

COOKIE AND PRIVACY POLICY

1. Introduction

All references in this privacy policy to "we", "us" and "our" are references to Duncan & Ebbett, whose registered office is at 208 Anglesea Street, Hamilton Central, Hamilton 3204 and whose registered number is 3647291, and our related companies.

From time to time, you will be asked to provide us with 'personal information'. We have developed the following Privacy Policy to describe when we collect personal information, what we use it for and who we may disclose it to, and to ensure that we comply with our obligations to you under the Privacy Act 1993. By providing personal information to us you consent to its use in accordance with this policy. If you have any questions or concerns regarding this Privacy Policy, please contact us.

By using our Website or otherwise providing us with your personal information, you consent to the collection, storage, use, processing and disclosure of your personal information in accordance with this Privacy Policy and our Website Terms and Conditions. If you do not agree with any terms of this Privacy Policy or our Terms and Conditions, please do not use this Website or submit any personal information.

2. Who does this Privacy Policy apply to?

This Privacy Policy applies to our customers, prospective customers, and any other persons who provide personal information to us when visiting our Website or otherwise providing personal information to us.

3. What is personal information?

'Personal Information' is defined in the Privacy Act 1993 as information about an identifiable individual, i.e. information about a natural person (as opposed to information about a company or other legal entity), in a form which enables that person to be identified.

4. What information do we collect?

Personal information we collect may include:

- (i) your name and contact details (including physical and postal address, email address and telephone numbers);
- (ii) your drivers' licence number;
- (iii) biographical information (such as household data, preferences, and demographic information);
- (iv) purchase dates for your vehicle(s);

- (v) information on the Service Plan Schedule for your vehicle(s);
- (vi) details of the vehicle(s) you own;
- (vii) financial and credit information about you shared with us by our financial service providers, our distributors or any motor vehicle dealer you may have dealings with;
- (viii) information about your use of or interest in our products and services; and
- (ix) any other information you submit or authorise to be shared with us.

Where possible, we will collect the information directly from you. We may also collect information from persons you have authorised to share your personal information with us, or from whom you authorise us to collect personal information.

We also collect personal information about vehicle owners from the Motor Vehicle Register, in accordance with our distributor's (Motorcorp Distributors Ltd (MDL)) authorisation to access the Register for specified purposes under section 241 of the Land Transport Act 1988.

This information may be held by us only for so long as is required for the purposes for which the information may lawfully be used in accordance with this Privacy Policy.

5. Use of your Personal Information

We, and the Permitted Recipients referred to in clause 8, may use your personal information for the following purposes:

- (i) to enable the features of our Website, to improve our Website by determining which of our products, features and services are most popular, and to personalise the experience of the users of our Website;
- (ii) to establish, maintain and improve our customer relationship with you and provide you with offers, incentives, marketing programs or promotional material about us, or the Permitted Recipients, and our automotive products and services, such as brochures and newsletters;
- (iii) to more effectively market to you our vehicles, vehicle parts, accessories and services by better understanding your automotive product and service needs and preferences;
- (iv) to improve the automotive products and services we offer through customer surveys conducted by us or third parties and participation in market research studies conducted by third parties;
- (v) to compile aggregate data for internal and external business purposes and generate and review reports and data about our customer and service usage patterns;

- (vi) to provide you with individual customer care, assist in administering your vehicle purchase, lease, warranty, any extended service plan, Roadside Assistance, or ongoing vehicle service, including advising you of any product recalls or customer notifications with respect to your vehicle, arranging for retailers to obtain required vehicles and parts on a timely basis to meet your needs;
- (vii) to arrange for or provide you with services you request and respond to your comments, concerns or requests for information;
- (viii) to assist us to meet your automotive product and services needs such as providing you with offers, service reminders, marketing programs or promotional materials;
- (ix) to provide you with offers and information about related automotive products offered by others which we think may be of interest to you; and
- (x) to communicate with you, as permitted by law, and to inform you about our and third parties' products, services and events.

We may also share your personal information with the service providers, agents and other business associates that we may engage to assist with the provision of our products and services to you, or to carry out any of the functions mentioned above, and with Permitted Recipients as provided in clause 8.

We may also use your personal information for other purposes which are disclosed to you, and to which you consent (whether expressly or by implication by providing us with your personal information with knowledge of how we intend to use it), or to meet our legal obligations.

We may also collect and/or use personal information without your consent for purposes that are permitted by applicable law, including but not limited to meeting our legal obligations, assisting in the investigation of a breach of an agreement or a law, assisting in law enforcement purposes, and protecting our and our customers' business interests.

6. How we store the information

Any personal information about you that we hold may be stored on computer databases and/or in hard copy in New Zealand or with our affiliated or associated companies in the United Kingdom and elsewhere, for the purposes set out in this privacy policy. We may also make parts of our CRM system accessible to our suppliers, distributors (including MDL), other dealers, service providers and other business associates for the purposes set out in clause 5 of this policy.

7. Use of 'cookies'

A cookie is a piece of programming (that may also hold your personal information) which enables us to customise services on our website and may be used for remarketing purposes. For example, a cookie can be used to store registration information so that you do not need to re-enter that

information on a subsequent visit to the site. We may send cookies to your computer while you are accessing our website.

We may also collect non-attributed (anonymous) information regarding your use of this site. Our use of cookies helps us to provide you with a better experience during your use of our website by allowing us to understand what areas of the site, or particular services, are of interest to you. Some web browsers enable you to decline the receipt of cookies. If you utilise this function you will still be able to access this site albeit without some enhancement features.

