

Lexus City of Auckland
Customer Privacy Policy

1. Introduction

The Giltrap Group Holdings Limited group of companies, including Great Auckland Motors Limited trading as Lexus of Auckland City (collectively referred to as “our”, “us” or “we”) is committed to protecting the privacy of the personal information of our current, former and potential customers (referred to as “customers”, “you” and “your”) and to complying with our obligations to you under the Privacy Act 1993 (“Act”).

This privacy policy sets out how we manage your personal information held by us, including how we collect, use, hold, disclose and otherwise process personal information. You will also find information about how to contact us if you have any privacy queries, including how to update or access your personal information or make a complaint.

By providing us with your personal information (whether directly or indirectly) you accept and consent to the provisions of this privacy policy. If you have any questions or concerns regarding this privacy policy, please contact us.

It is important to note that, if we are unable to collect, use, hold, disclose and otherwise process your personal information in the manner authorised by this privacy policy then we may not be able to provide you with the full benefit of our products, services, and offers or our online and digital platforms.

2. What types of personal information do we collect?

Generally, the types of personal information that we collect from or about you depends on the circumstances in which the information is collected. We have described below examples of the types of personal information that may be collected, however this is not an exhaustive list:

- Your name and contact details, including physical and postal address, email addresses, phone numbers, and mobile numbers.
- Your driver’s licence details if you participate in a test drive, purchase a vehicle, or if we are given these details from a third party with your authorisation.
- Demographic information about your age, gender and occupation, as well as information about your hobbies, favourite sports and other interests and preferences, when you provide us with that information. For example, when entering a competition or promotion or taking part in a customer experience survey following the purchase or service of your vehicle.
- Your airline membership number for the purpose of facilitating the award of airpoints in relation to your purchase (if applicable);
- Financial and credit information if you are seeking to obtain finance for the purchase of a vehicle, and if you finance your vehicle with a division of European Financial Services Limited, details about the finance, such as the amount financed and the type of finance product. This information may also be shared with us by our financial service providers, our distributors, or other third parties with your authorisation.
- Information about your vehicle, including its number plate, vehicle identification number (VIN), and service plan schedule.
- Information relating to your dealings with the distributors and/or importers and their respective related or affiliated entities (hereafter, collectively referred to as the “distributors”) and with the manufacturer and its respective related or affiliated entities (hereafter, collectively referred to as the “manufacturer”) of the relevant vehicle brand, Lexus (“Vehicle Brand”), including details of vehicle/s purchased, service and repair history, and responses to other questions that we may ask.
- If you request or receive roadside assistance services, we may collect information about where (e.g. location) and when (e.g. date, time) you requested these services and the assistance service that was required.
- Recordings of you from your Closed Circuit Television (CCTV) system

- Information about your use of or interest in our products and services, for example enquiry details, your feedback or opinion on products and services, and records of your communications with us.
- Information that you share as part of your public profile on a third-party social network, or information you create and share with us by posting it to one of our social networks.
- Information relating to the way you use or navigate our websites, customer portals and mobile applications.
- If you use any customer portal or mobile application of ours, the distributors' or the manufacturer's we may collect information entered into or generated by such applications.
- Other personal information that we are permitted or otherwise required by law to obtain, as well as any other information that you choose to provide us.

3. How is personal information collected?

We collect personal information from or about you in a variety of ways. Where possible we will collect personal information directly from you. We may also collect information from persons you have authorised to share your personal information with us, or from whom you authorise us to collect personal information. The most common ways we collect personal information are:

- from you directly either in person, over the phone, by email, or through our digital and online channels, for example, when:
 - you make an enquiry about our vehicles, parts, accessories or services, or if you request a test drive, brochure, specification sheet, information or other materials about our vehicles, parts, accessories or services;
 - you interact with us online, including via our websites or through social media channels;
 - you use a customer portal and/or mobile application provided by us or by the distributors or the manufacturer of the Vehicle Brand;
 - you enter a promotion or competition carried out by us directly or carried out by a third party with official affiliation with or support from us;
 - you participate in a marketing, product development, profiling, survey or market research campaign, including on social media channels; or
 - you request roadside assistance services;
- from distributors and the manufacturer of the Vehicle Brand and their respective suppliers, service providers, contractors, and agents (e.g. if you participate in a customer survey managed or organised by a distributor or the manufacturer of the Vehicle Brand);
- from the Motor Vehicle Register, in accordance with our authorisation to access this register for specified purposes under section 241 of the Land Transport Act 1998
- from vehicle finance providers; and
- from other third parties, including our related entities, suppliers, service providers, contractors, and agents.

