

## OUR PRIVACY POLICY

Daimler Truck and Bus Australia Pacific Pty Ltd (“we”, “us” or “our”) knows that our use, collection and protection of your personal information is important. We respect your personal information and privacy, and are committed to keeping your personal information safe.

This Privacy Policy outlines:

- the kinds of information we collect and hold about you;
- how you can deal with us anonymously;
- the kinds of sensitive information we collect;
- how we collect your personal information;
- the purpose by which and how we collect, use and disclose your personal information;
- cross border disclosure;
- when we will use your personal information for direct marketing;
- how we keep your information secure;
- how to access, update or correct your personal information; and
- how you can make a privacy complaint.

If you are based in Australia, we are bound by the *Privacy Act 1988* (Cth) and specifically, the Australian Privacy Principles in Schedule 1 of that Act (“APPs”), and if you are based in New Zealand, we are bound by the *Privacy Act 1993* (NZ) (as that Act may be amended or superseded from time to time), such Act which applies in the circumstances being the “**Privacy Act**”.

Most of our authorised dealer network is independently owned and operated, and may have privacy policies which differ from ours (except in the case of wholly owned retail outlets, in which case, this policy applies). Our independent authorised dealers are responsible for their own respective privacy policies and privacy related processes. If you have any privacy concerns relating to an independent dealer then please contact the relevant dealer directly.

This Privacy Policy applies to customers, potential customers, suppliers, service providers, dealers, contractors, secondees, potential employees, temporary staff and generally does not apply in relation to our current or former employees.

### 1. THE COLLECTION OF PERSONAL INFORMATION

#### 1.1 Kinds of information we collect and hold

We collect information that is reasonably necessary for or directly related to one or more of our functions and activities. Personal information means information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether or not that information or opinion is true or recorded in a material form. The types of personal information we may collect include but are not limited to your:

- name;
- gender;
- age and birth date;
- occupation and employment details;
- contact details;
- residential and/or business address;
- registration and driver’s licence details;
- credit card and bank account details;
- other financial information;
- current and past vehicle information and details;
- cookies and website tracking (for information about what cookies are and how we use them, please refer to our Cookies statement on our website);
- location through vehicle tracking technology in vehicles;
- voice when we record inbound and outbound calls for quality, training and record purposes;
- image by videos and photos at events, during market research or through security cameras;
- educational qualifications, resume and reference checks; and
- personal interests.

#### Anonymity

Where appropriate, we provide you with the option of remaining anonymous when entering into transactions with us, unless such anonymity would be considered unlawful or impracticable. If you elect not to provide us with your personal information, we may not

be able to do business with you or consider you for recruitment opportunities. We will endeavour to make this option as clear as possible when required.

### **Sensitive Information**

Generally we do not collect sensitive information. However, we may collect sensitive information about you (for example, health information and criminal record checks if you are applying for a job with us), if we have your express consent or if the collection is required or authorised by law. If you provide us with any sensitive personal information, we will take all reasonable steps to ensure this information is securely protected.

### **1.2 How we collect your personal information**

We take steps to ensure that we collect personal information by lawful means, and obtain your personal information in various ways, including but not limited to:

- when you contact or correspond with us;
- when you phone our customer support and assistance centres or require support;
- when you attend one of our premises;
- when you visit an authorised dealership to test drive or purchase a vehicle or have your vehicle serviced or repaired. Vehicles that you test drive or loan from us or one of our wholly owned dealerships may also be fitted with anti-theft tracking technology and in this respect we may track your location;
- if you order a product or service from us;
- if you apply to be a dealer or through dealer communications;
- from third party roadside assistance service providers;
- via our websites if you choose to supply the information to us by entering your information into the interactive sections on our websites (for example, enquiry forms, message boards, chat, profile pages, blogs, social networking features and the like). Please be aware that any information you post or disclose on these websites may be available to other site visitors and the general public (depending on the privacy settings you have in place);
- if you provide us with your business card;
- when you attend a (product) focus group, review a product or complete a survey;
- via social media;
- from competitions or promotions you have participated in or our events you have attended;
- from publicly available sources (including but not limited to commercially available sources such as data aggregators and public databases (including government databases)) and also information that you or others may post about yourself online e.g. social media pages. This information may include things like name, demographic, interests and other publically observed data. We (or our service provider on our behalf) may combine this information from information with other information including information we collect directly from you. We may also associate information about your use of our digital services over time with your personal information, e.g. where on any occasion you have logged in, followed a link sent to you by email or where we have otherwise been able to identify you;
- from third party service providers;
- when you apply for work with us and during reference checks;
- from other related or Daimler Group companies;
- from Austroads Ltd's National Exchange of Vehicle and Driver Information Systems if we are conducting a recall; and/or
- from government bodies, enforcement and regulatory authorities.

