

## **Privacy Policy**

FCA AUSTRALIA PTY LTD trading as FCA Australia (Chrysler, Jeep, Dodge, Fiat, Alfa Romeo and Mopar)

Version Date: September 2016

### **Introduction**

Welcome to this FCA Australia Pty Ltd (ACN 125 956 505) ("FCAA") website. FCAA is a member of the worldwide Fiat Chrysler Group ("FCAG"), a group of companies comprising Chrysler Group LLC and Fiat Group Automobiles S.p.A. and all their associated companies.

### **Privacy Policy**

FCAA respects your privacy and takes seriously its obligations to comply with the Australian Privacy Principles ("APPs") contained in the Privacy Act 1988 (Cth) (as amended from time to time) ("Privacy Act").

"Personal Information" includes information that alone or when in combination with other information may be used to readily identify, contact, or locate you (e.g., name, address, telephone number, email address, and location).

We know that you care about how your Personal Information is collected, used, and shared and we want to help you make knowledgeable choices about the information you provide to us. This Privacy Policy ("Privacy Policy") explains and summarises how FCAA collects, uses, and protects your information, including the Personal Information that you may provide to us or that we may collect from you as you interact with us.

This Privacy Policy applies when FCAA collects data from customers and guests, including through FCAA controlled websites or applications, and FCAA controlled applications accessed and/or used on a mobile, handheld or other wirelessly connected device (a "Website" or "Application"). Any Personal Information you provide is voluntary.

By disclosing your Personal Information to us or using our Websites or Applications, you consent to its collection, use and distribution by FCAA in a manner that is consistent with the Privacy Act and any other applicable data protection laws and this Privacy Policy (which is expressly incorporated into any applicable Website or Application terms of use).

We will update this Privacy Policy from time to time, so please check back with us periodically, as your continued use of our Websites or Applications means you acknowledge, agree to and consent to those changes.

### **How we collect your information**

In the course of providing services to you, FCAA collects your information in a number of ways.

For example, we collect information when you:

- use a Website or Application to make an enquiry about our products and services such as when you request to be sent information or for purposes that are made clear on the page on which the information is collected;
- apply for employment with us through the application process, including through third parties such as your referees and previous employers;
- enter our Website our third party Internet Host provider records your server address; domain name, the date and time of your visit and the pages viewed and we may also obtain information about you from Google analytics;
- enter into written agreements with us, our dealers, agents or third party service providers;
- purchase a vehicle or service a vehicle and become a customer;
- supply goods or services to us;
- answer a survey or respond to requests from a market research agencies engaged by us;
- fill in a competition form;

- post a comment on our website, send us an email or make a telephone enquiry;
- ask to be placed on a mailing list;
- provide your information to a third party that we supply or provide services to, such as our FCAA related body corporates, dealers and distributors, contractors and regulatory authorities.

FCAA may also collect information about you that is publicly available from outside sources including information from telephone directories, the electoral roll, other websites, device ID information from mobile applications or advertisements or purchase e-mail or similar lists from third parties for advertising and marketing purposes.

### **Types of information we collect**

The types of information we collect from you will vary depending on the purpose for which it is collected by FCAA, but may include:

- Name, email address, telephone and fax numbers and delivery details;
- Drivers' Licence details;
- Age;
- Gender;
- Occupation;
- ABN;
- Your car registration details, VIN and number plate;
- Your car's repairs and service history;
- IP Address;
- Location data;
- Device type (iPhone, laptop etc);
- Domain name;
- Web browser, Safari, Firefox;
- Date and time of access to the website and which website you came from;
- Content of emails; and
- Information you post on your webpage.

Location data and other information that you provide to us may be accessed in connection with your use of a Website or Application. Your use of, and our ability to offer location based functionality is then enabled through our use and disclosure to third parties of location data and associated information. When you interact with us or purchase a FCAA product through a Website or an Application (for example, to get a quote or locate a dealer) you will be asked for information needed to complete your request. The Personal Information you provide is used, for example, to process your transactions, to create and share reports about these transactions, or to provide related customer service. When you shop online or buy direct from one of our online stores, these purchase transactions may be conducted through FCAA vendors and suppliers.

