

# Privacy Policy

LAST UPDATED 27 JUNE 2018

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AG Designer Jeweller (ABN 59 177 115 996) and its Related Bodies  
Corporate (**AG Designer Jeweller**).

In this Privacy Policy, the expressions “**AG Designer Jeweller**”, “**we**”, “**us**” and “**our**” are a reference to AG Designer Jeweller (ABN 59 177 115 996) and its Related Bodies Corporate (as defined by the provisions of the *Corporations Act 2001* (Cth)).

This Privacy Policy applies to personal information collected by us. We are bound by the Australian Privacy Principles and the *Privacy Act 1988* (Cth), which govern the way private sector organisations collect, use, keep, secure and disclose personal information.

The purpose of this Privacy Policy is to generally inform people of:

- how and when we collect personal information;
- how we use and disclose personal information;
- how we keep personal information secure, accurate and up-to-date;
- how an individual can access and correct their personal information; and
- how we will facilitate or resolve a privacy complaint.

If you have any concerns or complaints about the manner in which your personal information has been collected, used or disclosed by us, we have put in place an effective mechanism and procedure for you to contact us so that we can attempt to resolve the issue or complaint. Please see **Section 11** for further details.

If you have any concerns or questions, please contact us and our Privacy Officer at [info@agdesignerjeweller.com](mailto:info@agdesignerjeweller.com) or write to us at Shop 5B, Tattersalls Arcade, 202 Edward Street, Brisbane Qld 4001, and our Privacy Officer will then attempt to resolve the issue.

We recommend that you keep this information for future reference.

## **1. What is personal information?**

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The *Privacy Act 1988* (Cth) defines “personal information” to mean any information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- whether the information or opinion is true or not; and
- whether the information or opinion is recorded in a material form or not.

## **2. The kinds of personal information collected, used and disclosed by AG Designer Jeweller**

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We will only use or disclose your personal information for the primary purposes for which it was collected or as consented to by you.

At or around the time we collect personal information from you, we will endeavour to provide you with a notice which details how we will use and disclose that specific information.

We set out some common collection, use and disclosure instances in the table below.

Purpose	Type of Information	Uses	Disclosures
<b>Sales and enquiries</b>	<ul style="list-style-type: none"> <li>• <b>Contact information:</b> Such as your name, address, billing address (if different to address), email address and phone numbers.</li> <li>• <b>Transaction Sales:</b> Such as payment card details.</li> <li>• <b>Customer Service:</b> Such similar information collected by our customer services department.</li> </ul>	<p>The types of uses we will make of personal information collected for this type of purpose include:</p> <ul style="list-style-type: none"> <li>• <b>Identity verification:</b> if required, the verification of your identity.</li> <li>• <b>Services:</b> the provision of our services to you including: <ul style="list-style-type: none"> <li>- Using your personal information in order for you to use the products and services offered, including provision of quotes or drawings of your items of jewellery.</li> <li>- Payment processing, including charging, credit card authorisation, verification and debt collection.</li> <li>- Checks for financial standing and credit-worthiness (as detailed in our Credit Reporting Policy).</li> <li>- To provide customer service functions, including handling customer enquiries and complaints.</li> </ul> </li> <li>• <b>General administrative and security use:</b> <ul style="list-style-type: none"> <li>- To protect AG Designer Jeweller's websites from security threats, fraud or other criminal activities.</li> <li>- The use for the administration and management of AG Designer Jeweller.</li> <li>- The maintenance and development of our products and services, business systems and infrastructure.</li> <li>- In connection with the sale of any part of AG Designer Jeweller's business or a company owned by an AG Designer Jeweller entity.</li> <li>- To provide customer services to clients and for quality assurance purposes.</li> </ul> </li> </ul>	<p>The types of disclosures we will make of personal information collected for the type of purposes listed include, without limitation, to:</p> <ul style="list-style-type: none"> <li>• Third parties connected with the sales process including ecommerce, payment gateway providers (such as ZipPay) and financial institutions.</li> <li>• Service providers (including contractors, software providers and suppliers) who assist AG Designer Jeweller in providing our products and services.</li> <li>• Related bodies corporate of AG Designer Jeweller (including related entities).</li> <li>• Third parties in connection with the sale of any part of AG Designer Jeweller's business or a company owned by an AG Designer Jeweller's entity.</li> <li>• As required or authorised by law.</li> </ul>
<b>Credit information</b>	<ul style="list-style-type: none"> <li>• <b>Contact and identifying information:</b> <ul style="list-style-type: none"> <li>- Such as your name, address, billing address (if different to address), email address, and phone numbers.</li> <li>- Bank account (including bank statements), credit or debit card details.</li> <li>- Details of required primary identification information (such as a current Australian drivers licence, Medicare card, passport, birth certificate, etc).</li> <li>- Occupation and employment details (including, if applicable, pay slips).</li> </ul> </li> </ul>	<p>For full details relating to uses of personal information in relation to the use of credit information, please refer to our Credit Reporting Policy.</p> <ul style="list-style-type: none"> <li>• <b>Vendor and Supplier payments:</b> The processing of any payments and refunds, if applicable.</li> <li>• <b>Purchases of AG Designer Jeweller's products and services:</b> Payment processing, including charging, refunds (if applicable), credit card authorisation, verification and debt collection.</li> <li>• <b>General administrative and security use</b> as detailed in the Uses column for "<i>Sales and enquiries</i>".</li> </ul>	<p>For full details relating to disclosures of personal information in relation to any credit information, please refer to our Credit Reporting Policy.</p> <p>In summary, we may disclose this type of personal information to:</p> <ul style="list-style-type: none"> <li>• Our contractors, software providers, agents and third party providers who undertake billing and credit services on our behalf.</li> <li>• Third party providers who assist us in providing our products and services to you.</li> <li>• Third parties, such as external debt recovery agents, court or other entities to which we are required by law to disclose personal information.</li> </ul>

