

Policy – Privacy

1. PURPOSE

- (a) This Privacy Policy is issued by Victorian Automotive Chamber of Commerce T/A VACC, ABN 63 009 478 209 and its related bodies corporate ("**VACC**", "**we**", "**our**" and "**us**"). VACC is committed to responsible privacy practices and to complying with the *Privacy Act 1988* (Cth) ("**Australian Privacy Act**"). In this Privacy Policy references to "**Privacy Principles**" are references to the Australian Privacy Principles contained in the Australian Privacy Act.
- (b) Where applicable, VACC will handle personal information relying on the related bodies corporate exemption in section 13B of the Australian Privacy Act and any other applicable exemptions in the Australian Privacy Act or other applicable legislation.
- (c) This policy does not cover the collection, use, and disclosure of personal information from individuals located in New Zealand.
- (d) This Privacy Policy sets out our policies on the management of personal information including how we collect personal information, the purposes for which we use this information, to whom this information is disclosed and the steps we take to safeguard the information to protect your privacy. Our related entities may also have their own privacy policies which set out additional information about their privacy practices. If there is an inconsistency between this Privacy Policy and a privacy policy of a related entity, the related entity's privacy policy will prevail to the extent of the inconsistency.
- (e) You consent to us collecting, holding, using, and disclosing your personal information in accordance with this Privacy Policy.
- (f) We will review and update this Privacy Policy from time to time. Any changes to our policy will be published on our Websites (defined in clause 16). You may obtain a copy of our current Privacy Policy from our Websites or by contacting us using the contact details set out at the end of this Privacy Policy.

2. WHAT IS PERSONAL INFORMATION?

- (a) "Personal information" has the meaning set out in the Australian Privacy Act, and is information or an opinion, whether true or not and whether recorded in material form or not, about an individual who is reasonably identifiable.

3. WHAT IS SENSITIVE INFORMATION?

- (a) "Sensitive information" has the meaning given to it in the Australian Privacy Act. It is a sub-category of personal information which includes information about an individual's racial or ethnic origin, political opinions, membership of political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association or trade union, sexual orientations or practices, criminal record, health information, genetic or certain biometric information. VACC only collects sensitive information where it is reasonably necessary for our functions or activities and either the individual has consented, or we are required or authorised by or under law to do so.
- (b) If you do provide sensitive information to us for any reason (for example, if you provide us with information about a disability you have or your vaccination status), you consent to us collecting that information and to us using and disclosing that

information for the purpose for which you disclosed it to us and as permitted by the Australian Privacy Act and other relevant laws.

4. WHAT TYPES OF INFORMATION DOES VACC COLLECT

- (a) The types of personal information VACC collects from you depends on the type of dealings you have with us.
- (b) Where relevant, VACC may collect:
 - (i) your contact details including your:
 - (A) name;
 - (B) home address;
 - (C) work address;
 - (D) email address; and
 - (E) telephone number or mobile numbers.
 - (ii) date of birth;
 - (iii) information provided to us via member or customer surveys;
 - (iv) photographs or images of you;
 - (v) credit information, such as credit history, trade references, credit references or reports from a third party, consumer credit reports;
 - (vi) your driver's licence;
 - (vii) bank account details for any payment or reimbursement to you;
 - (viii) payment details, such as your credit or debit card information;
 - (ix) information about any item you purchase or wish to sell (including without limitation its make, model and if applicable, details of any finance arrangements, registration records and service records);
 - (x) details of any enquiry you make with us or feedback you give us;
 - (xi) the location from which you have come to our Websites and the pages you have visited;
 - (xii) technical data, which may include IP address, the types of devices you are using to access the Websites, device attributes, browser type, language, and operating system;
 - (xiii) your role and responsibilities if you represent a corporate client; and
 - (xiv) other information in relation to your dealings with VACC.
- (c) We also collect anonymous demographic information, which is not unique to you, such as your post code, age, gender, preferences, interests, and "favourites".

