

## 1 About this Privacy Policy

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This document (**Privacy Policy**) sets out the policy of APEX DIRECT Pty Ltd (ACN 608 845 049) (**EASY CHOICE**) relating to how we handle Personal Information, which is information that can be used to (or is reasonable likely to) identify an individual (**Personal Information**).

EASY CHOICE is committed to protecting the privacy of the Personal Information that it collects and receives. EASY CHOICE is bound by the Australian Privacy Principles (**APP**) contained in the *Privacy Act 1988* (Cth) (**the Privacy Act**).

This Privacy Policy applies to all our customers and others who deal with EASY CHOICE whether at EASY CHOICE's offices, through EASY CHOICE'S call centres, via in store or in mall promotions, via door to door promotions, through its pop up stores, and via electronic means.

This Privacy Policy explains:

- the kinds of Personal Information that EASY CHOICE collects and holds;
- how EASY CHOICE collects and holds your Personal Information;
- why EASY CHOICE collects, holds, uses and discloses your Personal Information;
- how you may access and seek the correction of your Personal Information as held by EASY CHOICE;
- how you may complain about a breach of the APPs or a registered APP code (if any) that EASY CHOICE is bound by, and how EASY CHOICE will deal with such a complaint; and
- if EASY CHOICE is likely to disclose your Personal Information to overseas recipients and the countries in which such recipients are likely to be located (if it is practicable to specify those countries in this policy).

You accept this Privacy Policy and expressly consent to EASY CHOICE's collection, use and disclosure of your Personal Information as described in this Privacy Policy by providing your Personal Information to EASY CHOICE.

## 2 Your Personal Information

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EASY CHOICE only collects Personal Information where EASY CHOICE considers it to be reasonably necessary for EASY CHOICE functions and activities, including marketing and acting on behalf of various organisations (**Clients**) to promote and sell our Clients' products and services, or to procure applications for our Clients' services.

EASY CHOICE collects Personal Information to provide services and information to customers and for EASY CHOICE's business operations such as:

- promoting EASY CHOICE's products and services;
- assisting customers with acquiring EASY CHOICE's products and services;
- facilitating use of EASY CHOICE's products and services;

- assisting customers with ordering a document or subscribe to a mailing list;
- allowing users to use the EASY CHOICE website and applications;
- addressing requests for information about EASY CHOICE;
- collecting survey information.

The types of Personal Information EASY CHOICE collects include:

- information about the use of EASY CHOICE products & services;
- name, age, date of birth, address, e-mail address;
- contact details (including phone, fax and e-mail);
- financial information (including transaction & credit or debit card details or in relation to provision of credit);
- your interests, opinions & background information so EASY CHOICE can better interact with you in the future & better understand your needs as a customer;
- billing information.

## 3 Your Sensitive Information

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Sensitive information is information about you that reveals your racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, or criminal record; health information; genetic information; biometric information or biometric templates (**Sensitive Information**).

It is EASY CHOICE's policy to only collect your Sensitive Information where it is reasonably necessary for EASY CHOICE functions or activities. EASY CHOICE will not collect your Sensitive Information unless you have consented to the collection.

## 4 How EASY CHOICE collects your Personal Information

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EASY CHOICE will solicit your Personal Information by lawful and fair means directly from you unless it is unreasonable or impracticable to do so.

EASY CHOICE will collect Personal Information directly from you:

- by email;
- over the telephone;
- by written correspondence (such as letters, faxes);
- on hard copy forms (including registration forms, competition entry forms and surveys);
- in person (at malls, stores or door to door);

**EASY CHOICE Pty Ltd (ACN 608 799 346)**  
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- through the EASY CHOICE website (online purchases, web form submission or participate in a live chat);
- through EASY CHOICE security surveillance cameras;
- electronic systems such as software and applications.

EASY CHOICE may also collect your Personal Information from third parties including:

- your legal representatives;
- direct marketing database providers;
- Australian Tax Office (**ATO**) or Australian Securities & Investment Commission (**ASIC**);
- public (directories, membership lists, professional and trade associations, bankruptcy or court registries); and
- our contracted agents and clients (including telemarketers and door to door sales representatives).

## **5 Unsolicited Personal Information**

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Unsolicited Personal Information is Personal Information EASY CHOICE receives that EASY CHOICE has taken no active steps to collect (such as a job application sent to EASY CHOICE by an individual on their own initiative, rather than in response to an advertisement).