Purpose	Type of Information	Uses	Disclosures
<b>Marketing</b>	<ul style="list-style-type: none"> <li>• <b>Contact information:</b> Such as your name, email address, phone numbers, country of residence (and, if applicable, age).</li> <li>• <b>Social media activity:</b> Including “likes”, comments posted, any of your oppositions or feedback, photos posted or uploaded and other information pertaining to your social media activities which concern, or relate, to AG Designer Jeweller.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Social media:</b> If you participate in our social media platforms (such as Facebook, Twitter and LinkedIn) and you provide us with your personal information, we will use it for: <ul style="list-style-type: none"> <li>- Customer service related contact.</li> <li>- Responding to social media messages.</li> <li>- Fulfilling social media platform rules.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• The parties listed in the Disclosure column for “Sales and enquiries”.</li> </ul> <p>We may disclose your personal information to:</p> <ul style="list-style-type: none"> <li>• The parties listed under Disclosures in relation to “Sales and enquiries” and “Competition or charity event”, below.</li> </ul>
<b>Human resources</b>	<ul style="list-style-type: none"> <li>• <b>Contact information:</b> Such as your name, e-mail address, current postal and residential address, phone numbers, country of residence, next of kin contact details.</li> <li>• <b>Employee record information</b></li> <li>• <b>Identifying information:</b> Such as your photo, passport and residency details, date of birth.</li> <li>• <b>CV, resume or application related information:</b> Such as the details provided in your resume or CV, your eligibility to work in Australia, your education and previous employment details.</li> <li>• <b>Tax, superannuation and payroll information:</b> Such as your Tax File Number and ATO Declaration, Superannuation details and financial institution details.</li> <li>• <b>Reference check information:</b> Information obtained from you or your referees to perform employment reference checks.</li> <li>• <b>Performance related information:</b> Pre-employment testing and other information collected by AG Designer Jeweller’s systems in the course of the employee or contractor’s engagement with AG Designer Jeweller.</li> <li>• <b>Information collected from referees</b></li> <li>• <b>Security information:</b> Such as CCTV footage and photographs taken on our premises.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Background checks:</b> Utilising the information collected for the purpose of assessing candidate suitability for role, including by obtaining: <ul style="list-style-type: none"> <li>- Verification of your identity and age.</li> <li>- Background checks including publically available information including Facebook, Twitter, Instagram, YouTube.</li> <li>- Confirmation of eligibility to work in Australia.</li> <li>- Confirmation of education and qualifications.</li> <li>- Confirmation of previous employment.</li> </ul> </li> <li>• <b>Administration and performance monitoring use:</b> Utilising the information collected for the purpose of: <ul style="list-style-type: none"> <li>- Dealings related to the employer/employee relationship or the contractor/principal relationship (as the case may be).</li> <li>- Use of such information whether or not the employment or contractor relationship is prospective, current or past.</li> <li>- Use of such information to monitor systems, performance and time usage and internet usage.</li> <li>- The use of your personal information collected in the administration and management of AG Designer Jeweller.</li> <li>- In connection with the sale of any part of AG Designer Jeweller’s business or a company owned by an AG Designer Jeweller entity.</li> </ul> </li> </ul>	<p>We may disclose your personal information to:</p> <ul style="list-style-type: none"> <li>• Relevant superannuation company.</li> <li>• Government agencies, including but not limited to The Australian Taxation Office, Centrelink and Child Support Agency.</li> <li>• Relevant Worker’s Compensation organisation (e.g. WorkCover etc).</li> <li>• Third party referees provided by you in connection with an application made to AG Designer Jeweller.</li> <li>• Service providers (including contractors and payroll providers), if any.</li> <li>• Recruitment agents used in connection with your application with us.</li> <li>• Third parties in connection with the sale of any part of AG Designer Jeweller’s business or a company owned by an AG Designer Jeweller’s entity.</li> <li>• Referees in connection with obtaining any reference checks.</li> <li>• Financial institutions for payroll purposes.</li> <li>• As required or authorised by law.</li> </ul>