4. Why do we collect personal information and what do we do with it?

We, and the Permitted Recipients referred to in paragraph 5, may collect, hold, use, disclose and otherwise process your personal information for the following purposes (and for any related purposes which you would reasonably expect):

- to enable us to correspond with you and do business together and for reasons related to our business operations, such as to ensure we continue to deliver quality products and services to our customers and potential customers;
- to assist in administering your vehicle purchase, lease, warranty, any extended service plan, roadside assistance, or ongoing vehicle service, and to obtain required vehicles and parts on a timely basis to meet your needs;
- to facilitate your application for finance for the purchase of your vehicle;
- to facilitate your application to open a trade account with us;
- to lodge or assist in an insurance claim;
- if you have a credit history with us, to provide trade references on your behalf;
- to respond to your enquiries, comments, concerns or requests for information about our vehicles, parts, accessories, services or offers;

- to process sales orders and administer accounts, warranty records and vehicle service records;
- to provide you with any necessary support in relation to your dealings with us and with the distributors and the manufacturer of the Vehicle Brand;
- to attend to or assist in the servicing or repair of your vehicle, including the provision of online vehicle service and repair booking facilities;
- for product development, market research, and customer surveys (for example, to obtain your feedback and find out your level of satisfaction with our products and services);
- for marketing and promotional activities, including to contact you directly or through authorised service providers;
- to compile aggregate data and generate reports and data about our customer and service usage patterns;
- to carry out our legal compliance obligations, such as to conduct a product safety recall where necessary or inform you of a customer notification or field service action affecting your vehicle;
- if you use any of our or the distributors' or manufacturer's customer portals or mobile applications, to provide you with notifications and information about your vehicle;
- to send you service and warrant of fitness reminders;
- to contact you with details of new vehicles, products or services, or automotive products offered by us or by distributors or the manufacturer of the Vehicle Brand, or special offers or promotions that we think may be of interest to you;
- we may use information collected from our websites to enable the features of the websites, to improve the websites by determining which of our products, features and services are most popular, and to personalise the experience of the users of our websites;
- for other purposes which are disclosed to you and to which you consent, whether expressly or by implication by providing us with your personal information with knowledge of how we intend to use it; and
- without your consent for purposes that are required or authorised by or under any applicable law, including but not limited to meeting our legal obligations, assisting in the investigation of a breach of an agreement or a law, assisting in law enforcement purposes, and protecting our and our customers' interests.

5. Who has access to your personal information?

We respect the privacy of your personal information and will take all reasonable steps to keep it strictly confidential. However, we may disclose your personal information to third parties if required in connection with one or more of the purposes set out in paragraph 4 of this privacy policy. This may include disclosure to the following persons (in each case, a "Permitted Recipient"):

- our employees, officers, contractors, suppliers, service providers, agents, partners, and licensees (for example, mailing houses, marketing agencies, airline programme partners, market research providers, printers, roadside assistance service providers, insurance providers, financiers, website and data hosting providers, online messaging providers, data analytics providers, and other IT suppliers);
- our related or affiliated entities and their respective employees, officers, contractors, suppliers, service providers, agents, partners, and licensees;
- the distributors and manufacturer of the Vehicle Brand and their respective affiliated or related entities and the employees, officers, contractors, suppliers, service providers, dealers, agents, partners, and licensees of the distributors and manufacturer and their respective affiliated or related entities;
- our accountants, insurers, lawyers, auditors and other professional advisors;
- your employer, if your vehicle is provided by your employer as part of a corporate or government fleet policy;
- any other third parties to whom you direct or permit us (whether expressly or by implication) to disclose your personal information (e.g. third parties with whom we have directly or indirectly arranged services for your benefit);
- third parties that require the information for law enforcement or to prevent a serious threat to public safety; and
- as otherwise permitted or required by or under any applicable law.

