

# Privacy Policy | Fuchs (March 2022)

This Privacy Policy was last updated on 10 March 2022.

## 1. About this Privacy Policy

- 1.1 This document relates to the collection and use of personal information by various companies within the group of companies that are the Fuchs Australasia Group. This group is made up of Fuchs Lubricants (Australasia) Pty Ltd (**Fuchs Australia**) and its subsidiary Fuchs Lubricants (New Zealand) Ltd (**Fuchs NZ**) and Nulon Products Australia Pty Ltd (**Nulon Australia**) and its subsidiary Nulon NZ Ltd (**Nulon NZ**). In this Privacy Policy a reference to **Fuchs, we, us** or **our** is a reference to all companies in the Fuchs Australasia Group or to the company or companies relevant to that context, as the context requires.
- 1.2 If you are a customer, supplier or employee (**Contracted Party**) of Fuchs in Australia then your information will be collected by either Fuchs Australia or Nulon Australia.
- 1.3 If you are a customer or supplier of Fuchs in New Zealand then your information will be collected by either Fuchs NZ or Nulon NZ. If you are an employee of Fuchs in New Zealand your information will be collected by Fuchs NZ.
- 1.4 The information collected will be stored and used as set out below but this may entail it being shared with other members of the Fuchs Australasia Group for those purposes. In some cases we may also need to share it with other companies that are related to the companies in the Fuchs Australasia Group (for example, our parent company in Germany) for those purposes.
- 1.5 We have implemented this Privacy Policy to provide information about what kinds of Personal Information we may collect or hold, how we collect, hold, use and disclose that Personal Information, choices you have regarding our use of that Personal Information, and your ability to access or correct that Personal Information. If you wish to make any inquiries regarding this Privacy Policy, you should contact our Privacy Officer in any of the ways specified in paragraph 16.
- 1.6 If we share your personal information with companies related to the companies in the Fuchs Australasia Group but located outside of Australia and New Zealand, paragraph 8 will apply which sets out further information about overseas disclosures. By providing your information to us you acknowledge that you understand we may share your information in those circumstances.
- 1.7 This Privacy Policy also includes our Commercial Credit Reporting Policy which explains how we collect, use, disclose and hold commercial credit information and commercial credit eligibility information about you.

## 2. Personal Information

- 2.1 **Personal Information** means generally information about an identified individual or an individual who is reasonably identifiable, and includes anything within the definition of 'personal information' in the *Privacy Act 1988 (Cth)* (for information collected by Fuchs in Australia) as well as Personal Information as defined under the Privacy Act 2020 for information collected by Fuchs NZ for Contracted Parties in New Zealand.
- 2.2 **Commercial Credit Related Personal Information** includes information about you we collect from commercial credit applications made by you or an organisation you are related to (your organisation), credit accounts we hold and credit reports we obtain from credit reporting bodies.

### 3. What Personal Information do we collect and hold?

3.1 The types of Personal Information we may collect about an individual will depend upon the nature of our interaction with them. Depending on the interaction, we may collect some or all of the following Personal Information:

- (a) **from our customers and potential customers:** details to verify your identity, assess your application for our products and services (where applicable), provide our products and services, and monitor, identify and prevent fraud, including: your full name; date of birth; contact details; current address (including postal address); identification information such as driving licence details, including driving licence number, and other forms of photographic identification; payment details, such as your credit card or bank account details; information about your purchases, including receipt number and location of purchase; Australian Business Number (ABN); credit history; trade references, credit references or reports from a third party; credit information; requested credit limit; consumer and commercial credit reports; financial information including your ABN or ACN, assets and liabilities, investment and loan accounts, insurance application details, consumer spending; other information relevant to any credit application; and the further information set out in paragraph 3.1(e)
- (b) **from consumers who may purchase our products:** full name; current address; contact details including mobile number and email address; information about the purchase include receipt number and location of purchase; job/role title; and the further information set out in paragraph 3.1(e)
- (c) **from our suppliers, potential suppliers, and their representatives:** generally information to assess your business (such as its key personnel); and business contact information (names, roles, contact details) to communicate with you, arrange and administer your provision of goods and services to us; and the further information set out in paragraph 3.1(e)
- (d) **from our employees, including prospective employees and job applicants:** your full name; date of birth; contact details; current address (including postal address); identification information such as driving licence details, including driving licence number, and other forms of photographic identification; occupation and employment details including employment status and any previous work experience; information in connection with your employment with us (which may include health information); and information from or in connection with your resume or job application if you apply for a position with us (including information from referees and to verify your qualifications, work and academic history); and the further information set out in paragraph 3.1(e), and
- (e) **from any person who comes into contact with Fuchs:** information about your contact with us, including: user interactions with our Website; photographs and/or images from camera footage such as CCTV cameras in our premises (if you visit our premises); and information from social media accounts and profiles, and other publicly available sources.