Where you provide personal information about other individuals to us (for example, joint owners, family members or referees), we rely on you to inform those individuals that you are providing their personal information to us and tell them about this Privacy Policy.

In the event we collect personal information from you, or a third party, where we have not requested or solicited that information (also known as unsolicited information), and we determine your personal information is not required, and not legally required, we will destroy the information or ensure the information is de-identified as soon as reasonably practicable.

## **2. PURPOSE OF COLLECTION, USE AND DISCLOSURE OF PERSONAL INFORMATION**

### **2.1 How we use personal information**

Primarily we collect personal information so we can provide you with the best possible products and services that we and our authorised dealerships have to offer, to create a more personalised experience for you, and in order to comply with our legal, regulatory, industry or workplace requirements. More specific purposes include but are not limited to:

- any purpose which we inform you about when we collect your personal information or to which you have provided your consent;
- any purpose relating to buying, selling, repairing and loaning vehicles and parts;
- if you wish to own or already own a franchise of our products and/or services;
- any related purpose which would be reasonably necessary or directly related to one or more of our functions or activities;
- responding to enquiries in relation to products we sell and services we offer;

- providing support to our customers and authorised dealer network;
- customer assistance, care, contact and information;
- fulfilling and processing orders and administering accounts;
- roadside assistance, vehicle warranty, product issues, service measures and recalls;
- marketing, event and promotional activities;
- informing you of special events or offers;
- market research, customer surveys, customer analysis and product development;
- accounting, billing or other internal administrative purpose;
- recruitment purposes;
- to protect our interests by registering a security interest on the Personal Property Securities Register;
- checking against sanctions lists;
- to comply with industry, legal and regulatory requirements; and/or
- where permitted or required by law, a court or tribunal.

## 2.2 Disclosure

During the course of our day to day business, we may disclose your personal information to third parties outside our organisation, including but not limited to:

- those that you have consented we disclose your personal information to, either impliedly by your conduct, verbally or in writing;
- our authorised dealer network;
- contracted service providers including but not limited to advertising and marketing agencies, financiers, insurers, mailing houses, printers, organisations that assist us to conduct promotions or market research, payroll service providers, recruitment agencies, debt collectors, data analysts, legal, tax, accounting, insurance and IT service providers, roadside assistance providers, database storage and service providers, cloud service providers and professional advisors;
- to other members that are part of, related to or associated with the Daimler Group (many of whom are based overseas see 2.3 below);
- to related companies for example (not an exhaustive list), Daimler AG, Daimler Truck AG, Mitsubishi Fuso Truck and Bus Corporation, Daimler Trucks North America LLC, Mercedes-Benz Australia/Pacific Pty Ltd and Mercedes-Benz Financial Services Australia Pty Ltd;
- for the purposes of facilitating or implementing a sale or transfer of all or part of our assets or business; and/or
- as required by an enforcement authority, regulator, law, court or tribunal.

## 2.3 Cross border disclosure

In the ordinary course of our day to day business activities and those of our related and associated entities and service providers, your personal information may be transferred, accessed, processed and/or stored in various countries within Asia, Africa, Europe and North America and other parts of Australasia. Though for the most part, this will mean Germany, Singapore, the United States of America, the United Kingdom, India and Japan.

Where we arrange for work or services to be undertaken on our behalf, that work is undertaken under conditions of confidentiality and may result in your personal information being transferred, accessed, processed and/or stored (for example, on clouds or servers) in various countries for the purpose of service delivery to us or you.

Unless an exception applies in the Privacy Act, prior to disclosing personal information to overseas recipients we will take reasonable steps in the circumstances to ensure that the overseas recipient adheres to the Privacy Act.

## 2.4 Transfer of Personal Information to Third Parties; Social Media Plugins; Use of Service Providers

Our website may also contain social media plug-ins from third parties.