### **Customer's Sensitive Information**

FCCA does not generally require customers to provide Sensitive Information (as defined in the Privacy Act) such as race, religious beliefs, sexual orientation or health information etc.

Occasionally a customer will advise a disability or a trade or professional association to which he or she belongs to that is sensitive information, but we do not actively seek this information. If you disclose sensitive information to us you consent to our collecting, using and disclosing this sensitive information for the purpose for which you disclosed it to us and as permitted under the Privacy Act and other relevant laws.

### **Contractor to FCAA**

If you are a contractor to FCAA, we may collect information relating to your engagement by FCAA in relation to your qualifications, training records and logs, references, length of engagement, resume, pay rate, salary, bank account details and ABN.

### **Employment Applications**

If you apply for a job with FCAA, we will use the Personal Information you provide to assess your application. We may disclose your Personal Information to third party service providers to assist with the assessment which may include screening, aptitude tests, human resources management purposes such as background checks and discussing your application with referees, medical tests and health assessments.

During this process we may collect sensitive Personal Information which is provided directly by you. The sensitive information that may be collected during the employment process if given voluntarily by you may include: race, religion, professional or trade association memberships, health or criminal records. As part of the application, we may ask you to undergo a medical assessment and/or complete a health questionnaire. If this occurs we may disclose your Personal Information to a third party service provider for the purposes of completing a health/medical assessment. If a health/medical assessment is required, we will ask for your consent again at the time we need to make the disclosure. If you are unable to consent to these disclosures we will not be able to consider your application for employment.

FCAA does not collect and/or process any Personal or Sensitive Information against the express wishes of an individual, unless FCAA is required by law to do so.

### **Anonymity and Pseudonyms**

You have the right to remain anonymous or use a pseudonym when entering into transactions with FCAA, unless such anonymity or use of a pseudonym would be considered unlawful or impracticable. Please let us know if you wish to deal with us anonymously or by a pseudonym, and where possible, we will accommodate this request.

However, failing to provide your Personal Information may in some instances make it impractical or impossible to provide you with our products or services. For example, if we are unable to collect your Personal Information at the time of a new vehicle purchase, we would not be able to notify you of a product recall affecting your vehicle and would not be able to register the transfer of ownership with the relevant licensing authority.

### **Non-personal information, cookies and related information collection**

FCAA or others acting on our behalf may use cookies, pixel tags, web beacons or other similar technologies in connection with the operation of our Websites or Applications. These technologies may collect and store non-Personal Information. We utilize these technologies to research and understand how our Websites and Applications are used, to develop our products and services, to personalize your online experience with FCAA to assist us with targeting our advertising and marketing. We may share data collected from you on our Websites with our third party vendors or suppliers to advertise or market to you on other sites as you browse the web. At the end of your visit, session cookies used by FCAA are removed. However, in some instances some FCAA cookies may persist. For example, to customize your experience we may require registration to recognize your computer and enable you to log-in without having to enter your password. It is possible that Cookies placed by FCAA or its vendors or suppliers (as applicable) in connection with the operation of the Website or Application may remain stored on your computer until you remove them.

Our service providers or vendors may also use cookies and related technologies in order to personalize your experiences and adapt a particular FCAG Website or Application's functionality to your preferences and for purposes such as those listed above. If you are visiting a URL other than the FCAG websites ([www.fiatchrysler.com.au](http://www.fiatchrysler.com.au), [www.jeep.com.au](http://www.jeep.com.au), [www.chrysler.com.au](http://www.chrysler.com.au), [www.fiat.com.au](http://www.fiat.com.au), [www.alfaromeo.com.au](http://www.alfaromeo.com.au), [www.dodge.com.au](http://www.dodge.com.au), [www.mopar.com.au](http://www.mopar.com.au) and [www.drivesrt.com.au](http://www.drivesrt.com.au)) or other FCAA or FCAG Websites or Applications, you should carefully review the privacy policies of those web sites or applications.