### 4. How and when do we collect Personal Information?

4.1 We collect your Personal Information to allow us to conduct our business functions, to provide, market and sell our products and services and for the specified purposes set out in paragraph 6. In some circumstances the collection of Personal Information may be required by law.

4.2 We may collect your Personal Information in the course of providing you with goods or services, buying services from you, in the course of our employment relationship, or:

- (a) **for customers, when you use or buy our products:** if you give us information in connection with the purchase of our products, including where you purchase products on credit
- (b) **from consumers who may purchase our products:** if you give us the information when entering a competition or participating in other promotional activity connected with our products
- (c) **for customers and potential customers, when you apply for credit to purchase our products:** when a potential customer submits an application for a commercial credit account in relation to our products, as set out in our Credit Application Terms of Trade.
- (d) **for everyone, when you view or interact with our Website:** for example, when you visit our Websites or register for or use an account on our Websites (see paragraph 5)
- (e) **for suppliers, when we receive goods and services from you:** when you provide that information to manage our relationship with your business; and when we communicate with you
- (f) **for everyone, when you attend our premises:** when you visit or attend our premises we may collect visitor information and information from our security cameras and systems
- (g) **for customers and suppliers, when you manage your relationship with us or otherwise communicate or, for everyone, when you interact with us:** for example, when you provide feedback or information to us; or when you otherwise contact us by any means
- (h) **for employees and job applicants, when you apply for a job with us or otherwise perform services as our employee:** when you submit a job application to us; or when you provide information to us in the course of your employment with Fuchs, and
- (i) **in other situations:** when otherwise required or authorised by law.

4.3 Generally, when providing our products and services, dealing with our personnel, or obtaining goods and services from our service providers, suppliers or contractors, we collect Personal Information directly from the relevant individual unless (a) for a Fuchs Australia Contracted Party it is not reasonable and practicable or the collection is otherwise authorised by the applicable privacy laws; or (b) for a Fuchs NZ Contracted Party it is permitted under the Privacy Act 2020.

4.4 Where we do not collect your Personal Information directly from you, we may collect Personal Information about you from third parties and other sources such as:

- (a) your nominated representatives (eg spouse, accountant, power of attorney, brokers and other professional advisors)
- (b) publicly available sources of information
- (c) related entities, companies and businesses of Fuchs
- (d) other commercial credit providers, or
- (e) credit reporting bodies who provide information about commercial credit worthiness,

provided the collection in this manner is otherwise permitted by the applicable privacy laws.

4.5 If the Personal Information we collect includes sensitive information, including health information, we will ask for your consent to collect sensitive information, unless the law allows us to collect it without your consent.

- 4.6 Where we engage with you multiple times over a short period in relation to the same matter, we may not provide you with a separate notice about privacy each time we engage with you.
- 4.7 If you choose not to provide your Personal Information to us for the purposes set out in this Privacy Policy, or if we do not or are unable to collect the Personal Information we require, we may not be able to provide you with requested information, products or services, or to effectively conduct our relationship with you (which in the case of employees, may mean we are not able to provide you will all of the benefits which we provide to other employees).

## 5. Information collected via our Website

- 5.1 Personal Information may be collected by us and by our third party service providers who assist us in operating our websites at:

- (a) <https://www.fuchs.com/au/en/>
- (b) <https://www.fuchs.co.nz>
- (c) <https://www.nulon.com.au>
- (d) <https://www.nulon.co.nz>,

including their subdomains and any other websites we operate from time to time (each a **Website** and collectively the **Websites**).