When we use social plug-ins on our websites from social networks such as Facebook, Instagram and Twitter, we integrate them as follows:

- When you visit our websites, the social plug-ins are deactivated, i.e. no data is transmitted to the operators of these networks. If you want to use one of the networks, click on the respective social plug-in to establish a direct connection to the server of the respective network.
- If you have a user account on the network and are logged in when you activate the social plug-in, the network can associate your visit to our websites with your user account. If you want to avoid this, please log out of the network before activating the social plug-in. A social network cannot associate a visit to other Daimler group websites until you have activated an existing social plug-in.
- When you activate a social plug-in, the network transfers the content that becomes available directly to your browser, which integrates it into our websites. In this situation, data transmissions can also take place that are initiated and controlled by the respective social network. Your connection to a social network, the data transfers taking place between the network and your system, and your interactions on that platform are governed solely by the privacy policies of that network.

- The social plug-in remains active until you deactivate it or delete your cookies.

## Cookie Policy

If you click on the link to an offer or activate a social plug-in, personal data may reach providers in countries outside of Australia that may not guarantee an “adequate level of protection” for the processing of personal data. Please remember this before clicking on a link or activating a social plug-in and thereby triggering a transfer of your data.

We also use qualified service providers (IT service providers, marketing agencies) to operate, optimise and secure our websites. We only pass on personal data to the latter insofar as this is necessary for the provision and use of the website and its functionalities, for the pursuit of legitimate interests or insofar as you have consented there to. Data may be transmitted to recipients outside of Australia.

## **2.5 Evaluation of use data (“tracking”) and use-based information (“(re-)targeting”)**

### **2.5.1 General**

We want the content of our websites to match your preferences as closely as possible, thereby improving what we offer you. To recognise user preferences and particular popular areas of the websites, we use the following tracking technologies: Adobe Analytics and Google Analytics.

We use so-called targeting and retargeting technologies in order to tailor our online marketing (e.g. banner ads) more specifically to your needs and interests, including Adobe Target, Google Search Ad, Google Display & Video 360, Google Floodlights, and Salesforce Data Management Platform. These are monitored and used when you visit other websites that work together with the providers of these retargeting technologies, so as to inform you while meeting your interests as closely as possible.

When the above technologies are used, cookies on our websites and (in the case of retargeting) on the websites of others register your interest in our products and services. In the process, random identifiers (so called cookie IDs) are used which are not brought into connection with your name, your address or similar information, even if this information is known to us (e.g. from an existing contractual relationship), unless you have consented to this.

Further information about the above technologies from the respective providers, and the associated processing of personal data, can be found at the following links:

Adobe Systems Pty Limited, Australia:  
<https://www.adobe.com/au/privacy/policy.html>

Google Australia Pty Limited, Australia:  
<https://policies.google.com/technologies/partner-sites>

Facebook Australia Pty Ltd., Australia:  
<https://www.facebook.com/about/privacy/update>

You can manage and deactivate the user of cookies on the following websites for the technology providers listed there or in your browser as explained in our cookie statement:

For legal reasons, the use of tracking and retargeting technologies is sometimes only possible with your express consent (so-called opt-in – see section 2.5.2); in the other cases you can object to the use of such technologies if you wish (so called opt-out – see section 2.5.3).

### **2.5.2 Use of online marketing products from Google and Facebook – Opt-in**

We only use online marketing products from Google (e.g. Search Ad, Display & Video 360) and Facebook (the business manager) with your express consent, which you can grant by clicking on the “Agree” button in the so-called Cookie Information Layer (“Opt-in”). We store this consent in a cookie on your device so that you are not asked for consent again each time you visit our websites, and for legal reasons, also on our servers with the IP address and a time stamp; we delete this information or restrict its processing if you withdraw your consent or 6 months at the latest after your last visit to our websites.

To delete cookies set with your consent when visiting our websites after your consent to these online marketing products is withdrawn, please visit the third party websites or delete the cookies in your browser as explained in our Cookie Policy.

### **2.5.3 Use of technologies by other providers – Opt-out**

If you do not wish us to use the above tracking and retargeting tools to collect and analyse information about your visit to our websites, you can permanently object to the practice (“opt-out”) at any time.

We will comply with your objection by placing an opt-out cookie in your browser. This cookie will only indicate that you have opted out. Please note that for technical reasons, an opt-out cookie affects only the browser in which it has been installed. If you delete the

cookie or use a different browser or device, you will need to opt out again.

The following are the respective opt-out options for the individual technologies:

Adobe Analytics: <https://www.adobe.com/de/privacy/opt-out.html>

Google Analytics: <https://tools.google.com/dlpage/gaoptout?hl=de>

Flashtalking: <https://www.flashtalking.com/optout/>

Salesforce DMP: <https://www.salesforce.com/products/marketing-cloud/sfmc/salesforce-dmp-consumer-choice/>

#### **2.5.4 Data transmission to so-called third countries**

When using tracking and retargeting technologies, data may be transmitted to recipients outside Australia.