8. Disclosure of your personal information

We respect the privacy of your personal information and we will take all reasonable steps to keep it strictly confidential. If necessary to achieve one or more of the purposes set out in clause 5, we may transfer or disclose your personal information to:

- (i) any of our affiliated or associated companies and to any of our, or our affiliated or associated companies', suppliers, service providers, distributors, dealers, agents, licensees and other business associates;
- (ii) MDL's affiliated or associated companies and to the suppliers, service providers, distributors, dealers, agents, licensees and other business associates of MDL and its affiliated or associated companies;
- (iii) Jaguar Land Rover Limited and its affiliated or associated companies and to the suppliers, service providers, distributors, dealers, agents, licensees and other business associates of Jaguar Land Rover Limited and its affiliated or associated companies; and
- (iv) any other entities with which we have directly or indirectly arranged services for our or your benefit,

(in each case, a "Permitted Recipient"). A Permitted Recipient of your personal information shall only be entitled to use your personal information as required for the purposes for which it was provided to them.

Our websites and systems and those of our group companies may be based on servers located outside of New Zealand. Please note that privacy laws of countries outside New Zealand may not be as comprehensive as the laws of this country. In addition, if a Permitted Recipient is in a jurisdiction outside of New Zealand, the information held by that Permitted Recipient may be subject to that jurisdiction, including access requests from government, courts, or law enforcement in that jurisdiction.

Otherwise, we will only disclose your personal information without your consent if this is necessary to protect or enforce our legal rights or interests or to defend any claims made against us by any person (including you), to lessen a serious threat to a person's health or safety, or as required by law.

We will not sell or receive payment for licensing or disclosing your personal information.

9. Email and other Electronic Communications

By using our Website or otherwise providing us with your personal information you consent to being contacted by us and/or a Permitted Recipient using the contact details you have provided (including, without limitation, via direct mailing, email, SMS, telephone call, and other phone number based messaging) in connection with one or more of the purposes set out in clause 5 of this Privacy Policy.

We are committed to full compliance with the Unsolicited Electronic Messages Act 2007.

You will have the option to subscribe to certain promotional and marketing email and/or text communications. By subscribing to our email and/or text communications, or otherwise providing us with your email address and/or mobile number, you consent to receiving emails and/or texts (as the case may be) which promote and market our products and services, or the products and services of others, from time to time.

You can opt out of those communications at any stage by utilising the corresponding "unsubscribe" facility. Once you have unsubscribed from our email or text communications, we will remove you from the corresponding marketing list within five working days.

10. Storage and protection of your personal information

We may record and store personal information which we collect from you. Where we do so we will take all reasonable steps to keep your personal information secure and prevent unauthorised disclosure and to keep your personal information accurate and up-to-date.

However, we do not promise that your personal information cannot be accessed by an unauthorised person (e.g. a hacker) or that unauthorised disclosures will not occur. If we provide you with any passwords or other security devices it is important that you keep these secret and confidential and do not allow them to be used by any other person. You should notify us immediately if the security of these devices is breached to prevent the unauthorised disclosure of your personal information.

11. Links to Other Websites

Our website may contain links to other sites that are not under our control. We have no responsibility for linked websites, and provide them solely for your information and convenience. We specifically disclaim responsibility for their content, privacy practices and terms of use, and we make no endorsements, representations or warranties about their accuracy, content or thoroughness. Your disclosure of personal information to third party websites is at your own risk.

12. Privacy breaches

If a sufficiently serious privacy breach occurs, we may be required to notify the affected individuals and/or the Privacy Commissioner about that breach (where the breach is "notifiable" under applicable privacy law).

If it is not clear whether a suspected data breach is "notifiable", we will investigate and assess the breach to determine whether (among other things) we must notify the affected individuals to ensure that they are notified if their person information is involved in a privacy breach that is likely to result in serious harm.

Even if the privacy breach is not "notifiable" by law, we may decide it is appropriate to notify you anyway.

13. Accessing your personal information

You have the right to access personal information about you if we hold that personal information in a way that it can be readily retrieved by emailing us at admin@duncanandebbett.co.nz. This is subject to some statutory exceptions. Please quote your name and address and provide brief details of what information you want (this helps us to more readily locate your data). In some cases, there may be a charge for providing copies of your personal information to you. If so, we will advise you of this prior to sending your information to you.

We will not be able to provide your personal information if we do not know or don't have reasonable grounds to believe it is personal information about you or if disclosing the information would involve the unwarranted disclosure of the affairs of another individual.

You can request correction or amendment of the information held by us at any time by emailing us at admin@duncanandebbett.co.nz and specifying the information that you want changed. If it is reasonable in the circumstances for us to do so, we will make the requested change or correction, otherwise we'll take reasonable steps to mark that information as having been subject to a change or correction request.

14. Who you can contact for further information

If you have any queries about this Privacy Policy or personal data we have collected please contact:

Privacy Contact Person: Privacy Officer

Email address: admin@duncanandebbett.co.nz

Address: Cnr Maahanga Drive & Te Kowhai Road, The Base Hamilton 3288

15. Policy Changes

We may review this policy from time to time and any changes will be notified by posting an updated version on our website. Your use of our website following any updates constitutes acceptance of this policy as amended. We recommend you regularly review the policy when you

visit our website. If you do not agree with any aspect of the updated policy, you must promptly notify us and cease using our services.

This Privacy Policy was last updated on 30/04/2019.