



## **Indian Motorcycle New Zealand Privacy Policy**

### **Introduction**

The objective of this Privacy Policy (this Policy) is to provide a code of conduct in relation to the use of information on individuals, which may be collected, stored, and used by Polaris Sales New Zealand Ltd. trading as Indian Motorcycle New Zealand (henceforth referred to as INDIAN). Personal information shall be protected. This Policy aligns with Privacy Act 1993 (Privacy Act). Please visit <http://www.legislation.govt.nz/act/public/1993/0028/latest/DLM296639.html> for further information about this legislation.

### **1. How does INDIAN collect personal information?**

INDIAN collects personal information in a number of different ways. INDIAN collects most information directly from customers where possible. INDIAN also collects personal information from its new and existing customers through warranty registration forms received directly or through one of its registered Dealers. INDIAN collects personal and business information about its Dealers. INDIAN also collects personal information from online forms on our website at <http://www.indianmotorcycle.com.au>

The services of INDIAN include:

- Import of INDIAN products and parts from Polaris;
- Sale of these products and parts to a dealer network throughout Australia & New Zealand;
- Provision of warranty for goods purchased from INDIAN;
- Technical Training to ensure maintenance and repair of goods purchased;
- Marketing of the INDIAN product and brand throughout Australia & New Zealand.

For the purposes of the INDIAN Policy, these are referred to as “our services”.

This Policy focuses on how INDIAN handles the personal information about its dealers and customers.

INDIAN may also handle information about people who do not fall within these categories – these people are INDIAN’s “business contacts” (eg. our suppliers). How INDIAN handles the personal information of its business contacts is discussed at section 7 below.

### **2. What personal information does INDIAN collect?**

When you sign up as a Dealer with INDIAN, you will be asked to provide your name, address, ACN and ABN, all contact telephone numbers, your occupation, your email address and credit reference details. As a purchaser of a INDIAN product, you will be asked to provide your name, telephone number, address, email address and signature. As explained at section 3 below, the reason INDIAN collects this information is so that INDIAN can provide you with its services, manage its relationship with you, communicate with you effectively and identify which of its services will best meet your requirements. However, INDIAN doesn’t collect information it doesn’t need. For example, INDIAN

doesn't collect sensitive information because INDIAN doesn't need it in order to provide you with its services.

INDIAN may provide you with promotional material from time to time. When INDIAN uses that personal information, INDIAN will offer people on the list an opportunity to be removed from its mailing list, or to "opt out" from receiving further promotional material. INDIAN 's use of personal information collected in the other ways outlined above is discussed at section 3 below.

### **3. How is personal information used?**

The personal information collected from you by INDIAN is used:

- to provide you with its services: this includes the use of personal information for establishing and maintaining your warranty registration, to inform you of product recalls (if any), or to provide you with marketing information about its product;
- to notify you about services and promotions offered by INDIAN and its sponsors (whether you are a INDIAN Dealer or Customer);
- in accordance with this Policy;
- for any other purpose communicated to you at or near the time your personal information is collected;
- as permitted or required by law;
- if we believe it necessary to provide you with a service you have requested;
- to implement our terms of service;
- to protect the rights, property or personal safety of another INDIAN customer, any member of the public or INDIAN;
- if some or all of the assets and operations of the business are or may be transferred to another party by way of sale of some or all of the business; or
- if you have provided your consent.

If you do not provide INDIAN with personal information as we request from you, INDIAN may be unable to provide you with our full range of products and our services.

INDIAN may also enter into sponsorship or promotional arrangements with third parties from time to time.

In doing so, INDIAN will not provide personal information about you to its sponsors or partners; however

INDIAN may forward information about the products, services or promotions offered by its sponsors or partners to you.

If at any time you do not wish to be notified about the products, services or promotions offered by INDIAN sponsors please let INDIAN know. INDIAN 's contact details are listed under section 9 below.

### **4. Will personal information be given to anyone else?**

Your personal information is accessible by employees or contractors of INDIAN for the purposes of providing you with INDIAN services. In the circumstances described below, personal information may be disclosed outside INDIAN and outside New Zealand, including to group companies and/or one or more third parties with whom it has a business relationship. As at the date of this Policy, the countries to which INDIAN transfer information include the USA.