You may set your browser to notify you when you receive a cookie or to refuse receiving it. You should be aware that this may interfere with or make you unable to use certain functionality on websites using cookies and you may not be able to take full advantage of the services available to you on our website. For example, many websites will ask your permission to use a cookie that will

enable you to automatically log onto the website. Disabling or removing cookies may require you to manually log on each time you wish to visit that website.

### **Why we collect your information and how we use your information**

FCAA collects and uses your Personal Information to provide information relating to our products and services that is relevant to your interests. We also collect your Personal Information to:

- respond to your requests for information relating to sales, quotes, our products, brochures, test drives and services offered;
- respond to feedback, complaints or comments, whether made by electronic means, telephone or in person;
- supply products and services to you;
- allow you to purchase a product online via one of our Websites or Applications and process and collect payment and deal with your account when you purchase products or services from us or our dealers;
- communicate with our dealers to organise and allow you to test drive our cars or get a quote;
- to pass on enquiries or complaints made by you regarding our products, sales or services to a dealer or a related party of FCAA who can assist with your enquiry or complaint;
- purchase goods and services from you;
- manage vehicle warranties;
- product registration and support;
- keep track of repairs to your vehicle;
- effect product recalls;
- provide after sale customer support such as issue service reminders and roadside assistance;
- conduct customer surveys and improve the quality of our service by contacting you to determine your level of customer satisfaction;
- provide dealer support;
- notify you periodically about important things like an update to an Application or our terms and conditions;
- undertake marketing and promotional activities;
- provide you with direct marketing to inform you of special offers and promotions that we think may be of interest to you subject to obtaining your prior consent or being satisfied you would reasonably expect to receive such direct marketing materials (as further detailed below under "DIRECT MARKETING");
- conduct market research and product development;
- contact you in the event of a security breach;
- meet our internal reporting requirements to global affiliates of FCAA in relation to statistics on sales, warranties, repairs and marketing;
- process employment applications;
- report to and evaluate dealers;
- engage contractors;
- meet our legal and regulatory responsibilities and for fraud prevention purposes such as verifying your identity;
- allow you to benefit from combining your location data with location based functionality in our Website and Applications, for example to locate your closest dealer or get a quote locally; and

- contact you by email, phone, SMS or MMS or in any other lawful manner for the purposes set out above.

FCAA does not collect and process any Personal Information unless the information is considered necessary for the effective functioning or activities of our business. Because most of the Personal Information we receive about you is collected directly from you or you have given to a dealer who has provided your Personal Information to us, you will normally be aware of the purpose of its collection. However, in the event FCAA receives Personal Information about you from a third party other than a dealer, we will inform you as soon as practicable from whom FCAA received your Personal Information from.

Generally, FCAA only processes Personal Information for the purposes for which it was originally collected being the primary purposes stated above, unless required or authorised by or under law or if the individual concerned has consented to another intended use.

### **Direct Marketing**

FCAA will only use your Personal Information such as an address, email address and/or phone number for the purpose of direct marketing where we have obtained your consent to do so, or in circumstances where you would reasonably expect your Personal Information would be used or disclosed for this purpose. Direct marketing activities FCAA and our related bodies corporate may conduct include contacting you by way of phone calls, mail, email, SMS text messages, mobile message services MMS or instant messaging.

Where you have provided consent or would reasonably expect us to use your Personal Information for direct marketing, we may disclose Personal Information to third parties to allow them to direct market our products and services to you in the ways described above. The types of third parties that may contact you with direct marketing are set out below in Other Information Uses and Disclosure to Third Parties. There are also times when we join with dealers and other business associates of FCAA and may undertake joint marketing of our respective products and services to you.

