

Privacy Policy

This privacy policy sets out how the Middendorp Group of companies, including Middendorp Electric Co. Pty Ltd as trustee for the Middendorp Brothers Unit Trust (ABN 49 388 705 390), the operator of Middy's ("we") treat the privacy of customers, suppliers, users of our online services and website and others with whom we interact. This includes but is not limited to our business carried on under the name Middy's.

We are committed to protecting your privacy in accordance with the Australian privacy laws. We respect the privacy rights of individuals. This policy details how we collect, store, use and disclose personal information.

In this privacy policy, the term "personal information" has the meaning ascribed under the *Privacy Act (1988)(Cth)* and includes information about an identifiable individual, including names, addresses, telephone numbers, email addresses, dates of birth, photographs, procurement and brand preferences and requirements, likes and dislikes, and if and where applicable, includes information that constitutes "sensitive information".

A. Collection and Storage of Personal Information and Data

We may collect personal information about individuals. Our usual approach is to collect personal information directly from the individual concerned. This information could include your name, email, telephone or address contact details, birth date, image/photographs of you, driver's licence information, details of your employer, social media information, procurement and brand preferences and requirements and profile and credit, credit card and payment related information. In most circumstances we do not collect sensitive information.

For example, we collect personal information in circumstances including:

1. when as a customer you establish an account with us and to do so provide your details;
2. when as a supplier, your contact details are provided;
3. when you order goods or services from our website;
4. when processing returns or exchanges;
5. when you telephone us or visit our website and provide feedback, or you make an enquiry to which a later response is requested and to do so requires your contact details;
6. through written correspondence from you, including letters and emails;
7. through surveillance cameras at our stores;
8. when you ask to be included on marketing distribution lists, become a member of our website or interact with our social media services;
9. when you otherwise register for or subscribe to one of our online services;
10. when you enter a competition or special promotion; and
11. when we receive applications for employment and when evaluating job applicants and personnel, which may include collection of details such as employment history and educational qualifications.

We may use 'cookies' to collect data (typically not personal information) relating to your general internet usage. This data may include IP-addresses, browser versions, number of visits and similar such data relating to your navigation of the internet and our site.

A cookie is a small text file that is placed on your computer's hard drive. Cookies help us to improve our site and to deliver a better and more tailored service, for instance by storing information about your preferences and allowing us to recognise you when you return to our site.

You may refuse to accept cookies by activating settings on your internet browser. However, please note that if you select such settings you may be unable to access certain parts of our website.

We hold personal information in our own secure databases, and, to some extent, for marketing purposes in the database of our marketing consultancy partner (subject to obligations regarding privacy and confidentiality) to conduct electronic direct marketing, in accordance with legislative requirements.

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B. Use and disclosure of Personal Information

We use the personal information collected from you for the purpose it was provided or collected, including in the following ways:

1. For the purposes of collection described in (1) above;
2. To respond to enquiries received from you;
3. To process, confirm, fulfil and update you about your orders and to carry out our obligations arising from any contracts entered into between you and us;
4. To perform authorised financial transactions with you;
5. To verify your identity and to assist you if you have forgotten any user name or password;
6. To communicate with you and provide you with information (whether by email, post or other means) about our goods or our services, where you have requested or consented to receiving this from us or where this provision is otherwise permitted at law;
7. To notify you about changes to our provision of goods and services;
8. To allow you to participate in interactive features of our services, when you choose to do so;
9. To enable third party marketing agencies and providers (including automated services, such as Mailchimp) to advertise our goods and services to you where we have your express or implied consent to do so;
10. To tailor specific product offerings to you;
11. To enable you to enter competitions we run;
12. To facilitate your participation in surveys we (or a third party on our behalf) run where you volunteer that personal information;
13. To enable you to participate in loyalty or reward programs, if you so request it;
14. To interact with you through social media platforms if you elect to use such platforms, subject to the platform's privacy policy;
15. To receive and address and possibly publicise complaints or feedback from you;
16. To protect our legal interests and fulfil our regulatory obligations (if and to the extent necessary); and
17. in other circumstances, with your prior consent.

We may use personal information for the purposes of marketing our goods and services but only where such use complies with applicable legislation.

All customers and others with whom we interact have the option to opt-out of receiving marketing communications from us. If you do not wish to continue to receive electronic marketing communications from us and/or selected third parties you should opt-out by clicking on the "unsubscribe" link in any email communications that we might send you.

We may also provide personal information to third parties outside our group companies for limited purposes, such as to help us in providing goods and services to customers.

Those persons and business may include:

1. Organisations who carry out fraud and other security checks and credit reporting bodies, as described below;
2. Our online payment gateway service providers, for the purpose of facilitating payments;
3. Couriers, freight and delivery businesses (where we arrange to deliver goods to you or persons you have requested us to send deliveries to);
4. Third party software providers who store details of customer accounts for us or who provide other IT services; and
5. Our marketing consultancy partners engaged by us to disseminate materials to which recipients have consented.

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C. Credit-related personal information

We provide credit in some circumstances in connection with the supply of our goods and services (for example, if we bill you after supply). When we share credit-related personal information with credit reporting bodies or other participants in the credit reporting system we are required to comply with the provisions of Part IIIA of the *Privacy Act* and the Credit Reporting Privacy Code.

We collect, store, use and disclose credit-related personal information to assess your application for credit and to manage your account.

