

CLAMMS SEAFOOD PRIVACY & CREDIT REPORTING POLICY

This Privacy & Credit Reporting Policy applies to the management of your personal information (“PI”) by or on behalf of Clamms Seafood Pty Ltd (ACN 115 260 752) (“**Clamms, we, us, our**”).

Clamms supplies and delivers to its customers the finest fresh wholesale fish, seafood, frozen goods and finger foods in Victoria and New South Wales (our **products** and **services**).

We have created this privacy policy in order to demonstrate our commitment to the *Privacy Act 1988 Cth* (“**Privacy Act**”) and the Australian Privacy Principles (“**APPs**”) (together, the “**Australian Privacy Law**”). It sets out how we may collect, hold, use or disclose your PI. This is also our credit reporting policy for the purposes of Part IIIA of the Privacy Act and it sets out, if relevant to you, how we manage your credit information, including any information we receive in connection with an Account Application.

What PI do we collect?

We collect and hold PI such as your name, phone number, email and home address. If you purchase products directly from us, we may also collect your bank or credit card details for payment and details of your credit history and creditworthiness.

How we collect your PI

We collect your PI as part of us offering or providing our products or services. This includes when you provide your PI to us via our website, during phone calls, during our recruitment processes, by email, by filling-in an Account Application, or otherwise via customer enquiries. Generally, we collect your PI directly from you but we may also collect your PI from other people or organisations if you have given your consent.

Why do we need your PI?

We only collect or hold your PI where it is reasonably necessary for our business functions or activities.

In particular, we need your PI to provide you with our products and/or services which includes communicating with you (such as via direct marketing) about our products and/or services, creating and updating our database(s), ensuring compliance with our contractual and other legal obligations to you, and administering our relationship with you by responding to your enquiries (**Main Purposes**).

If you do not provide us with your PI we may not be able to carry out some or all of the Main Purposes.

How do we use your PI?

By submitting your PI to us, you consent to us using your PI for the Main Purposes, any purpose related to one of the Main Purposes, and any purpose that could reasonably be expected at the time your PI was collected. This may include: providing you with or improving our products or services; sending you direct marketing about our products or services, deals and promotions; conducting customer surveys; managing our relationship with you; monitoring how you interact with us on our website or other contact points; helping you to complete an activity that you have chosen to undertake; or doing any other act that we are required or authorised to do by law. We may also use your PI for any purpose disclosed to you in an information collection statement at the point where we collect your PI, or to which you otherwise consent.

We may use certain non-personally identifiable information (such as anonymous usage data, IP addresses, browser type etc.) to improve the quality and design of our website, and to create new features, promotions, functionality and services by storing, tracking, analysing and processing user preferences and trends as well as user activity and communications.

Can you remain anonymous or use a pseudonym?

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We will, if practicable, allow you to use a pseudonym or to not identify yourself (unless this is impractical or against the law (including the Australian Privacy Law)).

In some instances, if you do not provide us with certain PI we may not be able to provide you with the relevant product, service or information. This may have an effect on whether we can begin or continue a relationship with you, including whether your Account Application is approved.

What disclosures will we make?

Generally speaking, we will disclose your PI for the Main Purposes. We may also disclose your PI in other ways with your consent or to any other party where we are authorised or required to do so by law (including the Australian Privacy Law).

We may disclose your PI to our partners, suppliers and distributors in order to assist us in providing our products or services to you. We use a network of partners, suppliers and distributors to ensure that our products and services are of a high quality and meet our exacting standards.

Is your PI confidential and secure?

We take all reasonable steps to keep the PI we hold secure and to ensure it is protected against misuse, loss, unauthorised access, modification or inappropriate disclosure. We may hold PI in both hard copy and electronic forms in secure systems accessible only to authorised personnel.

Do we use “cookies”?

When you visit our website, the server may attach a "cookie" to your computer's memory. A "cookie" assists us to store information about how you use our website and to make assumptions about what information may be of most interest to you. This information is generally not linked to your identity. We may use knowledge of your user experience to better understand what products or services may be of interest to you and to collect statistical information.

Using other sites

This site may contain links to other websites. Unless the other website is one of our sites, we are not responsible for the privacy practices of the owners of those websites. We recommend that you read the privacy policy of any website that asks you to provide your PI.

Changes to our Privacy & Credit Reporting Policy

We may need to change this Privacy & Credit Reporting Policy from time to time. When we do amend it, the changes will be effective immediately upon being made public on our website at <http://www.clamms.com.au/>. We will use reasonable measures to notify you of any relevant changes to this privacy policy, but please be aware that it is your responsibility to review our Privacy & Credit Reporting Policy regularly and make sure you keep up to date with any changes.

Credit reporting information

We may provide credit as contemplated in the Privacy Act to our customers in connection with our products and services (for example, credit term accounts). We therefore may collect credit information and credit eligibility information about you as set out in the Privacy Act. This Privacy & Credit Reporting Policy sets out how we manage that information. It relates to Clamms and to our related entities that are deemed to be credit providers or affected information recipients for the purposes of the Privacy Act.