Your consent to receive direct marketing communications in the above ways will be deemed if you do not opt out when we offer you the opportunity to do so, and will remain current for an indefinite period of time unless and until you advise us otherwise. You can opt-out of receiving direct marketing at any time (see below).

You can let us know at any time if you do not want the personal information we hold about you to be used or disclosed for any of the above purposes, or if you do not wish to be contacted in any of the above ways, by sending an email to: [marketingau@fcagroup.com](mailto:marketingau@fcagroup.com) , by phone by calling 03 8698 0200 or by mail to Direct Marketing Manager, FCA Australia Pty Ltd, 437 Plummer Street, Port Melbourne, Vic, 3207.

### **Other information uses and disclosures to third parties**

FCAA does not use or pass onto others any Personal Information without the consent of the individual(s) concerned other than for the primary purpose of collecting the Personal Information or a reasonably related secondary purpose or as disclosed in this Privacy Policy or as required by law.

FCAA's third party service providers may occasionally have access to the Personal Information held by FCAA under conditions of confidentiality.

Our third party service providers are only authorised to use the information for the purpose for which we supply the information. Examples of the types of third parties we may need to disclose information to in the course of providing a product or service are:

- related bodies corporate of FCAA;
- FCAA's authorised dealers;
- FCAA partners or their respective related bodies corporate;
- employees and contractors;
- parts suppliers;
- web hosting, data housing providers and other IT suppliers;
- insurers, lawyers, financiers and other professional advisers;

- service providers engaged by FCAA to provide a particular service on FCAA's behalf such as:
  - printers of our marketing material;
  - mailing houses to bulk mail marketing and promotional material,
  - agencies that deal with product recalls and send information to affected customers; and
  - marketing and research agencies that assist us with promotions or competitions, market research and trend analysis;
- entities that provide roadside assistance to the purchasers of our vehicles and membership to autoclubs;
- entities that process credit card payments;
- vehicle licensing authorities;
- the Australian Taxation Office or state revenue offices.
- a Court or to a third party under a subpoena issued by a Court;
- a regulatory authority;
- third parties for law enforcement purposes.

FCAA may be required to disclose personal consent without consent of the individual where the law requires us to make the disclosure to bodies such as:

- the Australian Tax Office;
- a Court or to a third party under a subpoena issued by a Court;
- a regulatory authority.

FCAA may use information relating to your visit to one of our Websites or Applications, or information you provide to us, for market research purposes in order to continually improve the products and services that FCAA delivers to you.

On occasions, FCAA may form relationships with other organisations. FCAA may, with your prior consent, disclose your Personal Information to these organisations so that they may offer you special offers or competitions, relevant to your preferences. FCAA only deals with parties that demonstrate the same level of commitment to your privacy as FCAA does, and can ensure compliance with the Privacy Act.

Certain promotions may be run by a FCAA service provider or vendor or co-branded with one of our partners or run on a third party site like Facebook. In these instances the collection of your Personal Information may occur directly by the service provider or vendor or a third-party partner on their website. The promotion will state the policies governing the collection of such information if they should differ from this Privacy Policy.

Vendors and suppliers engaged by FCAA may have their use of your Personal Information limited by this Privacy Policy, contractual restrictions, or applicable law. However, if a particular Website or Application is co-branded or developed by a third party, it is possible that another party's Privacy Policy will govern the treatment of information on that Website or Application. FCAA (through its vendors or suppliers) may limit the acceptance of orders to particular jurisdictions and as permitted by applicable law.

FCAA may sometimes permit our authorized service providers to have access to aggregate statistics about our customers, sales, traffic patterns, and related Website or Application information. These transfers of aggregate statistics do not involve Personal Information.

FCAA offers a variety of services and functions through its Websites and Applications. Personal Information that is collected through a Website or Application may be used and/or disclosed to third parties in order to enable us to provide functionality or services to you. For example, some FCAA Websites and Applications allow you to interface with third party websites or applications. To facilitate that connection, we may use your Personal Information and/or disclose your Personal Information to third parties. When we provide location based services enabled through a third party, we may share data with those services in order to provide the related location based service or functionality.