The credit-related information we may collect and hold includes:

1. Your name, former names (if applicable), gender, date of birth, address and driver's licence details;
2. The fact that you have made an application for credit with us or other credit providers, and the kind and amount of credit you have sought;
3. The fact that you have agreed to act as guarantor of the obligations of another under a credit facility we offer;
4. Details of when we, or other credit providers agreed to provide you credit and the terms and conditions of that credit, and of when that credit ceases;
5. Details of credit payments of more than \$100 owed to us or another credit provider that are overdue more than 60 days, and whether you have subsequently repaid that amount;
6. Details of any arrangements with us or another credit provider in connection with credit provided to your business;
7. Details of credit-related court proceedings and personal insolvencies;
8. Whether you have committed a serious credit infringement;
9. Publicly available credit-related information; and
10. Your credit rating score, calculated by a credit reporting body, or by using information from one, where that has a bearing on your creditworthiness.

Credit-related personal information may be collected from you directly (or through your operation of your account with us), when you make a credit application, from credit reporting bodies and from other credit providers and third parties where permitted under the *Privacy Act*. We may also generate this information ourselves through our own analysis.

We collect credit information for the primary purpose of conducting our business, which includes:

1. Assessing any credit application made to us, including consideration of the proposed guarantor(s);
2. Establishing, maintaining and managing the related relationships;
3. Managing the delivery of goods or services to you or your organisation and to charge and bill you for them;
4. Dealing with the management, recovery, securitisation and assignment of debts;
5. To provide information to debt collection agencies, solicitors or legal representatives for the purpose of recovering debts;
6. Assessing credit defaults reported by any credit reporting body or a debt collection agency;
7. To prevent or investigate any fraud or crime (or suspected fraud or crime); and
8. As allowed or required by law to do so.

In accordance with section 21J of the *Privacy Act*, we may, where you have given consent, give to, and obtain from, any credit provider named in a Credit Application and credit providers that may be named in a credit report issued by a credit reporting body, information about your credit arrangements. Credit reporting information can be used for the purposes of assessing an application for credit, assisting the applicant to avoid defaulting on its credit obligations, notifying other credit providers of a default by it, assessing credit worthiness, assessing whether we ought to accept the customer as a guarantor in relation to an application for credit and internal management, being purposes directly related to the provision or management of credit.

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We may disclose credit-related personal information to third parties, for the purposes set out above. These third parties include:

1. Credit reporting bodies and other credit providers;
2. Third parties we may engage to manage credit applications us;
3. Other companies in our corporate group;
4. Debt collectors and legal representatives; and
5. Others, where required or permitted by law.

The credit reporting bodies with whom we may deal are:

Equifax

Mail to: Customer Resolutions, Equifax, PO Box 964, North Sydney, NSW 2059.

Email to customercomplaintsAU@equifax.com Ph 138 332

www.equifax.com.au

CreditorWatch

Mail to: CreditorWatch Privacy Officer, GPO Box 4029, Sydney, NSW, 2001.

Email to privacy@creditorwatch.com.au. Ph 1800 738 524

www.creditorwatch.com.au

Each of these is required to have a policy about how they manage credit-related personal information. Those policies can be accessed on their websites.

You have a right to request a credit reporting body not to use your credit reporting information for pre-screening direct marketing requested by a credit provider. This request should be made directly to the credit reporting body.

D. Other disclosures

We may also disclose your personal information to third parties outside our group of companies:

1. Where we have your express permission to do so;
2. Where it can reasonably be inferred from the circumstances that you consent to the disclosure to the third parties;
3. If all or substantially all of our assets are acquired by a third party, in which case personal information which we hold about our customers may be one of the transferred assets (subject to the same constraints on use and disclosure as under this policy); and
4. If we are under a duty to disclose or share your personal information in order to comply with any legal obligation, or in order to enforce or apply our terms and conditions or to protect the rights, property, or safety of our personnel or customers. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.

We limit the information we provide to third parties to the information they need to help us provide or facilitate the provision of goods and services to you. We deal with third parties that are required to meet the privacy standards required by law in handling your personal information, and use your personal information only for the purposes that we gave it to them.

E. Security of personal information

We take all reasonable steps to protect your personal information, including internal and external security, restricting access to personal information to those who have a need to know, maintain technological products to prevent unauthorised computer access and regularly reviewing our technology to maintain security.

We treat website and credit card security seriously and endeavour to provide a secure, safe platform through which to conduct transactions.

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F. Disclosure and transfer of information overseas

We disclose or transfer personal information outside Australia in a limited fashion including to businesses located in New Zealand, Malaysia and the Philippines, and , primarily for the purposes of receiving IT support and for the processing of supplier invoices and purchase orders, which may contain small amounts of personal information.

Unless we have your consent, or an exception under the Australian Privacy Principles applies, we will only disclose your personal information to overseas recipients where we have taken reasonable steps to ensure that the overseas recipient does not breach the Australian Privacy Principles in relation to your personal information.

G. Questions and concerns and access to/ correction or updating of your personal information

You have a right to access and correct the personal information we hold about you. To obtain a copy of the personal information we hold about you, please write to us at:

The Privacy Officer – Email: dataprotectionandprivacy@middys.com.au

Please provide sufficient detail about the information in question to help us locate it. We will then use commercially reasonable efforts to promptly determine if there is a problem and take the necessary corrective action within a reasonable time.

H. Changes to our privacy policy

We may modify, alter or otherwise update this privacy policy at any time. We will post revisions on our website. We encourage you to review this policy from time to time.