- 5.2 We may also use various technological methods from time to time to track the visiting patterns of individuals accessing our Websites, including but not limited to the methods set out in this paragraph 5.
- 5.3 The information collected by the methods set out in this paragraph 5 may not amount to Personal Information as defined in the applicable privacy laws. In those circumstances the information set out below is included only for informational purposes but we are not bound by privacy laws in respect of that non-personal information, and any practices or limitations described in this Privacy Policy will not apply to information that does not reasonably identify you.

### **Google Analytics**

- 5.4 We use Google Analytics to help analyse how you use our Website. Google Analytics generates statistical and other information about website use by means of cookies, which are stored on users' computers. The information generated is used to create reports about the use of our Website. Google may store this information.
- 5.5 If you do not want your Website visit data reported by Google Analytics, you can install the Google Analytics opt-out browser add-on. For more details on installing and uninstalling the add-on, please visit the Google Analytics opt-out page at <https://tools.google.com/dlpage/gaoptout>.

### **Click Stream Data**

- 5.6 When you read, browse or download information from our Website, we or our internet service provider may also collect information such as the date, time and duration of a visit, the pages accessed, the IP address of your computer, and any information downloaded. This information may be used for purposes including (without limitation) statistical, reporting and website administration, maintenance and improvement purposes.

## **Cookies**

- 5.7 Our Website may use 'cookies' from time to time, including (if a Cookie Policy is available from the Website you are using) as set out that Cookie Policy, which forms part of this Privacy Policy. Cookies are small text files that are transferred to a user's computer hard drive by a website for the purpose of storing information about a user's identity, browser type or website visiting patterns. Cookies may be used on our Website to monitor web traffic, for example the time of visit, pages visited and some system information about the type of computer being used. We may use this information, for example, to enhance the content and services offered on our Website.
- 5.8 Cookies are sometimes also used to collect information about what pages you visit and the type of software you are using. If you access our Website or click-through to our Website from a link in an email we send you, a cookie may be downloaded onto your computer's hard drive.
- 5.9 Cookies may also be used for other purposes on our Website.
- 5.10 You can configure your browser to accept all cookies, reject all cookies, or notify you when a cookie is sent. Each browser is different, so check the "Help" menu of your browser to learn how to change your cookie preferences.
- 5.11 If you disable the use of cookies on your web browser or remove or reject specific cookies from our Website or linked sites then you may not be able to gain access to all of the content and facilities in those websites.

## ***Third party content (eg social media links)***

- 5.12 Some of the content on our Website may include applications made available by third parties, such as social media buttons or links that allow you to share content or links to our Website through the relevant third party platforms. These third party applications themselves may facilitate collection of information by those third parties, through your interaction with the applications and sometimes even if you do not interact directly with them. Such collection by third parties is only relevant if you are member to or elect to use the third party service, and in doing so are subject to its terms. We are not responsible for the technical operation of these applications or the collection and use practices of the relevant third parties. Please visit the relevant third party websites to understand their privacy practices and options they may make available to you in relation to their collection of your Personal Information.

## **6. How do we use your Personal Information?**

- 6.1 We use the Personal Information we collect about you for our business functions and activities, in order to operate our business efficiently, and to market our products and services for the benefit of our customers/clients.
- 6.2 We may collect, hold and use your Personal Information:
- (a) **for everyone, to communicate with you:** including when you contact us or when we need to contact you
  - (b) **for customers and suppliers, to identify you and to comply with any contractual and legal obligations:** including undertaking identity verification checks through third parties; allowing our vendors and service providers to carry out audits of Fuchs in connection with our provision of products and services; and otherwise complying with our statutory and legal obligations
  - (c) **for customers, to assist you or to provide, manage and support your Fuchs products:** including to collect and process payments; account creation, administration

and management (including, for customers with credit accounts, to carry out credit checks (including assessing credit limit increases) and checks on the Personal Property and Securities Register (PPSR) to confirm your business' details, and to set up and manage a credit account for you for our provision of products to you on credit terms; providing customer information and support; providing our products and services; undertaking debt recovery (including selling bad debts owed to us to third parties)