### **3. How AG Designer Jeweller collects and holds personal information**

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#### **3.1 Collection generally**

As much as possible or unless provided otherwise in this Privacy Policy or a notification, we will collect your personal information directly from you.

When you engage in certain activities, such as filling out a survey or sending us feedback, we may ask you to provide certain information. It is completely optional for you to engage in these activities.

Depending upon the reason for requiring the information, some of the information we ask you to provide may be identified as mandatory or voluntary. If you do not provide the mandatory information or any other information we require in order for us to provide our products or services to you, we may be unable to provide our products or services to you in an effective manner, or at all.

#### **3.2 Other collection types**

We may also collect personal information about you from other sources including from third parties. Some examples of these alternative collection events are:

- (a) when we collect personal information about you from third parties; or
- (b) when we collect personal information about you from publically available sources including but not limited to, court judgments, directorship and bankruptcy searches, Australia Post, White Pages directory, and social media platforms (such as Facebook, Twitter, Google, Instagram, etc.).

#### **3.3 Notification of collection**

If we collect details about you from someone else, we will, whenever reasonably possible, make you aware that we have done this and why, unless special circumstances apply, including as described in this clause 3.3(a) to 3.3(c) below. Generally speaking, we will not tell you when we collect personal information about you in the following circumstances:

- (a) where information is collected from any personal referee you have listed on any application form (including any employment application) with AG Designer Jeweller;
- (b) where information is collected from publically available sources including but not limited to court judgments, directorship and bankruptcy searches, social media platforms (such as Facebook, Twitter, Google, Instagram etc); or
- (c) as otherwise required or authorised by law.

#### **3.4 Unsolicited personal information**

In the event we collect personal information from you, or a third party, in circumstances where we have not requested or solicited that information (known as unsolicited information), and it is determined by AG Designer Jeweller (in its absolute discretion) that the personal information is not required, we will destroy the information or ensure that the information is de-identified.

In the event that the unsolicited personal information collected is in relation to potential future employment with AG Designer Jeweller, such as your CV, resume or candidacy related information, and it is determined by AG Designer Jeweller (in its

absolute discretion) that it may consider you for potential future employment, AG Designer Jeweller may keep the personal information on its human resource records.

### 3.5 **How we hold your personal information**

Once we collect your personal information, we will either hold it securely and store it physical or on infrastructure owned or controlled by us or with a third party service provider who have taken reasonable steps to ensure they comply with the *Privacy Act 1988* (Cth). We provide some more general information on our security measures in **Section 7 (Data security and quality)**.

### 3.6 **Cookies and IP addresses**

If you use our website, we may utilise "cookies" which enable us to monitor traffic patterns, trends and to serve you more efficiently if you revisit our website. In most cases, a cookie does not identify you personally but may identify your internet service provider or computer.

We may gather your IP address as part of our business activities and to assist with any operational difficulties or support issues with our services. This information does not identify you personally.

However, in some cases, cookies may enable us to aggregate certain information with other personal information we collect and hold about you. AG Designer Jeweller extends the same privacy protection to your personal information, whether gathered via cookies or from other sources, as detailed in this Privacy Policy.

You can set your browser to notify you when you receive a cookie and this will provide you with an opportunity to either accept or reject it in each instance. However, if you disable cookies, you may not be able to access certain areas of our websites or take advantage of the improved web site experience that cookies offer.

## 4. **Uses and discloses of personal information**

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### 4.1 **Use and disclose details**

We provide a detailed list at **Section 2** of some common uses and disclosures we make regarding the personal information we collect.