#### **(a) Parent Company**

Polaris Industries Australia and New Zealand is a wholly owned subsidiary of Polaris Industries Inc. Your personal information will be provided to the Parent Company in order to assist them in providing you with their services. This Privacy Policy does not apply to the collection, use and disclosure of information by Polaris Industries Inc. If you wish to view their privacy policy, you may do so by contacting them at [consumer.service@polarisind.com](mailto:consumer.service@polarisind.com)

### **(b) Outsourcing**

Personal information collected by INDIAN may be disclosed to third parties to whom INDIAN contracts out specialised functions (including mailing houses and printing companies). For example, INDIAN may enter into a contractual arrangement with a secure mailing house, and it will be that third party's contractual obligation to mail out information about the relevant products, services or promotions offered by that partner.

If INDIAN does disclose personal information to third party contractors under outsourcing or contracting arrangements, INDIAN takes steps to ensure those contractors:

- Comply with the APP when they handle your personal information (regardless of whether they are a small business, and would otherwise be exempt from the Privacy Act); and
- Are authorised only to use personal information in order to provide the services or to perform the functions required by INDIAN.

### **(c) Disclosures required by law**

The only other time INDIAN would make disclosures of personal information is if INDIAN is required to do so by law, or if the disclosure is permitted under the Privacy Act. INDIAN does not sell, rent or trade personal information to or with third parties.

## **5. Access and Correction**

Under the Privacy Act, you have a right to seek access to information which INDIAN holds about you (although there are some exceptions to this). You also have the right to ask INDIAN to correct information about you which is inaccurate, incomplete or out of date.

If you wish to exercise your right under the Privacy Act, to seek access to the personal information that INDIAN holds about you, INDIAN asks that you contact INDIAN's Privacy Officer (details at section 9 below), who will explain how INDIAN will handle your access request.

If you are of the view that personal information about you is not accurate, complete or up to date, please provide INDIAN's Privacy Officer with your request for correction (contact details are set out at section 9 below). INDIAN's policy is to consider any requests for correction within a reasonable period.

## **6. Is personal information stored safely?**

INDIAN takes steps to ensure the security of personal information held by it from such risks as loss or unauthorised access, destruction, use, modification or disclosure. INDIAN only permits your details to be accessed by authorised personnel, and it is a condition of employment that INDIAN's employees maintain the confidentiality of personal information.

## **7. Non-customer information**

Sometimes, INDIAN needs to collect personal information about individuals who are not customers, or who are not people to whom INDIAN would generally offer its services. This will usually arise where INDIAN collects the name and business contact details of a person who is the contact in one of its suppliers or clients. INDIAN's policy is to only use personal information collected from non-customers for the business purpose for which it was collected.

## **8. On-line Privacy Issues**

INDIAN will apply this policy to all personal information it handles, whether collected on-line or otherwise. To the extent that this Policy applies to online privacy issues, it is to be read as forming part of the terms of use for the INDIAN website. This section 8 is intended to provide more information about privacy for the users of the INDIAN website.

### **(a) Online collection of personal and non-personal information**

As outlined in section 1 of this Policy, INDIAN collects personal information through its website. The website also collects other information that may or may not be personal information. For each visitor to the INDIAN website, the INDIAN website server automatically recognises and stores your “address” (eg. your domain name or Internet protocol address), your type of Internet browser, the address of the site which “referred” you to the website and clickstream data.

In addition, the INDIAN website uses cookies to track usage of the web site. Most web browsers are set by default to accept cookies. However, if you do not wish to receive any cookies you may set your browser to either prompt or refuse cookies. Please note that rejecting cookies may mean that not all the functions on the website are available to you. INDIAN uses cookies for tracking the statistics of its website. This allows INDIAN to better understand its website users and improve the layout and functionality of the website. This tracking is conducted in such a way to ensure the anonymity of visitors – in this context the cookie may identify your computer – but it should not identify you.

### **(b) Links to other websites**

Sometimes the INDIAN website contains links to third party websites, for your convenience and information. When you access a non-INDIAN website, please understand that INDIAN is not responsible for the privacy practices of that site. INDIAN suggests that you review the privacy policies of each site you visit.

## **9. Contacting INDIAN**

If you have any questions or comments about this Privacy Policy please contact INDIAN’s Privacy Officer at:

**Email: [psa.sales@polarisind.com](mailto:psa.sales@polarisind.com)**

If you have any concerns or complaints about how INDIAN has handled personal information about you, please contact INDIAN’s Privacy Officer at the above contact details. We will investigate your complaint and will endeavour to respond to you within 30 days of receiving the complaint. If you are dissatisfied with the response that you receive from us, you may make a complaint to the applicable regulator.

## **10. Changes to this Privacy Policy**

This Privacy Policy may change from time to time. This Policy was last updated in November 2017.