EASY CHOICE may keep records of unsolicited Personal Information if the information is reasonably necessary for one or more of EASY CHOICE functions or activities. If not, it is EASY CHOICE policy to destroy the unsolicited information or ensure that the information is de-identified, provided it is lawful and reasonable to do so.

## **6 Using your Personal Information**

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The main purposes for which EASY CHOICE collects, holds, uses and discloses Personal Information are to market the Clients' products or services, procure applications from you for our Clients' services (such as applications for utilities or home efficiency services, or memberships), provide products and services to customers, and to maintain, extend and grow EASY CHOICE's business and the Clients' businesses.

EASY CHOICE collects information to service your requirements.

EASY CHOICE will primarily use your information to:

- provide and improve our products and services;
- respond to your comments or queries;
- supply EASY CHOICE's products & services;
- supply EASY CHOICE's clients' products & services;
- collect information about EASY CHOICE products & services;

- review EASY CHOICE's products & services;
- administer & conduct contests, promotions or surveys;
- monitor use of copyright materials from the website;
- manage employees, contractors & job applicants help us to carry out market & product analysis;
- deliver & enhance EASY CHOICE's services & products;
- inform you of services offered by EASY CHOICE and Clients;
- any purpose directly related to EASY CHOICE and for which you have provided consent (where it is reasonably required by law);
- manage and run EASY CHOICE's websites.

The EASY CHOICE website requires subscriptions or registrations to use certain services, functions or content. You will know what information is being collected via these processes when you complete the relevant forms and provide the required details prior to submitting the application. EASY CHOICE will collect data relating to any transactions you carry out through the EASY CHOICE website and the fulfilment of your order.

EASY CHOICE may also use your data to monitor for any unauthorised use of the EASY CHOICE website, content or subscriptions to EASY CHOICE's services.

## **7 Purpose of collection**

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EASY CHOICE collects Personal Information for a purpose ( **Primary Purpose**). The Primary Purpose is marketing products and services on the Clients' behalf, for administering the sale to you, processing your application for the products or services concerned and the producing records in relation to these activities.

After the collection of the Personal Information from you, the Personal Information is usually passed from EASY CHOICE to the ultimate product or service providers, the Client, so that the Client can provide the customer with the products or services requested.

The Clients will collect, use and hold Personal Information in accordance with their own privacy policies.

EASY CHOICE does not distribute your Personal Information to any mailing list or to any other party for any other purpose, other than parties specified in this Privacy Policy except as where permitted or required by law.

EASY CHOICE will not use or disclose your Personal Information for any other purpose (**Secondary Purpose**) unless:

- you have consented to the use or disclosure of your Personal Information for the Secondary Purpose; or

- in relation to the use or disclosure of your Personal Information:
  - you would reasonably expect EASY CHOICE to use or disclose your information for the Secondary Purpose and the Secondary Purpose is directly related to the Primary Purpose (where the information is Sensitive Information) or related to the Primary Purpose (where the information is not Sensitive Information);
  - use or disclosure is required or authorised under Australian law or a court/tribunal;
  - a permitted situation exists in relation to EASY CHOICE's use or disclosure of the information;
  - a permitted health situation exists in relation to use or disclosure of the information; or
  - EASY CHOICE reasonably believes that the use or disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

#### **8 Do you have to provide Personal Information?**

You can refuse to provide Personal Information. However, a refusal to provide EASY CHOICE with your Personal Information may prevent EASY CHOICE from assisting you or providing you with products and services that you may like.

#### **9 Sharing your Personal Information**

EASY CHOICE may use and disclose your Personal Information to third parties for purposes related to the Primary Purpose.

Types of organisations to whom EASY CHOICE may disclose your Personal Information includes:

- anyone to whom EASY CHOICE assets or business (or any part of it) is transferred;
- individuals appointed by a government responsible for the investigation & resolution of disputes or complaints concerning your use of our services & products;
- where you have otherwise consented;
- as otherwise required or authorised by law;
- government bodies such as ATO, ASIC, Australian Prudential Regulatory Authority or as required by law;
- professional or government organisations; and
- EASY CHOICE's contracted service providers including:
  - dealers & agents & clients;
  - information technology service providers;
  - marketing and communications agencies;
  - mailing houses, freight and courier services;
  - printers & distributors of marketing material; and

- Professional advisers.