- (d) **for customers and suppliers, to improve our services and for new product development:** including to enhance our products or services; to enhance goods and services from our suppliers and subcontractors; to conduct research (for example to understand your needs and the needs of our customers generally); and to create new products or services
- (e) **for end consumers who enter our competitions or promotional activities:** to facilitate your entry into and the administration of any competition or other promotional activity in which you participate in connection with our products
- (f) **for employees and job applicants:** to help us to meet our business, human resources, OH&S and quality assurance requirements; and for assessing and processing job applications
- (g) **for customers, to promote and market our products and services:** including (with your express consent, where express consent is required by the applicable law - e.g. for a Fuchs NZ Contracted Party) direct marketing; providing you information we believe you may be interested in receiving regarding Fuchs and our related companies,
- (h) **for everyone, for other business activities linked to us supplying our goods to you, you supplying your goods and services to us, or our employment of you, such as research, recruitment and other investigations:** including providing for safety and security of workers and onsite visitors; personalising your experiences on our Website; for data analytics which we may use generally for our business functions and activities; managing our business operations (including business support such as maintenance, backup and audit); responding to queries or complaints; and investigating, reviewing, responding to and informing affected individuals of data breaches involving their personal information; and
- (i) **in other situations:** to comply with our legal and statutory obligations.

6.3 We may aggregate personal information for reporting, statistical and analysis purposes, and for business, product and service improvement purposes. This allows us to better inform ourselves and anticipate our customers' preferences and requirements, and to monitor and improve the effectiveness of our business, products and services. We may also de-identify information for inclusion in such aggregated databases or reports.

6.4 We reserve the right at all times to monitor, review, retain, and/or disclose any information as necessary to satisfy any applicable law, but we have no obligation to monitor the use of the Website or to retain the content of any user session.

6.5 You consent to us using your Personal Information in the above ways and as set out in this Privacy Policy.

6.6 We may otherwise collect, use or disclose your Personal Information where the collection, use or disclosure is:

- (a) in accordance with this Privacy Policy or any agreement you enter into with us, or

- (b) required or authorised by law, including without limitation the Australian Privacy Principles under the *Privacy Act 1988 (Cth)* and for Fuchs NZ Contracting Parties, the Privacy Act 2020.

## 7. When do we disclose your Personal Information?

7.1 Fuchs may disclose, or provide access to, your Personal Information to third parties in connection with the purposes described in paragraph 6. Depending on the circumstances and the nature of your engagement with us, we may disclose your Personal Information to our related entities, to third parties that provide products and services to us or through us, or to other third parties (such as your referee(s) in connection with a job application you have submitted).

7.2 We may also disclose your Personal Information to:

- (a) **for everyone, other parts of our organisation:** including our internal teams and business units, and our related companies, in connection with our provision of products and services to you or otherwise in connection with our relationship with you
- (b) **for everyone:** your nominated representatives, as applicable, when they are dealing with us on your behalf
- (c) **for our customers, third parties involved in providing our products to you:** such as third party identification service providers who may disclose your Personal Information to document issuers or official record holders, and check with other third party databases, in order to verify your identity
- (d) **for our customers and potential customers who have applied for a credit account or credit limit increase with Fuchs:** credit reporting bodies and mercantile reporting agencies; other entities who are your credit providers or trade suppliers; and mercantile agents
- (e) **for end consumers who have entered into competitions or participated in other promotional activity:** third parties who supply promotional items given away or used in connection with those competitions or promotions, for the provision of those products in connection with the competition or promotion and, if you have opted in to receive marketing or promotional material from them if permitted by applicable laws, to receive marketing or promotional material from those third parties
- (f) **for everyone, our other supply chain partners and vendors:** who supply us goods and services or assist us in providing products and services to you; or who help us administer our business (such as data storage or processing (including in cloud based data storage facilities or through cloud computing service providers), printing, mailing, marketing, planning and product or service development), banks, lenders, valuers, insurers, brokers and other IT service providers; medical providers including medical and rehabilitation practitioners for assessing and managing workplace insurance claims (in respect of our employees); employment agencies (in respect of candidates or employees they have supplied or may supply to us); and purchasers of bad debt owed by a customer to Fuchs, to allow those purchasers to recover those debts
- (g) **for everyone, our professional advisers:** who provide advice or perform functions on our behalf, such as lawyers, auditors and business consultants, and
- (h) **for everyone, law enforcement, regulatory and government bodies:** such as regulatory authorities, law enforcement agencies, and other authorities or organisations as required or authorised by law.