In each case, the disclosure of personal information to a Permitted Recipient may be made directly by us to a Permitted Recipient or by a Permitted Recipient to another Permitted Recipient (for example, the manufacturer of the Vehicle Brand may disclose personal information directly to one of its suppliers).

A Permitted Recipient of your personal information shall only be entitled to use your personal information as required for the purposes for which it was provided to them, which shall be consistent with the purposes described in this privacy policy.

In the unlikely event that we sell the whole or part of our business, or if we are no longer authorised to sell the Vehicle Brand, records of personal information held by us may be transferred to (and subject to the privacy policy of) the new business owner, or a distributor or the manufacturer or any other entity as directed by the relevant distributor or manufacturer (as the case may be).

6. Disclosure of personal information offshore

Some of the Permitted Recipients to whom we disclose personal information may be located outside New Zealand. As above, we may disclose personal information to distributors and to the manufacturer of the Vehicle Brand and to our service providers based offshore (for example, by making our customer relationship management system accessible to the distributors and manufacturer of the Vehicle Brand). In addition, our websites and systems may also be based on servers located outside of New Zealand. Please note that the privacy laws of countries outside of New Zealand may not be as comprehensive as the laws of New Zealand. In addition, if a Permitted Recipient is in a jurisdiction outside of New Zealand, the information held by that Permitted Recipient may be subject to that jurisdiction, including access requests from government, courts or law enforcement in that jurisdiction.

If we disclose personal information to third parties based offshore, we will comply with the requirements of the Act that relate to the transfer of personal information offshore.

7. Cookies

Our websites use a technology called cookies to record the preferences of visitors and enable us to optimise the design of our websites. A "cookie" is a small data element that a website transfers to your computer for record keeping and experience customisation purposes. The length of time that a user's computer stores cookies is determined by the user's browser settings.

The use of "cookies" is an industry standard and helps us monitor the effectiveness of our advertising and how visitors use our websites. During normal website usage our website "cookies" do not store your email address or other personal information about you unless you have given your consent, or if it is essential for technical reasons (i.e. secure login). We use this technology to generate statistics and measure website activity to improve the usefulness of customer visits. Each time you access our websites, our server may deliver certain customised information (such as advertisements) to you based on the data stored in your cookie. Third party vendors may utilise cookies to collect information about the content you view on our websites and on relevant customer portals and mobile applications and use that information to show and/or serve our advertisements on other websites based on a user's prior visits to our websites and other internet activity. We may also use analytics data supplied by third party vendors to inform and optimise our ad campaigns. We may utilise third party cookies in some parts of our websites.

Some of the tags that are used on our websites include, but are not limited to, container tags (such as Google tag manager), which include retargeting tags and analytics tags. These tags provide us with aggregated knowledge and information on website behaviour and user preferences.

By using our websites, customer portal and mobile applications you consent to the use and storage of cookies on your end device. You can also view our websites without cookies. If you do not wish to receive any cookies you may set your browser to refuse cookies. Not all features of our websites, customer portal and mobile applications may be available if you do not enable cookies. We recommend you enable cookies in order to enjoy our websites, customer portal and mobile applications.

8. Storage and Security

Any personal information that falls within the scope of this privacy policy is collected and held by us or by Permitted Recipients that we may engage or authorise to store information on our behalf. Personal information may be stored both in New Zealand and offshore.

We will take reasonable steps to protect your personal information from misuse, interference, corruption, loss or unauthorised access, modification or disclosure, including through physical, electronic and procedural safeguards. However, we do not promise that your personal information cannot be accessed by an unauthorised person or that unauthorised access will not occur. To the extent permitted by law, we will not be responsible for and exclude all liability arising in relation to any misuse, interference, corruption, loss or unauthorised access, modification or disclosure of your personal information.

If we provide you with any passwords or other security devices it is important that you keep these secret and confidential and do not allow them to be used by any other person. You should notify us immediately if the security of these devices is breached to prevent the unauthorised disclosure of your personal information.