#### **10 Government Identifiers**

EASY CHOICE does not adopt, use or disclose government related identifiers (such as a Medicare number or driver's license number) as EASY CHOICE's own identifier for you unless:

- required/authorized by law or court/tribunal order;
- reasonably necessary for EASY CHOICE to verify your identity for the Primary Purpose;
- reasonably necessary to fulfil EASY CHOICE's obligations to an agency pursuant to the Privacy Act; or
- EASY CHOICE reasonably believes it is reasonably necessary for one or more enforcement related activities conducted by on or behalf of an enforcement body pursuant to the Privacy Act.

#### **11 Cookies**

To improve EASY CHOICE services, EASY CHOICE sometimes collects de-identified information from web users. Although the information collected does not identify an individual, it does provide EASY CHOICE with useful statistics that permits EASY CHOICE to analyse and improve its web services.

When you visit the EASY CHOICE website, a record of your visit is logged and the following data is supplied by your browser:

- your IP address and/or domain name;
- your operating system (type of browser & platform);
- the date, time and length of your visit; and
- the resources you accessed or downloaded.

EASY CHOICE uses this information to customize information for website visitors and to collect aggregated data for the purposes of analysis, quality control, administering and improving the website. It is not used for any other purpose.

Aggregated data may be shared with third parties. You can stop your browser from accepting new cookies or disable cookies altogether by changing your browser preferences.

#### **12 Links to other websites**

Links to third party websites that EASY CHOICE does not operate or control are provided for your convenience. EASY CHOICE is not responsible for the privacy or security practices of websites that are not covered by this Privacy Policy. Third party websites should have their own privacy and security policies which EASY CHOICE encourage you to read before supplying any information to them.

### **13 Direct Marketing**

If EASY CHOICE holds your Personal Information, EASY CHOICE may use or disclose that information (other than Sensitive Information) for direct marketing if:

- EASY CHOICE collected the information from you for the purpose of direct marketing;
- EASY CHOICE provided you with a simple way to opt out of receiving direct marketing from EASY CHOICE; and
- you haven't made such an opt out request to EASY CHOICE.

EASY CHOICE may also use or disclose your Personal Information (other than Sensitive Information) for direct marketing if:

- EASY CHOICE collected the information from:
  - you and you would not reasonably expect EASY CHOICE to use or disclose the information for the purpose of direct marketing; or
  - EASY CHOICE collected the information from someone other than you; and
- either:
  - you have consented to the use or disclosure of the information for the purpose of direct marketing; ; or
  - it is impracticable to obtain that consent; and
- EASY CHOICE provided you with a simple way to opt out of receiving direct marketing communications from EASY CHOICE; and
- in each direct marketing communication with you:
  - EASY CHOICE includes a prominent statement that you can request to opt out; or
  - EASY CHOICE otherwise draw your attention to the fact that you can request to opt out; and
  - you have not made such a request to EASY CHOICE.

EASY CHOICE can use or disclose your Sensitive Information for the purpose of direct marketing if you have consented to the use or disclosure of that information for direct marketing.

EASY CHOICE may also use or disclose your Personal Information for direct marketing if:

- EASY CHOICE are a contracted service provider for a Commonwealth contract pursuant to the Privacy Act; and

- EASY CHOICE collected your information in order to meet an obligation under that contract; and
- the use or disclosure is necessary to meet (directly or indirectly) such an obligation.

If EASY CHOICE has collected the Personal Information that EASY CHOICE used to send you direct marketing material from a third party, you can request EASY CHOICE to notify you of its source of information. It is EASY CHOICE's policy to do so, at no charge, unless it is unreasonable or impractical.

### **14 How to opt out of direct marketing**

If EASY CHOICE uses or discloses your Personal Information for the purpose of direct marketing, you may submit a request to the EASY CHOICE Privacy Officer not to receive direct marketing communications from EASY CHOICE.

If EASY CHOICE uses or discloses your Personal Information for the purpose of facilitating direct marketing by other organisations, you may submit a request to the EASY CHOICE Privacy Officer that EASY CHOICE does not use or disclose your information for this purpose.

EASY CHOICE will act on your request not to receive direct marketing from EASY CHOICE or an entity facilitated by EASY CHOICE free of charge within a reasonable time after the request is made.