- 7.3 As we continue to develop our business, we may buy, merge or partner with other companies or organisations, and in so doing, acquire Contracting Party Personal Information. In such transactions, Personal Information may be among the transferred assets. Similarly, in the event that a portion or substantially all of our business or assets are sold or transferred to a third party, we may also disclose certain information including your Personal Information to a purchaser or potential purchaser in connection with the sale or potential sale of us, our business or any of our assets, including in insolvency.

## **8. Interstate and Overseas disclosures**

- 8.1 For Personal Information collected by Fuchs in Australia, we may collect, use and disclose Personal Information generally within Australia (including between states and territories).

- 8.2 For all Personal Information collected by Fuchs, some of your Personal Information may also be disclosed, transferred, stored, processed or used overseas (outside of Australia, where your Personal Information is collected by Fuchs in Australia, and outside of New Zealand, where your Personal Information is collected by Fuchs in New Zealand) as described in paragraph 8.4 by us, or by third party service providers. This may happen if:

- (a) our offices or related entities are overseas
- (b) we outsource certain activities overseas
- (c) transactions, information, services or products have an overseas connection, or
- (d) our computer systems including IT servers are located overseas.

- 8.3 By providing your Personal Information to us, you consent to the collection, use, storage, and processing of your Personal Information outside of Australia or New Zealand for the purposes and to the third parties as set out in this Privacy Policy.

- 8.4 In particular, your Personal Information may be disclosed to third parties in the USA, Australia, New Zealand and Germany, and such other countries in which those parties or their, or our, computer systems may be located from time to time, where it may be used for the purposes described in this Privacy Policy. These countries may not have safeguards which hold greater or comparable safeguards to those provided under the Privacy Act 2020, by agreeing to this Policy you understand and consent to this collection. In these circumstances: (a) if you are a Fuchs Australia Contracted Party, you consent to the collection, use, storage and processing of your Personal Information in those countries, without us being responsible under the *Privacy Act 1988 (Cth)* for such use (or for any breach); and (b) if you are a Fuchs NZ Contracted Party, you consent to the collection, use, storage and processing of your Personal Information in those countries, and while we will comply with our obligations under the Privacy Act 2020 to the extent permitted by law we will not be responsible for such use (or for any breach). Where such parties are located overseas, you may have rights to enforce such parties' compliance with applicable data protection laws, but you might not have recourse against those parties under the Australian Privacy Act (if you are a Fuchs Australia Contracted Party) or the New Zealand Privacy Act (if you are a Fuchs NZ Contracted Party) in relation to how those parties treat your personal information.

## **9. Other uses and disclosures**

- 9.1 We may collect, use and disclose your Personal Information for other purposes not listed in this Privacy Policy, where permitted or required under applicable law. If we do so, we may, in our discretion, take reasonable steps to make it known to you at the time we collect or use your Personal Information, but this may not always be possible or appropriate.

## **10. Marketing**

- 10.1 Except where an express opt-in consent is required by law (in which case this paragraph 10 is subject to you having provided such consent), where a customer (or supplier, where applicable) provides Personal Information to us you consent to us using your Personal



Information for sending you information, including promotional material, about us or our products and services, as well as the products and services of our related entities and third parties, now and in the future. Such consent includes consent to us sending you such information by means of direct mail, telemarketing, email, SMS and MMS messages.

- 10.2 If you do not want to receive marketing information from us or if you want to stop receiving telemarketing, you can unsubscribe in any of the following ways:
- (a) clicking on the 'Unsubscribe' or subscription preferences link in a direct marketing email that you have received from us
  - (b) logging into your account on the Website and editing your communication preferences (where this functionality is available on our Website), or
  - (c) contacting us using the contact details specified in paragraph 16.