If we become aware of any breach involving your personal information, we will comply with the requirements of the Act relating to the reporting of privacy breaches.

9. How long do we retain your personal information?

We will keep your personal information for as long as it is required for the purposes for which it was collected, taking into consideration our need to answer queries or resolve problems, provide improved and new services, and comply with our contractual and legal requirements.

When the personal information that we collect is no longer required or is not required to be retained by law, we destroy, delete or permanently anonymise it (except for any personal information that is stored on an off-site server or which is stored as electronic backup data that cannot be readily accessed).

10. Email and other electronic communications

We are committed to full compliance with the Unsolicited Electronic Messages Act 2007.

By using our website and other online and digital channels and/or by providing us with your personal information you consent to receiving communications from us or from Permitted Recipients using the contact details you have provided (including, without limitation, via direct mailing, email, SMS, telephone call, and other phone number based messaging) which promote and market our products and services, or the products and services of others, from time to time.

You can opt out of those communications at any stage by contacting us using the contact details set out below at paragraph 11 or by utilising the "unsubscribe" facility included on all such communications. Once you have unsubscribed from these communications, we will remove you from the corresponding marketing list as soon as is reasonably practicable.

11. Your rights to access and correct personal information

You may obtain confirmation from us as to whether or not we hold personal information about you. You also have a right to access personal information about you if we hold that personal information in a way that it can be readily retrieved.

You can make access requests in relation to your personal information by contacting our Privacy Officer using the details set out below. Please quote your name and address and, if possible, provide brief details of what information you want a copy of (this helps us to more readily locate your information).

We will provide you with access to your personal information unless we are required or authorised to refuse such access by law. Please note that we will not be able to provide your personal information if we do not know or don't have reasonable grounds to believe that it is personal information about you or if disclosing the information would involve the disclosure of the affairs of another individual.

In some cases, there may be a reasonable charge associated with retrieving and providing a copy of your personal information to you. If so, we will advise you of this prior to sending your information.

You can also request correction of or amendment to the information held by us at any time by contacting our Privacy Officer using the details set out below and specifying the information that you would like changed. If it is reasonable in the circumstances for us to do so, we will make the requested change or correction, otherwise we will take reasonable steps to mark that information as having been subject to a change or correction request.

All such enquiries should be directed to:

Privacy Officer

Lexus of Auckland City

[PO Box 959]

Auckland

Email: [insert privacy officer email address]

Phone: [insert privacy officer phone number]

Fax: [insert privacy officer fax number]

12. Complaints

At all times we will strive to ensure that your personal information is treated confidentially and in accordance with the Act. However, if you have any questions or complaints about the handling of your personal information, please contact our Privacy Officer in the first instance using the contact details set out in paragraph 11 above and we will do our best to assist.

If you are still not satisfied, you can make a complaint to the Privacy Commissioner. Further details on how to do this are available on the Privacy Commissioner website at www.privacy.org.nz.

13. Links to other websites

Our websites may contain links to other sites that are owned or operated by third parties and which are therefore not under our control, including the websites of our third party service providers. We take no responsibility for linked websites and provide them solely for your information and convenience. We specifically disclaim responsibility for their content, privacy practices and terms of use, and we make no endorsements, representations or warranties about their accuracy, content or thoroughness. Your disclosure of personal information to or in connection with third party websites is at your own risk.

14. Changes to this privacy policy

We reserve the right to amend this privacy policy from time to time by posting an updated privacy policy here on this website. We will collect, use, hold, disclose and otherwise process your personal information in accordance with our most recently updated version of the privacy policy. We recommend that you regularly review this privacy policy when you visit this website.

If you do not agree with any aspect of the updated privacy policy, you must promptly notify us.

This privacy policy was last updated on [insert date] August 2019.

15. Privacy Act

Any reference in this privacy policy to the "Act" is a reference to the Privacy Act 1993 including any amendments, re-enactments or replacements of that Act.

Nothing in this privacy policy affects your rights under the Act. Further information about the Act and how it protects the personal information of individuals in New Zealand is available from the Privacy Commissioner website at www.privacy.org.nz.