### **15 Collection Notices**

At or before the time of collection of Personal Information from you, or as soon as practicable afterwards, EASY CHOICE will take reasonable steps to notify you or to otherwise ensure that you are aware of:

- EASY CHOICE's contact details;
- the fact that EASY CHOICE collects, or has collected, your information and the circumstances of that collection (if collected from someone other than you);
- if the collection is required or authorised by law or a court/tribunal order, the fact that the collection was so required or authorised;
- the purpose(s) for which the information was collected by EASY CHOICE;
- the consequences to you if EASY CHOICE does not collect all or some of your information;
- any other entity, body or person, or the types of any other entities, bodies or persons, to which EASY CHOICE usually disclose information;
- if EASY CHOICE is likely to disclose your information to overseas recipients and if so, the countries in which such recipients are likely to be located (if it is practicable to specify those countries or to otherwise make you aware of them); and
- this Privacy Policy and this Privacy Policy explains how:

- you may access your Personal Information held by EASY CHOICE and seek the correction of that information;
- you may complain about a breach of the APP, or a registered APP code (if any) that EASY CHOICE is bound by & how EASY CHOICE will deal with a complaint.

EASY CHOICE will generally include these matters in a collection notice. For example, where information is collected on a paper or website form, EASY CHOICE will include a collection notice, or a clear link to it, on the form.

Collection notices may provide more specific information than this Privacy Policy in relation to particular collections of information. The terms of this Privacy Policy are subject to any specific provisions contained in collection notices and in terms & conditions of particular offers, products & services. EASY CHOICE encourages you to read those provisions carefully.

## **16 Protecting your Personal Information**

EASY CHOICE stores Personal Information in different ways, including paper and electronic form. EASY CHOICE takes reasonable steps to protect it from misuse, interference, loss, unauthorised access, modification or disclosure including:

- secure password protected databases for storage;
- confidentiality requirements of staff;
- security measures for access to EASY CHOICE's systems including firewalls;
- servers kept at a secure location with limited access;
- document storage security requirements;
- access controls for EASY CHOICE's building;
- limited the provision of Personal Information to third parties (and subject to guarantees about use); and
- training employees to securely deal with information.

EASY CHOICE cannot guarantee that Personal information will be protected against unauthorized access or misuse and EASY CHOICE does not accept any liability for the improper actions of unauthorized third parties.

EASY CHOICE will retain your Personal Information for as long as necessary to fulfil EASY CHOICE's obligations to you, to protect EASY CHOICE's legal interests, to comply with an Australian law or as otherwise stated to you when EASY CHOICE collected your information.

Once EASY CHOICE is no longer required to retain your Personal Information EASY CHOICE will take reasonable steps to destroy your information or to ensure that your information is de-identified.

## **17 Disclosing your Personal Information overseas**

EASY CHOICE may disclose your Personal Information to other third-party service providers operating outside Australia who work with EASY CHOICE or one of EASY CHOICE's suppliers, agents, or partners. EASY CHOICE may also store your Personal Information on servers based overseas or in the "cloud" or other types of networked or electronic storage.

Before disclosing your Personal Information to an overseas third party, EASY CHOICE will first take reasonable steps to ensure that the overseas recipient:

- does not breach the APP in relation to your Personal Information; or
- the recipient of the information is subject to a law, or binding scheme, that has the effect of protecting your Personal Information in a way that is substantially similar to the way in which the APP protect the information.

Personal Information may be disclosed by EASY CHOICE to other EASY CHOICE entities and third parties in jurisdictions including: Serbia and the United States of America.

The European Commission has recognized each of these countries as providing adequate protection of Personal Information.

To make it easy for you to deal with EASY CHOICE and provide you with a more personal and consistent experience, EASY CHOICE may exchange and combine Personal Information with the subsidiaries and related entities of EASY CHOICE for the purposes described in this Privacy Policy.

If your Personal Information is collected using a document that references this Privacy Policy, you are taken to consent to the disclosure, transfer, storing or processing of your Personal Information outside of Australia.

## **18 Anonymity**

You have the option of not identifying yourself or using a pseudonym when dealing EASY CHOICE when lawful & practicable.

EASY CHOICE will try to accommodate a request for anonymity if possible. However, your right to anonymity does not apply in relation to a matter if:

- EASY CHOICE is required or authorised by law or a court/tribunal order to deal with individuals who have identified themselves; or
- it is impracticable for EASY CHOICE to deal with individuals who have not identified themselves.

It is EASY CHOICE's policy to enable you to access EASY CHOICE's website and make general phone queries without having to identify yourself & to enable you to respond to EASY CHOICE's surveys anonymously.

In some cases, if you don't provide your Personal Information when requested, EASY CHOICE may not be able to respond to your request or provide you with a service.

### **19 Accessing to your Personal Information**

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You have the right, upon request, to access any of EASY CHOICE's records containing your Personal Information. To request access to your information please contact EASY CHOICE's Privacy Officer.

EASY CHOICE will respond to your request to access your Personal Information within a reasonable period of time.

