance to endeavour to provide you with access in a manner that meets your needs and our needs.

#### **9 We may update this Policy**

We will occasionally update this Privacy Policy to reflect feedback we receive from our customers. We will also update this Privacy Policy to reflect any changes to our internal operations that may have an effect on our privacy practices. We encourage you to periodically review this Privacy Policy to be informed of how we are protecting your information.

#### **10 How to contact us**

As noted above, we encourage you to contact us with any comments you may have regarding this Privacy Policy and our privacy practices more generally. For further information or enquiries regarding your personal information held by us, or if you would like to opt-out of receiving any promotional communications from us or a third party in accordance with this Privacy Policy, or if you believe we have not adhered to this Privacy Policy, please contact us at PO Box 7, South Yarra, Victoria, 3012, Tel.

We will use commercially reasonable efforts to promptly respond to your enquiries and remedy any problems you may have with our conduct under this Privacy Policy.

#### **11 You may make a complaint to us about your privacy**

If you believe that we have breached the Privacy Act (including the Australian Privacy Principles or any binding code under the Privacy Act) or this Privacy Policy, you can make a privacy complaint to us. Please direct all privacy complaints to the contact details specified above.

At all times, privacy complaints:

- (a) will be treated seriously;
- (b) will be dealt with promptly;
- (c) will be dealt with in a confidential manner; and
- (d) will not affect your existing obligations or affect your commercial arrangements with us. We will endeavour to resolve your complaint within 30 days unless we inform you otherwise, in which case we will resolve your complaint within a reasonable period of time.

If we receive a complaint from you, we will commence an investigation into your complaint. You will be informed of the outcome of your complaint following completion of the investigation. In the event that you are dissatisfied with the outcome of your complaint, you may refer the complaint to the Office of the Australian Information Commissioner.