

# **Windsor**

ARCHITECTURAL **HARDWARE**

**Windsor Architectural Hardware Limited**  
**(NZ Company No: 1021538)**

PRIVACY POLICY  
NEW ZEALAND

# PRIVACY POLICY

## 1. About this policy

Windsor Architectural Hardware Limited (NZ Company No: 1021538) (herein referred to as 'Windsor Architectural Hardware' 'we', 'us' or 'our') are committed to protecting the privacy of your personal information in accordance with the New Zealand privacy laws.

Our Privacy Policy sets out how we and our related entities collect, use, disclose and manage your personal information.

Our Privacy Policy complies with the Privacy Act 2020 as amended from time to time ('Privacy Act').

When you engage us to provide you with any goods or services, apply or complete an application for commercial credit, communicate with us through email, by telephone, in writing, participate in any of our promotional activities, or use any of our other services, including our websites, you agree to the use and disclosure of your personal information in the manner described in this policy. This policy is also relevant and applies to other individuals we deal with in connection with commercial credit we provide, such as guarantors and directors.

We may from time to time review and update this Privacy Policy so please check our website periodically to stay informed of any updates. All personal information collected and held by us will be governed by the most recently updated Privacy Policy.

## 2. Types of personal information we collect

The kinds of personal information we may collect from you will depend on what type of interaction you have with us. Personal information we may collect from you includes, among other things:

- > identity particulars - such as your name, address, date of birth, occupation, telephone numbers and e-mail address;
- > personal information we collect from you when assessing , processing and managing an application by you for commercial credit;
- > personal information you provide to us when you participate in a promotion, competition, promotional activity, survey, market research, subscribe to our mailing list;
- > your bank, credit or debit account details when you make a purchase;
- > your records of communication with us;
- > if you visit our website, your website usage information such as your IP address.

The personal information we request is generally optional, but if you choose not to provide personal information to us, we may not be able to fulfil your request or provide you with the product or service you require. However, there are situations where we are required at law to collect certain personal information from you and, if this is the case, we will take reasonable steps to inform you of the law that imposes this requirement.

## 3. The purpose for collecting your personal information

We will generally only collect and use your personal information for the primary purposes of:

- > our general business operations;
- > effectively providing you with our goods and services;
- > where applicable, assessing and processing an application for commercial credit, and for administrative purposes in relation to the ongoing management of your commercial credit arrangement;
- > communicating with you;

- > responding to your inquiries or complaints;
- > meeting our legal and regulatory obligations;
- > conducting, improving and developing a relationship with you;
- > direct marketing (such as providing you with information about our products and promotional notices and offers); and
- > improving our websites.

Your personal information is only collected by lawful and fair means and where practicable, only from you or from a person acting or authorised to act on your behalf. Where you have applied for commercial credit account with us, we may also make enquiries in respect of commercial credit with third parties with your consent. This could include persons nominated by you as trade references, credit reporting bodies (“CRBs”) and your bankers.

We will take reasonable steps to ensure that you are aware of:

- > the likely use of the information;
- > the right of access to the information;
- > the identity and contact details of our employee/representative collecting your personal information;
- > any law requiring collection of the information; and
- > the main consequences of failure to provide your personal information.

#### **4. How we may use and disclose your personal information**

We may use your personal information for:

- > the primary purposes for which it was collected, such as those described above;
- > assessing and processing an application for, or administrative and management of, and commercial credit account with us;
- > administering and responding to your enquiry or feedback about our products and/or services;
- > conducting, and allowing you to participate in, a promotion, competition, promotional activity, survey, market research or customer behavioural activity;
- > promoting and marketing our current and future products and services to you, informing you of upcoming events and special promotions and offers and analysing our products and services so as to improve and develop new products and services (but giving you the opportunity to opt out of such direct marketing); and
- > improving the operation of our websites.

We may disclose personal information we collect from you:

- > to our related companies, suppliers, consultants, contractors or agents for the primary purposes for which it was collected or for other purposes directly related to the purpose for which the personal information is collected. For example, your name and telephone number may be disclosed to our supplier to enable that supplier to respond to your request for information about a particular product;
- > for direct marketing by, but giving you the opportunity to opt out of such direct marketing (we will include our contact details in any direct marketing);
- > to relevant medical, health and safety authorities (as required);
- > where the law requires or authorises us to do so;
- > to others that you have been informed of at the time any personal information is collected from you; or
- > with your consent (express or implied), to others.

Where the Privacy Act permits us to do so, we may also disclose your credit related information (in respect of commercial credit) to CRBs , if you apply for commercial credit or request an increase in your commercial credit limit with Windsor Architectural Hardware.