#### **2.6 Cookies**

You can find information about the cookies we use and their functions in our Cookie Policy.

#### **2.7 Direct marketing**

Direct marketing involves us communicating directly with you to promote the sale of our goods and services. This can be achieved by an array of methods including for example, by mail, telephone, e-mail or SMS/IM/MMS and potentially by third parties on our behalf. We will obtain your consent prior to using or disclosing your personal information for direct marketing purposes.

#### **2.8 Electronic communications**

Where we electronically communicate with you (e.g. by instant messaging, SMS/IM/MMS, and other mobile phone messaging (but excluding voice to voice communications)) for the purpose(s) mentioned above, we comply with the *Spam Act 2003* (Cth) or in New Zealand, the *Unsolicited Electronic Messages Act 2007* (NZ) as applicable and amended from time to time. We take steps to ensure that our electronic communications meet the following conditions, they:

- (a) will only be sent with your consent, which you either provide expressly, or in very limited circumstances, that consent is inferred by your conduct or an existing ongoing business relationship;
- (b) contain accurate information about us and how to contact us; and
- (c) contain a functional unsubscribe facility to allow you to opt out of receiving electronic messages from us in the future.

We do not actively market to children or knowingly collect personal information about children without parental consent. Whilst we do take steps to ensure that children's privacy and rights are not compromised, it is ultimately the responsibility of parents to monitor their children's internet usage.

#### **2.9 Do Not Call Register Act 2006 (Cth)**

The *Do Not Call Register Act 2006* (Cth) allows Australian telephone numbers to be registered if they are used primarily for domestic or private purposes in order to allow you to opt out of receiving most telemarketing calls or marketing faxes. If you have registered your private or domestic number on the register, then we will not contact you for telemarketing purposes for example, offering to sell you goods or services except if you have expressly opted in to receive direct marketing phone calls from us of which you can opt out of at any time.

However, we will still contact you for purposes that are not telemarketing purposes, including but not limited to the following:

- product recall, issue and fault rectification calls;
- appointment reminder and rescheduling calls;
- calls relating to payments;
- calls relating to a contract or the subject matter of contract we have with you; and
- solicited calls.

#### **2.10 Opting out**

If you do not wish to receive direct marketing, electronic communications or telephone calls from us for direct marketing purposes, you can opt out at any time. Please let us know by contacting us on +61 3 9566 9266 or by emailing the Privacy Officer at [dtbprivacyofficer@daimler.com](mailto:dtbprivacyofficer@daimler.com). When you opt out, we will stop sending the material until such time as you change your preferences.

If you elect not to receive any direct marketing material from us, you are likely to miss out on special product and service promotions, invitations to events, publications and other items that fall into this category.

### **3. SECURITY OF PERSONAL INFORMATION**

#### **3.1 Integrity and quality of personal information**

We take reasonable care to ensure that personal information we use, store and subsequently destroy/delete (where relevant) meets certain quality requirements, in that the personal information is accurate, up to date and complete.

### **3.2 Security of personal information**

While care is taken to protect your personal information, unfortunately no data transmission over the internet is guaranteed as being 100% secure. Accordingly, we cannot guarantee the security of any information you send to us or receive from us online. That is particularly true for information you send to us via email as we have no way of protecting the information until it reaches us. Once we receive your personal information, we are required to protect it in accordance with the Privacy Act.

We follow the Daimler global policies, guidelines and standards to secure your information. We continually train and remind our staff of the importance of keeping information safe and secure.

We have adopted active security measures to ensure that your personal information is kept safe from misuse, interference, loss, unauthorised access, disclosure and modification, such as:

- (a) **System security:** Our application systems are password protected and can be accessed only by people authorised to do so. Our policies require us to encrypt confidential information, for instance, when you provide information to us using our website or when you send information from your computer to us. Security is inbuilt into the design and operations of our systems through the use of firewalls, ethical hacking and virus scanning tools.
- (b) **Physical security:** Our premises are protected against unauthorised access by way of access card for entry, cameras, alarms and security services.
- (c) **Data retention:** If personal information is no longer required for the purpose for which we are permitted to use, disclose or legally retain it, then we will permanently remove from a record any information by which an individual may be identified in order to prevent future re-identification from the data available. We retain information as long as needed to fulfil the purposes for which the personal data was collected, comply with the law or our own corporate policies and procedures.