We may collect credit information about you in connection with an application for credit and in any of the circumstances relating to other PI detailed in the “What PI do we collect?” and “How do we use your PI?” sections of this policy.

Credit information includes (a) identification information; (b) information relating primarily to your credit related dealings with us and covers various types of information that can be collected by Credit

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Reporting Bodies (“**CRBs**”) that report on consumer credit worthiness; (c) financial information relating to directors, partners, trustees, sole traders and any person who acts or proposes to act as a guarantor; (d) basic information about your credit account; (e) historical solvency information of directors, partners, trustees, sole traders or managers associated with a business applying for credit; (f) details about information requests we make about you to CRBs; (g) information about certain overdue payments, serious credit infringements; and (h) various publicly available information like bankruptcy and credit-related court judgements.

Credit eligibility information is information equivalent to the types set out above that are generally obtained from CRBs. This information relates primarily to your dealings with other credit providers (i.e. banks, other financial institutions and entities that may provide you with credit in connection with their goods or services). It may also include certain credit worthiness information that is derived from data collected from a CRB or other credit reporters.

We store and secure your credit information and credit eligibility information in the manner described in the “Is your PI confidential and secure?” section of this policy.

How do we use and disclose your credit information and credit eligibility information?

Credit information and credit eligibility information disclosed to us is principally used in connection with your application for credit to assess that application and for the ongoing management of a credit account and otherwise as permitted by law. This may involve any of the following uses:

- (a) processing credit-related applications (including assessing your credit worthiness and includes obtaining consumer and commercial credit reports from CRBs) and managing the ongoing credit that we provide;
- (b) assisting you if we think you may be at risk of default;
- (c) collecting amounts you may owe us in relation to such credit and dealing with serious credit infringements;
- (d) providing or exchanging PI with any person whose name is provided to us in connection with your application for credit (including trade references);
- (e) internal management purposes;
- (f) participating in the credit reporting system and providing information to CRBs as permitted by the Privacy Act;
- (g) dealing with complaints or regulatory matters relating to credit or credit reporting; and
- (h) as required or permitted by the Australian Privacy Law or another law.

We may disclose your credit information to CRBs who may then include that information in credit reports they provide to other credit providers to assist those credit providers assessing your credit worthiness.

We may also use and disclose your credit information for other purposes and in other circumstances as set out in the “Why do we need your PI?” and “How do we use your PI?” sections of this policy, when permitted to do so by the Privacy Act.

In some cases, the people to whom we may disclose your credit information or credit eligibility information to may be based outside Australia – for more information please see the details under the “What disclosures will we make?” section of this policy.

Credit reporting bodies to whom we may share credit-related PI include:

- Dun and Bradstreet (Australia) Pty Ltd, www.checkyourcredit.com.au PO Box 7405, St Kilda Road, Melbourne, VIC 3004
- Veda Advantage Information Services and Solutions Limited, www.veda.com.au PO Box 964, North Sydney, NSW 2059

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- Experian Australia Credit Services Pty Ltd, www.experian.com.au P.O. Box 1969, North Sydney, NSW 2060

These CRBs are each required to have a policy which explains how they will manage your credit-related PI. To view the policy of any of these CRBs please visit the relevant CRB's website and follow the "Privacy" links, or you can contact them directly for further information.

Accessing and correcting your credit information or credit eligibility information

If you wish to access or correct errors in any of your credit information or credit eligibility information that we hold, please contact us using the contact details set out in the "Contacting us about privacy" section of this policy.

We will assist you with accessing and correcting any of your credit information or credit eligibility information that we hold as described in the "Contacting us about privacy" section of this policy. There is no charge to make a request for access but we may apply an administration fee as permitted by the Privacy Act for providing access in accordance with your request.

Contacting us about privacy or credit information

You are responsible for ensuring that your PI is accurate, current and complete and we encourage you to update if your PI changes.

You may ask us to provide a summary of the PI we hold about you, subject to certain limitations under the Australian Privacy Law. For your protection, we may require you to confirm your identity before access to your PI is granted. In most cases, we can provide you with a summary of your PI free of charge. However, in some circumstances, reasonable costs may be charged to you in accessing your PI, subject always to the Australian Privacy Law.

If you have a question or want to make a complaint about how we handle your PI or credit information, please contact us using the details below. We will review any question, complaint or concern you may have and will respond to you after we have carefully considered it. We will, where reasonably possible, take steps to investigate and resolve complaints within 30 days. Please note, we may require further information from you in order to resolve any complaints. If we need more time, we will notify you about the reasons for the delay and seek to agree a longer period with you (if you do not agree, we may not be able to resolve your complaint). If we cannot resolve a complaint related to your privacy or credit information, you may contact the Office of the Australian Information Commissioner ("**OAIC**") directly.

We can be contacted via:

Email: privacy@clamms.com.au

Phone: (03) 9689-6322

Post: 1/2 Somerville Rd

Yarraville, VIC, 3013

Or for more information about privacy issues in Australia and protecting your privacy, please visit the OAIC website at www.oaic.gov.au.

Last date Updated: 18 November 2016