Where Windsor Architectural Hardware collects information that we are likely to disclose to a CRB, please note:

- > the CRBs may include that information in reports provided to Windsor Architectural Hardware to assist it to assess your creditworthiness;
- > if you fail to meet payment obligations in relation to commercial credit or commit a serious credit infringement, Windsor Architectural Hardware may be entitled to disclose this to the CRB;
- > if you are an individual you may access information from Windsor Architectural Hardware in accordance with this privacy policy and may access this information for the purpose of requesting Windsor Architectural Hardware to correct the information or make a complaint to Windsor Architectural Hardware.

You have the right to request CRBs not to:

- > use your credit information to determine your eligibility to receive direct marketing from credit providers; and
- > use or disclosure your credit information, if you have been or are likely to be a victim of fraud.

We do not disclose your personal information for any secondary purposes unless your consent has been given or as required by law, and we will not sell or license any personal information that we collect from you.

## **5. How your personal information is stored and secured**

We take reasonable steps to protect your personal information from loss, misuse or unauthorised access by restricting access to the information in electronic format and by appropriate physical and communications security.

If a substantial data breach has or may have occurred (for example, your personal information was shared with unauthorised persons) we will notify you as soon as is practicable.

We only keep your personal information for as long as it is required for the purpose for which it was collected or as otherwise required by law. We will take appropriate measures to destroy or permanently de-identity your personal information if we no longer need to retain it. These measures may vary depending on the type of information concerned, the way it was collected and how it was stored.

## **6. Using our Website and Cookies**

As with most websites, when you visit our website or use an application on our website, we may record anonymous information such as IP address, time, date, referring URL, pages accessed and documents downloaded type of browser and operating system.

We also uses “cookies”. A cookie is a small file that stays on your computer until, depending on whether it is a sessional or persistent cookie, you turn your computer off or it expires. Cookies may collect and store your personal information. You may adjust your internet browser to disable cookies. If cookies are disabled you may still use our website, but the website may be limited in the use of some of the features.

Our website may also contain links to or from other websites. We are not responsible for the privacy practices of other websites. This privacy policy applies only to the information we collect on our website. We encourage you to read the privacy policies of other websites you link to from our website.

## **7. Marketing and Opting-Out**

We may use your personal information for:

- > promoting and marketing of our current and future products and services;
- > informing you of upcoming events and special promotions and offers; and
- > analysing our products and services so as to improve and develop new products and services.

We may exchange your personal information between our related entities and so they can also assist in the marketing of our products and services to you.

We will only offer you products or services, where we reasonably believe that they could be of interest or benefit to you.

At the point we collect information from you, you may be asked to “opt in” to consent to us using or disclosing your personal information. You will generally be given the opportunity to “opt out” from receiving marketing communications from us. You may “opt out” from receiving these communications by clicking on an unsubscribe link at the end of an email or by contacting us with this request.

## **8. Cross border disclosure**

Your personal information may also be processed by, or disclosed to employees, representatives, or other third parties operating outside of New Zealand who work for, or are engaged by us in other countries, including Australia. For example, we may use a server hosted overseas to store data, which may include your personal information.

We will take reasonable steps, in the circumstances, before your personal information is disclosed to an overseas recipient, to ensure that the overseas recipient does not breach privacy laws in relation to your personal information (‘the reasonable steps’).

The reasonable steps may not apply if you consent to the disclosure of your personal information to an overseas recipient and we reasonably believe that the overseas recipient is subject to laws that are suitability similar to privacy laws in New Zealand.

If you consent to the disclosure of your personal information to an overseas recipient, the overseas recipient may not be accountable under the Privacy Act, and you will not be able to seek redress for breaches under the Privacy Act.

## **9. Specific rights of European residents**

Windsor Architectural Hardware is committed to ensuring its compliance with the European Union General Data Protection Regulation (‘GDPR’).

Although our Privacy Policy explains how Windsor Architectural Hardware meets all of its obligations for New Zealand individuals, Windsor Architectural Hardware may also have some individuals who are habitually located in the European Union (‘EU Residents’) that have additional rights in respect of their Personal Data.

Personal Data is defined as: “Any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier”. This should be considered fundamentally interchangeable with the New Zealand expression “Personal Information” for the purposes of this Privacy Policy.