Whilst we seek to keep your personal information secure, errors may occur from time to time leading to a privacy related incident to occur. In the event of a privacy incident, we will:

- act quickly to investigate the breach including identifying and securing the breach;
- assess the nature of the severity of the breach; including the type of personal information involved and risk of harm to individuals;
- notify the affected individuals via appropriate communication channels where required;
- engage the appropriate authorities, including but not limited to the Privacy Commissioner, where required by law; and
- implement measures to avoid them from happening again (where possible).

We will at no time sell, rent or trade your personal information to or with any other unrelated entity.

## **4. ACCESS, CORRECTION, COMPLAINTS AND ENQUIRIES**

We take reasonable steps to ensure that information we collect, hold or disclose about you is accurate, complete and up to date.

### **4.1 Access to information we hold about you**

At any time you can request access to information we hold about you. We aim to provide a written response to your request within 30 days. We may charge a reasonable fee for information requests.

Whilst we are obliged to provide you with access to your information, there are exceptions and those are outlined in the Privacy Act. If one of the exceptions applies to your access request, we will (if reasonable in the circumstances) work with you and attempt to provide you with access in a way to meet both of our needs. If it is reasonable in the circumstances, we will also notify you in writing if we have determined to refuse access to your personal information due to one of the exceptions listed above and the reasons for that refusal.

### **4.2 Correction of information we hold about you**

You have the right to request correction of any personal information DTB may hold about you. We encourage you to actively engage with us and let us know when your details change or if your personal information needs correction or updating via our contact information provided below. Where your information has been disclosed to a third party by DTB, we will take reasonable steps to notify the third party of the correction. In the event we are unable to update your information, we will notify you in writing as soon as practicable and provide an explanation.

### **4.3 How long we hold information about you**

We will retain your data for the time necessary to fulfil the purposes for which the personal data was collected, comply with the law or our own corporate policies and procedures.

### **4.4 Complaints and enquiries**

If you are not happy with the way we have handled your personal information or believe that we have breached the Privacy Act please contact us and we will try our best to resolve the matter with you. For security reasons, we request that complaints, requests for access to or correction of personal information or any enquiries or questions concerning privacy matters be put in writing and either

e-mailed or posted to:

The Privacy Officer  
Daimler Truck and Bus Australia Pacific Pty Ltd  
41 Lexia Place  
Mulgrave, Victoria  
Australia 3170  
By phone: 1800 033 557  
By email: [dtbprivacyofficer@daimler.com](mailto:dtbprivacyofficer@daimler.com)

We may also require proof of your identity.

For information about privacy generally, or if your concerns are not resolved to your satisfaction, please contact:

- **Australia** – The Office of the Australian Information Commissioner at [www.oaic.gov.au](http://www.oaic.gov.au) and on 1300 363 992.
- **New Zealand** – The Office of the New Zealand Privacy Commissioner at [www.privacy.org.nz](http://www.privacy.org.nz)

## **5. INFORMATION RELATING TO PROSPECTIVE, CURRENT AND FORMER EMPLOYEES**

Due to the Australian employee records exemption in the *Privacy Act 1988* (Cth), this Privacy Policy does not apply where the relevant act or practice is directly related to a current or former employment relationship and an employee record held by us. However, we recognise that employee records should be handled with the utmost care and we therefore will comply with any obligations that may apply to employee personal information under other applicable laws.

If an employee has any questions or requests relating to their employee records, then the employee should contact our human resources department.

This Privacy Policy applies to independent contractors, job seekers, secondees and work experience students.

## **6. CHANGES TO THIS PRIVACY POLICY, OBTAINING A COPY OF THIS POLICY ACKNOWLEDGEMENT AND CONSENT**

We make this Privacy Policy available on our websites and will provide a copy of this Privacy Policy to anyone who requests it free of charge.

You acknowledge that you have read and understood this policy. This policy is intended to comply with our legal obligations, and should be interpreted to reflect and comply with the current privacy laws.

By using our website, engaging us to provide you with services, where you have had a copy of our policy reasonably available to you, you acknowledge and agree that you:

- give the consents required by you in this policy; and
- have been informed of all privacy related matters in this policy.

We may review and update this Privacy Policy from time to time to ensure it is current. If such a review or update does occur, the most current version of the Privacy Policy is placed on our websites.

**Last updated August 2020.**