## **Mergers, acquisitions and insolvency**

If FCAA should ever file for bankruptcy or in the unlikely event that FCAA reorganizes or sells a part or the whole of its business or merges with another entity, its records of Personal Information may be transferred to a prospective purchaser, the actual purchaser, an entity a party to the merger or released to a liquidator. The information will remain subject to the Privacy Act and any other applicable laws and until further notified, will remain subject to FCAA's Privacy Policy.

## **Transfer of Information Overseas**

FCAA, as part of the FCAG, has internal reporting requirements to other FCAG entities. Other FCAG entities may also provide a range of technology, operational (such as database storage services) and customer service functions on FCAA's behalf which may involve the transfer of your Personal Information to other FCAG entities located overseas. If you are a contractor, your personnel records, which may contain Sensitive Information may be sent overseas to other FCAG entities and/or FCAG database storage services.

Some of our third party service providers to whom we disclose Personal Information to may also be located outside Australia. The countries we may send your information to include: Italy, Singapore, China, United States and India.

If information has to be disclosed overseas, the overseas recipient may not be subject to privacy obligations or to any principles similar to the APPs.

An overseas recipient may also be subject to a foreign law which could compel disclosure of personal information to a third party, for example, an overseas government or regulatory authority.

If you consent to the disclosure in circumstances where we have informed you that we will not take any steps to ensure that the overseas recipient deals with your Personal Information in accordance with the APPs the overseas recipient handles the information in breach of the APPs you will not be able to seek redress under the Privacy Act, may not be able to seek redress in the overseas jurisdiction and we will not be accountable under the Privacy Act.

## **Accuracy of Information**

FCAA takes all reasonable steps to ensure that Personal Information is accurate, up to date, complete, relevant and is not misleading. To assist us in making sure your Personal Information is accurate, up to date and complete, we may contact you from time to time to ask you to advise us of any changes to your Personal Information. If you discover any Personal Information we hold about you is incorrect, please contact us immediately and we will correct it. The contact details to correct Personal Information should be directed to the Chief Security Officer of FCAA whose details are set out under Access to your Personal Information and Further Questions.

If after receipt of your request to correct information we refuse to do so, you may request we associate the information with a statement that the information is incorrect, out of date, incomplete, irrelevant or misleading. If we refuse to correct your information we will provide you with reasons for the refusal and the mechanisms available to you to complain about the refusal.

## **Security of Information**

FCAA takes all reasonable steps to ensure that Personal Information is kept safe from misuse, interference, loss and unauthorised access, modification and disclosure. The electronic database that holds the information is designed to restrict access to unauthorised persons.

No data transmissions over the Internet can be guaranteed to be 100% secure. Consequently, FCAA cannot ensure or warrant the security of any information you transmit to FCAA and you do so at your own risk. Once FCAA receives your transmission, FCAA makes reasonable efforts to ensure security on our systems. FCAA uses secure server software (SSL) and firewalls to protect your information from unauthorised access, disclosure, alteration, or destruction. However, please note that this is not a guarantee that such information may not be accessed, disclosed, altered, or destroyed by breach of such firewalls and secure server software. If FCAA learns of a security system's breach, FCAA may attempt to notify you electronically so that you can take appropriate protective steps. By using one of our Websites or Application, you agree that FCAA can communicate with you electronically regarding security, privacy, and administrative issues relating to your use of the Website or Application. FCAA may send an email to you at the email address you have provided to FCAA if a security breach

occurs. If you become aware of any breach of security involving your Personal Information, please contact us immediately..

Except to the extent liability cannot be excluded under statute, we exclude all liability (including in negligence) for the consequences of any unauthorised access to, disclosure of, misuse of or loss or corruption of your Personal Information. Nothing in this Privacy Policy restricts, excludes or modifies or purports to restrict, exclude or modify any statutory consumer rights under any applicable law including the Competition and Consumer Act 2010 (Cth).