## **11. Storage and security of Personal Information held by us**

- 11.1 We aim to keep your Personal Information secure. Any Personal Information that is collected via our Website or which is held on our computer systems is protected by safeguards including physical, technical (firewalls, SSL encryption etc) and procedural methods.
- 11.2 We may retain your Personal Information for as long as necessary to fulfil the purposes we collected it for and any other permitted purpose, unless a shorter or longer period is required by applicable law. We will take reasonable steps to destroy or de-identify the relevant Personal Information after conclusion of the relevant retention period.
- 11.3 If we find that we no longer require or have no further need for your Personal Information we may de-identify it or remove it from our systems and destroy all record of it.

## **12. Commercial Credit Reporting Policy (Australia)**

- 12.1 This part of the Privacy Policy explains how Fuchs Australia (where you are a customer of Fuchs in Australia) collects, uses discloses and holds commercial credit information and commercial credit eligibility information about you in Australia.
- 12.2 Commercial Credit Related Personal Information includes information about you we collect from commercial credit applications made by you or an organisation you are related to (your organisation), credit accounts we hold and credit reports we obtain from credit reporting bodies (**CRBs**).
- 12.3 Generally we collect Commercial Credit Related Personal Information from you directly but we also collect it from third parties who provide credit reports, such as Equifax Australia Pty Ltd, illion Australia Pty Ltd, and Trade Bureaux Australia Pty Ltd. A copy of their credit reporting policies can be accessed on their websites or by contacting them using the details at <https://www.equifax.com.au>; <https://www.illion.com.au>; and <https://tba.net.au>, respectively.
- 12.4 Commercial Credit Related Personal Information we collect and hold may include the following types of information about individuals:
- identification information about you including your current and prior names and addresses, any known alias you may have, your date of birth, your current or last known employer and your driver's licence number;
  - a statement that an information request has been made about the individual in relation to commercial credit;
  - the type of commercial credit and the amount of commercial credit sought in an application;
  - default information (and where a default has been remedied, payment information or new arrangement information);
  - court proceedings information;

- personal insolvency information;
- certain administrative information relating to credit, such as account and customer numbers;
- commercial credit reporting information we receive from a CRB including business credit scores and ratings; and
- information that we derive from the commercial credit reporting information we receive from CRBs.

12.5 We collect, use and store Commercial Credit Related Personal Information about you to allow us to sell our products and services and to conduct our business. We use this information in the same way as we use your Personal Information as set out in section 6 of this Privacy Policy.

12.6 Sections 3, 4, 7, 8, 9, 11 and the sections below of the Privacy Policy apply in the same way to Commercial Credit Related Personal Information as they apply to Personal Information as through Commercial Credit Related Personal Information is included in references to Personal Information.

### **13. You can access and update your Personal Information**

#### ***For Fuchs Australia Contracted Parties***

13.1 For our customers and other individuals who are not our employees, you are generally entitled to access Personal Information that we hold about you. If you request access to your Personal Information, in ordinary circumstances we will give you full access to your Personal Information. Depending on the nature of the request, Fuchs may charge for providing access to this information, however such charge will not be excessive.

13.2 However, there may be some legal or administrative reasons to deny access. If we refuse your request to access your Personal Information, we will provide you with reasons for the refusal where we are required by law to give those reasons.

13.3 You can access and ask us to correct some of your Personal Information through the Website by logging into your account and updating or editing your profile at any time (if this functionality is available via our Website). Alternatively, a request for access can be made by contacting us in any of the ways specified in paragraph 16.

13.4 For our employees, you may have rights under privacy laws to access or ask us to correct certain Personal Information we hold. To the extent you have those rights, where required by law, we may provide such access or update our records. However, this is not a general right to access or correct your employee records and beyond the rights required by law, our employees do not have a general right to access, correct or update your Personal Information that we hold. If you are an employee of Fuchs, a request for access can be made by contacting your relevant department manager/supervisor.

13.5 We take all reasonable steps to ensure that any Personal Information we collect and use is accurate, complete and up-to-date. To assist us in this, you need to provide true, accurate, current and complete information about yourself as requested, and properly update the information provided to us to keep it true, accurate, current and complete.