5. WHAT TYPES OF PERSONAL INFORMATION DOES VACC COLLECT FROM ITS EMPLOYEES?

- (a) In addition to information collected in clause 4, VACC collects the following personal information from its employees and/or employee candidates:
 - (i) next of kin and emergency contacts;
 - (ii) bank details, superannuation funds, tax file numbers;
 - (iii) occupational and employment details including employment status; and any previous work experience;
 - (iv) information from or in connection with your resume or job; application if you apply for a position with us;
 - (v) pre-employment reference checking;
 - (vi) Working with Children Checks;
 - (vii) leave requests; and
 - (viii) qualifications and educational documentation.

- (b) VACC collects sensitive information from its employees and/or employee candidates including:
 - (i) membership of a professional or trade association;
 - (ii) Indigenous heritage (if this information is voluntarily provided);
 - (iii) domestic violence information;
 - (iv) Centrelink child support requirements;
 - (v) parental information for leave;
 - (vi) information pertaining to the need for first aid response by staff / employers, including severe allergies / anaphylaxis;
 - (vii) drug and alcohol test results;
 - (viii) medical information for Work Cover claims including doctor reports, return to work plans, medical certificates, incident reports, photos of incidents;
 - (ix) police checks & criminal record; and
 - (x) results of aptitude and psychometric tests.

6. WHO DO WE COLLECT PERSONAL INFORMATION FROM?

- (a) We collect and record personal information about individuals such as:
 - (i) our customers/clients/members, potential customers/clients/members, and their representatives;

- (ii) our donors, partners, and volunteers;
- (iii) our suppliers, potential suppliers and their representatives, directors, partners, proprietors, and shareholders;
- (iv) contractors, subcontractors, potential contractors and subcontractors and their representatives in relation to providing goods and services to us;
- (v) our employees past and present, including applications; and
- (vi) any other person who comes into contact with us.

7. HOW DO WE COLLECT YOUR PERSONAL INFORMATION?

- (a) VACC collects personal information in a number of ways. The most common ways we collect your personal information are:
 - (i) in person (for example, when you attend our premises and interact with us as a customer);
 - (ii) directly from you when you provide it to us or our agents or contractors in person, by telephone or in writing;
 - (iii) via our Websites or when you deal with us online (including through social media);
 - (iv) via surveys to conduct research about your opinion of current services or of potential new services that may be offered;
 - (v) when you enter a competition or promotion;
 - (vi) through surveillance cameras located at our premises;
 - (vii) when you submit a job application to us; and
 - (viii) when we are otherwise required or authorised by law.

- (b) VACC collects personal information from a third party where it is unreasonable or impracticable to collect this information directly from you or if we are otherwise permitted to do so. We will collect information from third parties such as:
 - (i) your nominated representative;
 - (ii) our market research agencies;
 - (iii) from our related companies;
 - (iv) publicly available sources of information or registers;
 - (v) other credit providers;
 - (vi) credit reporting bodies;
 - (vii) our industry and services partners including:
 - (A) Haynes Australia;

- (B) Launch Tech Australia;
 - (C) Motor Trades Association of Queensland; and
 - (D) Motor Trades Association of South Australia; and
- (viii) our related entities, companies, or businesses.
- (c) If the personal information we collect includes sensitive information, including health information, we will ask for your consent to collect this sensitive information, unless the law allows us to collect the information without your consent.

8. CAN I REMAIN ANONYMOUS?

- (a) Where practicable, you can choose to deal with us anonymously or by using a pseudonym, aside from when not permitted by law.
- (b) However, please note that if you choose to remain anonymous, this may affect your ability to access or use certain functions of the Websites or our services.
- (c) If you wish to remain anonymous when dealing with us via a telephone call, please advise the call operator assisting you. Providing your personal details enables us to provide you with a contact record reference number which allows you, and other authorised persons, to retrieve information about that call at a later date.