### 4.2 **Other uses and disclosures**

We may also use or disclose your personal information and in doing so we are not required to seek your additional consent:

- (a) when it is disclosed or used for a purpose related to the primary purposes of collection detailed above and you would reasonably expect your personal information to be used or disclosed for such a purpose;
- (b) if we reasonably believe that the use or disclosure is necessary to lessen or prevent a serious or imminent threat to an individual's life, health or safety or to lessen or prevent a threat to public health or safety;
- (c) if we have reason to suspect that unlawful activity has been, or is being, engaged in; or
- (d) if it is required or authorised by law.

#### 4.3 **Use and disclosure procedures**

In the event we propose to use or disclose such personal information other than for reasons set out in the above table at **Section 2** or as otherwise outlined in this Privacy Policy, we will first notify you or seek your consent prior to such disclosure or use.

Your personal information is disclosed to these organisations or parties only in relation to the products or services we provide to you or for a purpose permitted by this Privacy Policy.

We take such steps as are reasonable to ensure that these organisations or parties are aware of the provisions of this Privacy Policy in relation to your personal information.

#### 4.4 **Communications opt-out**

If you have received communications from us and you no longer wish to receive those sorts of communications, you should contact us via the details set out at the top of this document and we will ensure the relevant communication ceases. Any other use or disclosure we make of your personal information will only be as required or authorised by law or as permitted by this Privacy Policy or otherwise with your consent.

### 5. **Direct Marketing**

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#### 5.1 **Express informed consent**

You give your express and informed consent to us using your personal information set out in the “*Sales and Enquiries*” or “*Marketing Services*” sections of the table at **Section 2** of this document above to provide you with information and to tell you about our products, services or events or any other direct marketing activity (including third party products, services, and events) which we consider may be of interest to you via social media (**Direct Marketing Communications**).

#### 5.2 **Inferred consent and reasonable expectations of direct marketing**

Without limitation to paragraph 5.1, if you have provided inferred or implied consent (e.g. not opting out where an opt-out opportunity has been provided to you) or if it is within your reasonable expectation that we send you Direct Marketing Communications given the transaction or communication you have had with us, then we may also use your personal information for the purpose of sending you Direct Marketing Communications which we consider may be of interest to you.

#### 5.3 **Opt-out**

If at any time you do not wish to receive any further Direct Marketing Communications from us or others under this Section 5, you may ask us not to send you any further information about products and services and not to disclose your information to other organisations for that purpose. You may do this at any time by using the “unsubscribe” facility included in the Direct Marketing Communication or by contacting us via the details set out at the top of this document.

## 6. Credit Information and our Credit Reporting Policy

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### 6.1 Credit information generally

The *Privacy Act 1988* (Cth) contains provisions regarding the use and disclosure of credit information, which applies in relation to the provision of both consumer credit and commercial credit.

### 6.2 Credit information and AG Designer Jeweller

As we provide terms of payment of accounts which are greater than 7 days, we are considered a credit provider under the Privacy Act in relation to any credit we may provide you (in relation to the payment of your account with us).

We use credit related information for the purposes set out in the "Credit information" section of the table at **Section 2** above and our **Credit Reporting Policy** which includes but is not limited to using the information for our own internal assessment of your credit worthiness.

### 6.3 Storage and access

We will store any credit information you provide us, or which we obtain about you, with any other personal information we may hold about you.

You may request to access or correct your credit information in accordance with the provisions of **Section 10** and the provisions of our **Credit Reporting Policy**.

### 6.4 Complaints

Please see **Section 11** and the provisions of our **Credit Reporting Policy** if you wish to make a complaint in relation to our handling of your credit information.

### 6.5 Our Credit Reporting Policy

Please see our **Credit Reporting Policy** for further information as to the manner in which we collect, use, store and disclose credit information.

## 7. Anonymity and pseudo-anonymity

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Due to the personal nature of the services that we provide, it is only practicable or reasonable for AG Designer Jeweller to transact and correspond with you on a named basis and your personal information may be required in order to provide you with our products and services or to resolve any issue you may have.

## 8. Cross Border Disclosure

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### 8.1 Cross border disclosure

Any personal information collected and held by AG Designer Jeweller may be disclosed to, and held at, a destination outside Australia by virtue of our use of third party service providers, including but not limited to USA, Singapore, Taiwan, Ireland, Netherlands, Finland and Belgium to assist us in providing our goods and services to you.

As we use service providers and platforms which can be accessed from various countries via an Internet connection, it is not always practicable to know where your



information may be held. If your information is stored in this way, disclosures may occur in countries other than those listed above.