On the basis that it is reasonable and practicable to do so, EASY CHOICE will give you access to the Personal Information requested.

If EASY CHOICE refuses your request to access Personal Information EASY CHOICE will provide a written notice setting out the reasons for the refusal & how you can complain about the refusal.

Reasons for a refusal may include if it:

- poses a serious threat to the life, health or safety;
- would have an unreasonable impact on others' privacy;
- is frivolous or vexatious or unlawful;
- relates to existing or anticipated legal proceedings between EASY CHOICE and you, would reveal EASY CHOICE's intentions in relation to negotiations with you in such a way as to prejudice those negotiations;
- is required or authorised by law or court/tribunal order;
- EASY CHOICE has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to EASY CHOICE's functions or activities has been, or is being or may be engaged in and giving access would likely to prejudice the taking of appropriate action in relation to the matter;
- would be likely to prejudice one or more enforcement related activities conducted by an enforcement body pursuant to the Privacy Act; or
- relates to commercially sensitive decision making.

When you make a request to access Personal Information, EASY CHOICE will require you to provide some form of identification (such as a driver's licence or passport) so EASY CHOICE can verify that you are the person to whom the information relates.

### **20 Help EASY CHOICE keep your information accurate**

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EASY CHOICE will take reasonable steps to ensure EASY CHOICE's records of information are accurate, up to date & complete.

However, the accuracy of information depends on a large extent on the information you provide. If you do not give EASY CHOICE all the information EASY CHOICE requires, or the information provided is inaccurate/incomplete, the products, services and information EASY CHOICE provide may be affected.

If you think there is something wrong with the information EASY CHOICE holds about you please contact EASY CHOICE's Privacy Officer to:

- let EASY CHOICE know if there are any errors; and
- keep EASY CHOICE up-to-date with any changes and EASY CHOICE will try to correct your information.

EASY CHOICE will respond to your request to correct your Personal Information free of charge and in a reasonable period of time. If EASY CHOICE refuses your request, EASY CHOICE will provide you with a written notice setting out with the:

- reasons for the refusal; and
- mechanisms available to complain about the refusal.

If EASY CHOICE refuses to correct your Personal Information, you may request that EASY CHOICE associate your information with a statement that the information is inaccurate, out of date, incomplete, irrelevant or misleading. EASY CHOICE will take reasonable steps to make the statement visible to users of your Personal Information.

If EASY CHOICE does correct your Personal Information and EASY CHOICE has previously disclosed your Personal Information to a third party, upon your request, EASY CHOICE will notify that third party of the correction unless impracticable or unlawful to do so.

### **21 Dealing with SPAM and Do not call register**

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EASY CHOICE will not send you any commercial electronic messages (SMS or emails) unless it is permitted by the Spam Act (for example, EASY CHOICE has your express or inferred consent). Any commercial electronic message that EASY CHOICE sends will identify EASY CHOICE as the sender and will include relevant contact details and an unsubscribe facility.

EASY CHOICE will not call you on a number listed on the Do Not Call Register unless it is permitted under the Do Not Call Register Act and related instruments (for example, if EASY CHOICE has your express or inferred consent to do so).

If you do not wish to receive commercial electronic messages or calls on a particular number from EASY CHOICE, please contact the EASY CHOICE Privacy Officer.

## **22 Resolving your privacy issues**

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If you have any issues you wish to discuss with EASY CHOICE or if you're concerned about how EASY CHOICE has collected or managed your information please contact the EASY CHOICE Privacy Officer.

For information about privacy or if your concerns are not resolved to your satisfaction, you may contact the Office of the Australian Information Commissioner at [www.oaic.gov.au](http://www.oaic.gov.au) and on 1300 363 992.

## **23 Changes to this privacy policy**

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EASY CHOICE may, from time to time, review and update this privacy policy to take account of new laws and changes to EASY CHOICE's operations. Changes to this Privacy Policy will not affect EASY CHOICE 's use of previously provided information.

## **24 How to access this privacy policy**

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A copy of this Privacy Policy is available on the EASY CHOICE website. A printed copy of the privacy policy can be obtained free of charge by contacting the EASY CHOICE Privacy Officer.

## **25 EASY CHOICE Privacy Officer**

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EASY CHOICE Privacy Officer can be contacted at:

- Email: [hello@easychoice.com.au](mailto:hello@easychoice.com.au).
- Telephone: (03) 8330 3380
- Post: Suite 3 Level 2, 21 Cremorne St, Cremorne VIC 3121.