9. WHY DO WE COLLECT, USE, AND DISCLOSE YOUR PERSONAL INFORMATION?

- (a) We collect, hold, use, and disclose your personal information for the following purposes:
 - (i) to provide goods or services to you or to receive goods or services from you;
 - (ii) to receive payment from you or remit funds to you and (where applicable) financiers;
 - (iii) to record and maintain the details of your purchase of a product of VACC for warranty purposes;
 - (iv) to provide (or arrange third parties to provide) additional products and services in respect of goods and or services purchased from us;
 - (v) to inform you in the event of an action that must be taken, for example a recall, affecting a product bought from us;
 - (vi) to improve our products and services;
 - (vii) to contact you (directly or through our service providers and marketing research agencies) to obtain your feedback and to find out your level of satisfaction with our products and services through surveys;
 - (viii) to verify your identity;
 - (ix) to promote our, and our affiliates' products and services, including through direct marketing, events, competitions, or promotions;
 - (x) to deliver customised content and advertising within VACC to customers;

- (xi) to collect goods from sellers and deliver them to buyers or other parties;
 - (xii) to co-ordinate third party carriers to transport goods between parties;
 - (xiii) to address any issues or complaints that we or you have regarding our working relationship;
 - (xiv) to co-ordinate third party agencies to contact members and customers on behalf of VACC, by phone or by email;
 - (xv) to debt collection agencies for the collection of outstanding sums owed to VACC;
 - (xvi) for general account management, planning and administration; and
 - (xvii) to contact you regarding the above, including via electronic messaging such as SMS and email, by mail, by phone or in any other lawful manner.
- (b) In addition to the above, for our employees, we collect use and disclose your personal information for the following purposes:
- (i) manage and keep individual medical and training records under legislation requirements; and
 - (ii) payroll and employment requirements.

10. WHAT HAPPENS IF YOU DON'T PROVIDE PERSONAL INFORMATION?

- (a) Generally, you have no obligation to provide any personal information requested by us. However, if you choose to withhold requested personal information, we may not be able to provide you with the products and services that depend on the collection of that information, this includes (but is not limited to) the proper delivery of VACC membership services and your use of our marketplace services.

As an example, if we did not collect personal information about your product purchase, we would be unable to notify you directly of a product recall affecting your product.

- (b) Further, where relevant, we may be unable to employ you if your personal information requested by us is withheld.

11. DIRECT MARKETING?

- (a) Direct marketing involves communicating directly with you for the purpose of promoting goods or services to you and to provide you with exclusive offers from VACC. Where we have your express or implied consent (to use your personal information for the Direct Marketing Purposes listed below), or where we are otherwise permitted by law, we may:
- (i) send you information about upcoming products and services, including retail sales, promotions, exclusive offers, and events; and
 - (ii) disclose your personal information to third party providers of finance, insurance, warranty and other related products and services that we think

may be of interest to you (where we have entered into an agreement with the third party allowing them to market to you),

(collectively, Direct Marketing Purposes)

- (b) Direct marketing can be delivered by a range of methods including mail, telephone, email, or SMS, or other electronic means. You can unsubscribe from our direct marketing, or change your contact preferences, by contacting us or using the unsubscribe facility that we include in our electronic messages (such as emails and SMS) to opt out of receiving those messages. To opt out of receiving marketing communications from third party providers, please make direct contact with those providers.

12. TO WHOM DO WE DISCLOSE PERSONAL INFORMATION?

- (a) We may use or disclose your personal information:
 - (i) for the purposes for which we collected it (and related (or in the case of sensitive information, directly related) purposes which would be reasonably expected by you);
 - (ii) for other purposes to which you have consented; or
 - (iii) as otherwise authorised or required by law.
- (b) We may disclose your personal information to third parties in connection with the purposes described in section **Error! Reference source not found.** of this Privacy Policy.
- (c) This may include disclosing your personal information to the following types of third parties:
 - (i) our contractors (including mailing houses, marketing agencies, insurance providers, website and data hosting providers and other IT suppliers);
 - (ii) other organisations or individuals who assist us in providing products, events, services, and programs to you or to administer our business;
 - (iii) our related companies, and trading partners and service providers of our related companies;
 - (iv) if you buy or lease an item through us, we may disclose your personal information to the seller or lease (as applicable);
 - (v) buyer and seller information may be disclosed to third parties for purposes associated with the completion of the transaction (such as carriers, financial institutions for payment processing, a credit reporting body, or the Australian Personal Properties Securities Register);
 - (vi) other persons who perform services for, or in connection with, us (including to facilitate the delivery of purchases, for repairs, for "Plant & Equipment Safety Reports", for electronic direct mailing, for credit card payment authorisation, for data storage, for trend analysis, for function and events, for market research, for marketing and promotions and for the provision of statistical sales information);