13.6 Please contact us in any of the ways specified in paragraph 16, or if you are one of our employees, contact your relevant department manager/supervisor, if you believe that the Personal Information is inaccurate, incomplete or out of date, and we will use all reasonable efforts to correct the information.

***For Fuchs NZ Contracted Parties***

- 13.7 For our customers and other individuals who are not our employees, you are generally entitled to understand what information we hold about you and to request that it be corrected. If you request access to your Personal Information, in ordinary circumstances Fuchs may charge for providing access to this information, however such charge will not be excessive.
- 13.8 However, there may be some legal or administrative reasons to deny access. If we refuse your request to access your Personal Information, we will provide you with reasons for the refusal where we are required by law to give those reasons.
- 13.9 You can ask us to correct some of your Personal Information through the Website by logging into your account and updating or editing your profile at any time (if this functionality is available via our Website). Alternatively, a request for correction can be made by contacting us in any of the ways specified in paragraph 16.
- 13.10 For our employees, you may have rights under privacy laws to access or ask us to correct certain Personal Information we hold. To the extent you have those rights, where required by law, we may provide such access or update our records. However, this is not a general right to access or correct your employee records and beyond the rights required by law, our employees do not have a general right to access, correct or update your Personal Information that we hold. If you are an employee of Fuchs, a request for access can be made by contacting your relevant department manager/supervisor.
- 13.11 We must ensure that any Personal Information we collect and use is accurate, complete and up-to-date. To assist us in this, you need to provide true, accurate, current and complete information about yourself as requested, and properly update the information provided to us to keep it true, accurate, current and complete.
- 13.12 Please contact us in any of the ways specified in paragraph 16, or if you are one of our employees, contact your relevant department manager/supervisor, if you believe that the Personal Information is inaccurate, incomplete or out of date, and we will correct the information where it is inaccurate.

***For all Contracted Parties***

- 13.13 There may be circumstances where we are permitted by law not to update your Personal Information where you have requested that we correct it. In those circumstances you may have a right to ask us to include a note indicating that you requested that we update that information and that we did not agree to do so, and unless a permitted exception applies we will take reasonable steps to associate that note with the relevant information.
- 13.14 It would assist us to ensure we properly understand your request, and allow us to respond more promptly, if requests are made in writing and include as much detail as possible.
- 14. How do we deal with complaints about privacy?**
- 14.1 If you feel that we have not respected your privacy or that we have conducted ourselves inconsistently with this Privacy Policy, please contact us in any of the ways specified in paragraph 16, or if you are one of our employees, contact your relevant department manager/supervisor, and advise us as soon as possible. We will investigate your queries and privacy complaints within a reasonable period of time depending on the complexity of the complaint.
- 14.2 It would assist us to respond to your complaint promptly if it is made in writing. Please detail information relevant to your complaint.
- 14.3 We will notify you of the outcome of our investigation.

**15. Updates to this Privacy Policy**

15.1 We may, from time to time, review and update this Privacy Policy, including to take into account new laws, regulations, practices and technology. Our most recent Privacy Policy, posted on our Website at: <https://www.fuchs.com/au/en/imprint/> Any changes to this Privacy Policy may be advised to you by updating this page on our Website and providing the last updated date next to the link on our website . We will aim to provide reasonable advance notice of such changes though this may not always be possible depending on the circumstances. We encourage you to check this page from time to time for any changes. If you continue to engage with us after we have updated this Privacy Policy we are entitled to assume you consent to the use of your Personal Information as set out in the updated Privacy Policy.

**16. What to do if you have a question, problem or complaint, or want to contact us about our use of your Personal Information or this Privacy Policy**

16.1 If you:

- (a) have a query or concern about this Privacy Policy or our Personal Information handling processes
- (b) wish to make a complaint in relation to a breach of your privacy
- (c) would like to access your Personal Information held by us
- (d) would like to update or correct your Personal Information held by us, or
- (e) would like to opt out of direct marketing,

please contact us in any of the following ways:

- » Email Address: PrivacyOfficer\_au@fuchs.com
- » Mailing Address: 49 McIntyre Road, Sunshine VIC 3020, Australia or
- » Phone: +61 3 9300 6400.