Under the GDPR, Windsor Architectural Hardware is primarily a “controller” of Personal Data, as opposed to being a “processor”. As part of its GDPR compliance, Windsor Architectural Hardware provides its services in a way that ensures:

- > Personal Data (i.e. Personal Information) is:
- > processed fairly, lawfully and in a transparent manner; and
- > collected and processed only for specified and lawful purposes.

- > Processed Personal Data (i.e. Personal Information that is used, held or disclosed by Windsor Architectural Hardware) is:
- > adequate, relevant and not excessive;
- > accurate and, where necessary, kept up to date;
- > kept secure, and not longer than necessary;
- > not transferred to countries outside the European Union without adequate protection; and
- > treated in accordance with individuals' legal rights.

Whilst Windsor Architectural Hardware strives to provide all individuals with appropriate access and control over their data, individuals covered by the GDPR are also able to:

- > prescriptively restrict, limit or otherwise provide instructions to Windsor Architectural Hardware regarding how we can use their Personal Data. This includes being able to object to how and why their Personal Data is used (e.g. by the removal of their consent for particular functions);
- > request the erasure (i.e. deletion) of their information; and
- > request Windsor Architectural Hardware provides all Personal Data held about them in a portable format, meaning in a way that is structured, commonly used and machine-readable. Individuals who exercise this right to data portability are also able to direct Windsor Architectural Hardware to transmit this data to other entities who they intend to allow to process their Personal Data.

Windsor Architectural Hardware will allow and assist individuals that are EU Residents to exercise these rights, unless we have compelling and legitimate legal grounds not to (e.g. a legal obligation under New Zealand legislation, or if the Personal Data has been fully anonymised).

#### **10. Accurate and up-to-date information**

We take reasonable steps to ensure your personal information is accurate, up-to-date and not misleading by updating its records whenever true and correct changes to the data come to its attention.

If you believe your information is incorrect, incomplete or not current, you can request that we update this information by contacting our Privacy Officer. To contact our Privacy Officer please see contact details below in paragraph 16.

We will correct information we hold about you if we discover, or you are able to show to a reasonable standard, the information is incorrect. If you seek correction and we disagree that the information is incorrect, we will provide you with its reasons for taking that view.

We disregard information that seems likely to be inaccurate or out-of-date by reason of the time that has elapsed since it was collected or by reason of any other information in our possession.

#### **11. Access to your personal information**

We acknowledges that you have a general right of access to information concerning you, and to have inaccurate information corrected. You are able to access the personal information we hold about you by contacting our Privacy Officer. If access is refused to your personal information for reasons permitted by the Privacy Act, we will give you a notice explaining our decision to the extent practicable and your options.

To contact our Privacy Officer please see contact details below. If you make an access request, we may ask you to verify your identity and put your request in writing for security reasons. We may charge a reasonable administration fee to cover the costs of meeting your request. We will reply to your request for access within 20 working days of notification by you.

**12. Dealing with unsolicited information**

We take all reasonable steps to ensure that all unsolicited information is destroyed or de-identified immediately.

**13. Anonymity when dealing with us**

Only where it practicable to do so, we may allow you the option not to identify yourself when dealing with us.

**14. Transfer of ownership**

As we develop our business, we might sell or buy businesses or assets. In the event of a corporate sale, merger, reorganisation, dissolution or similar event, your Personal Information may be part of the transferred assets. You acknowledge and agree that any successor to or acquirer of our business (or its assets) will continue to have the right to use your Personal Information in accordance with the terms of this Privacy Policy.

**15. Complaints and disputes**

If you have reason to believe that we have not complied with our obligations relating to your personal information under this Privacy Policy or under the Privacy Act, please refer any complaint to queries to our Privacy Officer (details below).

We will ensure your complaint is handled by our Privacy Officer in an appropriate and reasonable manner. Where necessary we may consult with our related entities and partners in order to deal with your complaint. A written notice of our decision regarding your complaint will be provided to you. If you are not satisfied with the outcome, then you may contact the Office of the Privacy Commissioner by visiting [www.privacy.org.nz](http://www.privacy.org.nz) or by calling 0800 803 909.

**16. Who should you contact for further information?**

Please refer any queries or complaints about our Privacy Policy or privacy issues to our:

Privacy Officer  
PO Box 1595, 42-48 Arena Avenue, Invercargill, 9840, New Zealand  
Murray Brown  
Phone: (+61) 1800 841 643 (Australia),  
(+64) 0800 607 082 (New Zealand)  
Email: [murray.brown@windsorhardware.co.nz](mailto:murray.brown@windsorhardware.co.nz)

Our Privacy Officer will consider your question or complaint and respond to you in a reasonable timeframe.

Last Updated 3 February 2022