- (vii) Government, regulatory authorities, or other organisations as required or authorised by law, including:
 - (A) state and federal government authorities (for example, for vehicle registration and compulsory third-party insurance purposes and apprenticeship records); and
 - (B) the Office of State Revenue;
 - (viii) professional service providers and advisors who perform functions on our behalf such as our accountants, lawyers, auditors;
 - (ix) medical providers including medical and rehabilitation practitioners for assessing insurance claims;
 - (x) any third parties to whom you have directed or permitted us to disclose your personal information (e.g. financiers, insurers, referees); and
 - (xi) otherwise as permitted or required by law.
- (d) We may also disclose your personal information to a purchaser or potential purchaser in connection with the sale or potential sale of VACC, our business or any of our assets, including in insolvency, in circumstances which require the purchaser or potential purchaser to use such personal information consistently with this Privacy Policy.
- (e) Where we disclose your personal information to third parties we will use all reasonable commercial efforts to ensure that such third parties only use your personal information as reasonably required for the purpose we disclosed it to them and in a manner consistent with the Privacy Principles e.g. by (where commercially practical) including suitable privacy and confidentiality clauses in our agreement with a third party service provider to which we disclose your personal information.
- (f) When we disclose personal information to third parties, we make all reasonable efforts to ensure that we disclose only relevant information and that it is accurate, complete, and up to date and that the third party will comply with the Australian Privacy Act in relation to the use, disclosure, and storage of your information.
- (g) Your personal information will not be 'sold' by VACC to any other organisation for that organisation's unrelated independent use. If you have opted in to receive marketing materials from VACC, we may share anonymised data with social media advertising partners, such as Facebook, so that they can create custom audiences and deliver advertisements on our behalf to their members and or customers. Members and customers are identifiable when the social media partner matches our anonymised data to its anonymised data of its users.
- (h) VACC does not sell, rent, or lease its customer lists to third parties. VACC may, from time to time, contact you on behalf of external business partners about a particular offering that may be of interest to you. In those cases, your unique personally identifiable information (e-mail, name, address, telephone number) is not transferred to the third party. In addition, VACC may share data with trusted partners to help us perform statistical analysis, send you emails or postal mail, provide customer support, or arrange for deliveries. All such third parties are prohibited from using your personal information except to provide these services to VACC, and they are required to maintain the confidentiality of your information.

13. OTHER PERMITTED DISCLOSURES

- (a) We may disclose personal information in other circumstances, where the person concerned has consented to the disclosure, or where we are expressly permitted to do so by the Australian Privacy Act or another law. These other disclosures may include where:
 - (i) you would reasonably expect the disclosure to occur (for example, quality assurance purposes or training);
 - (ii) we are authorised or compelled by law to disclose;
 - (iii) it will prevent or lessen a serious threat to someone's life, health or safety or a threat to public health or safety;
 - (iv) it is necessary as part of the establishment or defence of a legal claim;
 - (v) it is requested by an enforcement agency such as the police; or
 - (vi) it is a necessary part of an investigation following a complaint or incident.

14. OTHER USES AND DISCLOSURES

- (a) We may collect, use, and disclose your personal information for other purposes not listed in this Privacy Policy. If we do so, we will make it know to you at the time we collect or use your personal information.

15. DOES PERSONAL INFORMATION LEAVE AUSTRALIA?

- (a) We may disclose your personal information to contractors (including, but not limited to, website and data hosting providers and other IT suppliers) located outside Australia. The countries in which those third-party recipients may be located are the United States, the United Kingdom, and the European Union.
- (b) Except where an exception applies under the Australian Privacy Act, we will take reasonable steps to ensure that such overseas recipients do not breach the Privacy Principles in relation to such information, or if applicable, the recipient is required to protect your information in a way that provides comparable safeguards to those provided by Australian Privacy Act.