FCAA takes all reasonable steps to destroy or permanently de-identify Personal Information that is no longer needed for a permitted purpose and it is not required to be retained by law.

### **Public areas**

Any information disclosed in public areas of a FCAA Website or Application or other website (Facebook, YouTube, Twitter, etc.) will become public information. FCAA cannot control the use of information disclosed in public forums, such as social media forums, platforms, bulletin boards, blogs, wikis, chat rooms, and networking functions of mobile-device applications. You should exercise caution when disclosing information in these public areas, especially your location-data, and be careful how you disclose your Personal Information. Content posted in public areas of FCAA Websites or Applications, including advice and opinions, represent the views and is the responsibility of those who post the content. FCAA does not necessarily endorse, support, verify, or agree with the content posted and reserves the right to remove comments that FCAA considers to be offensive, derogatory or otherwise inappropriate. If you have any questions or comments about any content on a FCAA Website or Application please send us an email: [marketingau@fcagroup.com](mailto:marketingau@fcagroup.com).

### **Children**

FCAG Websites and Applications are not directed at children. If you are under 18 or otherwise would be required to have parent or guardian consent to share information with FCAA, you should not send any information about yourself to FCAA. If a person under 18 submits information through any part of a FCAG Website or Application, and FCAA learns the person submitting the information is a child, FCAA will attempt to delete this information as soon as possible. Because FCAA does not knowingly collect any Personal Information from persons under 18, FCAA does not knowingly use or disclose such information to third parties.

### **Access to your personal information**

You may request access to Personal Information FCAA holds about you by contacting our Chief Security Officer in writing at the address below. For security reasons, we require that requests for Personal Information are provided in writing and specify the Personal Information you would like to access.

Our Chief Security Officer will consider the request and advise you of their decision in writing within a reasonable time from receipt of the request.

Where we hold Personal Information you are entitled to access, we may charge you a fee for accessing your Personal Information which will reflect our reasonable costs of retrieving and supplying the information to you.

We may refuse access to your Personal Information in accordance with the Privacy Act, including where the Personal Information relates to anticipated legal proceedings, the request is frivolous or vexatious or giving access would have an unreasonable impact on the privacy of other individuals. If we refuse to provide access, we will give written reasons for the refusal together with the mechanisms available to complain about the refusal.

### **Further questions and complaints**

At all times, FCAA strives to ensure your Personal Information is treated confidentially, and in accordance with the Privacy Act. If you have any questions about this Privacy Policy or believe we have at any time failed to keep one of our commitments to you to handle your Personal Information in the manner required by the Privacy Act, then we ask that you provide such complaint or question to us in writing. Please provide as much detail as possible in relation to your question, concern or complaint to help us assist you.

All such enquiries should be directed to:



Chief Security Officer  
FCA Australia Pty Ltd  
437 Plummer Street, Port Melbourne, VIC 3207, Australia  
PO Box 23267, Dockland 3008

Our Chief Security Officer will consider the complaint and advise you of their decision in writing within a reasonable time from receipt of the complaint.

If we do not agree with your complaint, we will provide you with reasons. If our Chief Security Officer decides that there has been a breach of the APPs, s/he will endeavour to ensure that the breach is rectified within 30 days from the date of the decision and will update you in writing. If you are still not satisfied after lodging a complaint with us and given us a reasonable time to respond, then we suggest that you contact the Office of the Australian Information Commissioner by:

Phone: 1300 363 992 (local call cost, but calls from mobile and pay phones may incur higher charges). If calling from overseas (including Norfolk Island): +61 2 9284 9749  
TTY: 1800 620 241 (this number is dedicated to the hearing impaired only, no voice calls.)  
TIS: Translating and Interpreting Service: 131 450 (If you don't speak English or English is your second language and you need assistance and ask for the Office of the Australian Information Commissioner)

Post: GPO Box 2999 Canberra ACT 2601

Fax: +61 2 9284 9666

Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)