## 8.2 **Provision of informed consent**

By submitting your personal information to us, you expressly agree and consent to the disclosure, transfer, storing or processing of your personal information outside of Australia. In providing this consent, you understand and acknowledge that countries outside Australia do not always have the same privacy protection obligations as Australia in relation to personal information. However, we will take steps to ensure that your information is used by third parties securely and in accordance with the terms of this Privacy Policy and the *Privacy Act 1988* (Cth).

## 8.3 **If you do not consent**

If you do not agree to the disclosure of your personal information outside Australia by us, you should (after being informed of the cross border disclosure) tell us that you do not consent. To do this, either elect not to submit the personal information to us after being reasonably informed in a collection notification or please contact us via the details set out at the top of this document.

# 9. **Data security and quality**

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## 9.1 **AG Designer Jeweller's security generally**

We have taken steps to help secure and protect your personal information from unauthorised access, use, disclosure, alteration, or destruction. You will appreciate, however, that we cannot guarantee the security of all transmissions or personal information, especially where human error is involved or malicious activity by a third party.

Notwithstanding the above, we will take reasonable steps to:

- (a) make sure that the personal information we collect, use or disclose is accurate, complete and up to date;
- (b) protect your personal information from misuse, loss, unauthorised access, modification or disclosure; and
- (c) destroy or permanently de-identify personal information if it is no longer needed for its purpose of collection.

## 9.2 **Accuracy**

The accuracy of personal information depends largely on the information you provide to us, so we recommend that you:

- (a) let us know if there are any errors in your personal information; and
- (b) keep us up-to-date with changes to your personal information (such as your name or address).

We provide information about how you can access and correct your information in **Section 10**.

## **10. Access to and correction of your personal information**

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You are entitled to have access to any personal information relating to you which we hold, except in some exceptional circumstances provided by law (including the *Privacy Act 1988 (Cth)*). You are also entitled to edit and correct such information if the information is inaccurate, out of date, incomplete, irrelevant or misleading.

If you would like access to or to correct any records of personal information we have about you, you are able to access and update that information (subject to the above) by contacting us via the details set out at the top of this document.

## **11. Resolving Privacy Complaints**

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### **11.1 Complaints generally**

We have put in place an effective mechanism and procedure to resolve privacy complaints. We will ensure that all complaints are dealt with in a reasonably appropriate timeframe so that any decision (if any decision is required to be made) is made expeditiously and in a manner that does not compromise the integrity or quality of any such decision.

### **11.2 Contacting AG Designer Jeweller regarding complaints**

If you have any concerns or complaints about the manner in which we have collected, used or disclosed and stored your personal information, please contact us:

Telephone: (07) 3210 0213

Email: [info@agdesignerjeweller.com](mailto:info@agdesignerjeweller.com)

Address: Shop 5b Tattersalls Arcade, 202 Edward St, Brisbane, QLD 4001

Please mark your correspondence to the attention of the Privacy Officer.

### **11.3 Steps we take to resolve a complaint**

In order to resolve a complaint, we:

- (a) will liaise with you to identify and define the nature and cause of the complaint;
- (b) may request that you provide the details of the complaint in writing;
- (c) will keep you informed of the likely time frame within which we will respond to your complaint; and
- (d) will inform you of the legislative basis (if any) of our decision in resolving such complaint.

### **11.4 Register of complaints**

We will keep a record of the complaint and any action taken in a Register of Complaints.

## **12. Consent, modifications and updates**

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### **12.1 Interaction of this Policy with contracts**

This Privacy Policy is a compliance document prescribed by law rather than a legal contract between two or more persons. However, certain contracts may incorporate all, or part, of this Privacy Policy into the terms of that contract. In such instances, AG Designer Jeweller may incorporate the terms of this policy such that:

- (a) certain sections or paragraphs in this policy are incorporated into that contract, but in such a way that they do not give rise to contractual obligations onto AG Designer Jeweller but do create contractual obligations on the other party to the contract; and
- (b) the consents provided in this policy become contractual terms provided by the other party to the contract.

### **12.2 Acknowledgement**

By using our website, purchasing a product or service from AG Designer Jeweller, where you have been provided with a copy of our Privacy Policy or had a copy of our Privacy Policy reasonably available to you, you are acknowledging and agreeing:

- (a) to provide the consents given by you in this Privacy Policy; and
- (b) that you have been informed of all of the matters in this Privacy Policy.

### **12.3 Modifications and updates**

We reserve the right to modify our Privacy Policy as our business needs require. We will take reasonable steps to notify you of such changes (whether by direct communication or by posting a notice on our website).

If you do not agree to our continued use of your personal information due to the changes in our Privacy Policy, please stop providing us with your personal information and contact us via the details set out at the top of this document.