16. INFORMATION COLLECTED VIA OUR WEBSITES

- (a) This Privacy Policy applies to the personal information that VACC collects through the following websites:
 - (i) <https://vacc.com.au/>;
 - (ii) <https://tacc.com.au/>;
 - (iii) <https://www.autoapprenticeships.com.au/>;
 - (iv) <https://marketplace.vacc.com.au/>;
 - (v) <https://ourautoistore.com.au/>;
 - (vi) <https://autoapprenticeships.com.au/>;
 - (vii) <https://vaccsdc.com.au/>;

- (viii) <https://autocareers.com.au/>;
 - (ix) <https://motortech.com.au/>;
 - (x) <https://ourauto.com.au/>;
 - (xi) <https://hazcheckonline.com.au/>;
 - (xii) <https://autoworkplaceassist.com.au/>;
 - (xiii) <https://www.greenstamp.green/>;
 - (xiv) <https://automotiveindustryawrds.com.au/>;
 - (xv) <https://servicestationsafety.com.au/>;
 - (xvi) <https://towme.vacc.com.au/>;
 - (xvii) <https://yourcaryourchoice.com.au/>;
 - (xviii) <https://formscloud.vacc.com.au/>; and
 - (xix) any other websites owned or operated by VACC from time to time (together, the **Websites**).
- (b) When using the Websites, we or our third-party service providers may collect website usage information such as the IP address you are using, the name of your internet service provider, your browser type and version, domain names, access times, the website that referred you to us and the website you go to next, the pages you request, the date and time of those requests and the country you are in. Except where you provide it to us via a Website, we do not collect personal information such as your name, mailing address, email address or phone number when you are browsing our Websites. This information is used and disclosed by VACC in anonymous, aggregated form only, for purposes including statistical analysis and to assist or disclose this information to try to locate an individual where we reasonably believe that the individual may have engaged in any unlawful or inappropriate activity in connection with our Websites, or where we are otherwise required or authorised to do so.

17. COOKIES

- (a) VACC Websites use "cookies" to help personalise your online experience. A cookie is a text file that is placed on your hard disk by a "web page" server. Cookies cannot be used to run programs or deliver viruses to your computer. Cookies are uniquely assigned to you and can only be read by a web server in the domain that issued the cookie to you. An explanation of cookies can be found on the Office of the Australian Information Commissioner's (**OAIC**) [website](#).
- (b) One of the primary purposes of cookies is to provide a convenience feature to save you time. The purpose of a cookie is to tell the web server that you have returned to a specific page. For example, if you personalise VACC pages, or register with a Website or services, a cookie helps VACC to recall your specific information on subsequent visits. This simplifies the process of recording your personal information, such as billing addresses, shipping addresses, and so on. When you return to the same VACC Website, the information you previously provided can be retrieved, so you can easily use the VACC features that you customised.

- (c) You have the ability 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. If you choose to decline cookies, you may not be able to fully experience the interactive features of the VACC services or websites you visit.
- (d) We will deal with any personal information collected by cookies in the same way we handle other personal information under this Privacy Policy.

Note: Using browsers "Incognito" or "Private mode" will only hold store the cookie until that browser is closed and the session is ended.

18. GOOGLE ANALYTICS

- (a) Our Websites use Google Analytics, a web analytics service provided by Google Inc. (**Google**). Google Analytics uses cookies to help analyse how users use the Websites. Google Analytics anonymously tracks how users interact with the Websites, including where they came from, what they did on the Websites and whether they completed any transactions on the Websites.
- (b) The information generated by the cookie about your use of the Websites (including (but not limited to) their IP address, general geographic location, browser type and pages visited) will be transmitted to and stored by Google on servers in the United States. Google will use this information for the purpose of compiling reports on the Websites' activity and providing other services relating to the Websites 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. Google will not associate a person's IP address with any other data held by Google.
- (c) You can opt out of the collection of information via Google Analytics by downloading the Google Analytics Opt-out browser add-on [here](#).

19. EMAIL ANALYTICS

- (a) Our emailing platform uses "email analytics" to capture information on often our emails are opened, read, or interacted with.
- (b) We will deal with any personal information collected by our email analytics in the same way we handle other personal information under this Privacy Policy.

20. THIRD PARTY WEBSITES

- (a) The Websites may link to other websites which are outside our control, and other websites outside our control may link to the Websites. Whilst we try to ensure that we link only to websites which share our privacy and security standards, once you have left a Website we cannot be responsible for the protection and privacy of any information which you provide on other websites. You should exercise caution and review the privacy statement applicable to the website in question.

21. IS THE PERSONAL INFORMATION WE HOLD ACCURATE?

- (a) We endeavour to maintain your personal information as accurately as reasonably possible. We rely on the accuracy of personal information as provided to us both directly (from you) and indirectly.
- (b) We encourage you to notify us of any relevant change in your personal information.

22. HOW DOES VACC MANAGE YOUR DATA QUALITY AND SECURITY?

- (a) VACC maintains reasonable physical, electronic, and procedural safeguards to protect the information we hold about you against loss, misuse, damage or modification and unauthorised access or disclosure.
- (b) VACC holds personal information in a number of ways, including in hard copy documents, electronic databases, email contact lists, and in paper files held in a secure manner. Paper files may also be archived in boxes and stored offsite in secure facilities. We take reasonable steps to:
 - (i) ensure that the personal information that we collect, use, and disclose is accurate, up to date and complete and (in the case of use and disclosure) relevant;
 - (ii) protect the personal information that we hold from misuse, interference, and loss and from unauthorised access, modification, or disclosure; and
 - (iii) destroy or permanently de-identify personal information that is no longer needed for any purpose that is permitted by the Privacy Principles.
- (c) We process credit card and online payments using online technologies. All transactions processed by VACC meet industry security standards to ensure payment details are protected.
- (d) While we strive to protect the personal information and privacy of users of our Websites, we cannot guarantee the security of any information that you disclose online. We advise that there are inherent risks in transmitting information across the internet, including the risk that information sent to or from a website may be intercepted, corrupted, or modified by third parties. If you have security concerns or wish to provide personal information by other means (e.g. by telephone or paper), you may contact us using the contact details set out at the bottom of this Privacy Policy.

23. HOW CAN YOU ACCESS AND CORRECT PERSONAL INFORMATION WE HOLD ABOUT YOU?

- (a) You may seek access to, or request correction of the personal information that we hold about you by contacting us. Our contact details are set out below. We will provide access to or correct that information in accordance with the Australian Privacy Act, subject to certain exemptions which may apply. We may require that the person requesting access provide suitable identification.
- (b) There is no charge for requesting access to your personal information, but we may require you to meet our reasonable costs in providing you with access (such as photocopying costs or costs for time spent on collating substantial amounts of material).
- (c) We will respond to your requests to access or correct personal information in a reasonable time and will take all reasonable steps to ensure that the personal information we hold about you remains accurate and up to date.
- (d) In some circumstances, we may not be able to provide access to your personal information, or to update your record in the way you request. If this occurs, we will provide you with a written explanation.
- (e) If we refuse to correct or update your information, you may request that we make a note on your record that you are of the opinion that the information is inaccurate, incomplete, out of date, irrelevant or misleading, as the case may be.

24. QUERIES AND COMPLAINTS ABOUT OUR HANDLING OF PERSONAL INFORMATION

- (a) If you have any questions, concerns, or complaints about our collection, use or disclosure of personal information, or if you believe that we have not complied with this Privacy Policy or the Australian Privacy Act, please contact us.
- (b) VACC will take any privacy complaint seriously and any complaint will be assessed by an appropriate person with the aim of resolving any issue in a timely and efficient manner. We will notify you of the outcome of this investigation and any subsequent internal investigation.
- (c) If you remain unsatisfied with the way in which we have handled your privacy complaint or concern, you may approach an independent advisor or contact the OAIC. See the OAIC [website](#) for more information about how to make a complaint.

25. CONTACT US

If you:

- (a) have any questions or would like further information about our Privacy Policy or practices
- (b) wish to make a complaint about the way we have collected, used, held, or disclosed your personal information
- (c) would like to opt out of receiving our newsletter or information about VACC products or services, please contact our Privacy Officer in any of the following ways:
 - (i) **Email:** privacy@vacc.com.au
 - (ii) **Phone:** 03 9829 1111
 - (iii) **Mailing address:** 650 Victoria Street, North Melbourne, Victoria 3051

This policy was last updated: 8 July 2024