

# Privacy Statement

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## 1. INTENT

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This Privacy Statement provides information on the processing of personal data by Kotahi Logistics LP and its group companies (referred to as “Kotahi”, “we”, “our” or “us”).

“Personal data” means any information relating to an identified or identifiable individual. This Privacy Statement is not applicable to data about companies.

At Kotahi we take your privacy seriously. When you purchase our goods, use our services or interact with us, you may share some personal data with us. The purpose of this Privacy Statement is to be up front about the information we collect, how we use it, who we share it with and how you can exercise your privacy rights and all other privacy-related information that may be relevant to you. Kotahi will always uphold its responsibilities with regards to privacy and personal data in accordance with Privacy Act 2020.

Please read this privacy statement carefully in conjunction with our terms and conditions. Please also read the privacy terms governing any specific campaigns, promotions and terms of contract that you enter into with us, so that you have a full picture of how we treat your personal data when you choose to share it with us, when we create it about you, or when we receive it from a third party.

If you have any questions about our privacy practices or wish to access or request correction to any personal data we hold about you, please contact us.

Any changes to this privacy statement will always be reflected here. Any changes to this statement will always be reflected here, and will take effect either immediately or when we tell you. By continuing to engage with us, after such changes are published, you indicate that you agree to be bound by this privacy statement. This privacy statement applies from December 2019 and was last updated on 12 March 2022.

## 2. WHEN DOES THIS PRIVACY STATEMENT APPLY?

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The commitments in this privacy statement apply to personal data we process of our consumers, customers, vendors and other business partners. Interactions may be with us in person, via our digital channels (such as websites and email), by phone or otherwise.

This privacy statement does not address the processing of personal data of applicants or employees in the context of their employment relationship with Kotahi.

## 3. WHO IS RESPONSIBLE FOR YOUR PERSONAL DATA?

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Kotahi and its group companies are the controllers of all personal data that fall within the scope of this privacy statement. This privacy statement indicates what personal data is collected and used (processed) by Kotahi and for what purpose, and to which persons or entities the data will or may be provided. Kotahi may share your personal data with other companies for certain purposes. To read more about that, see ‘Who has access to your personal data?’.

## 4. FOR WHICH PURPOSES DO WE PROCESS YOUR PERSONAL DATA?

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### 4.1. Kotahi will process your personal data based on:

The performance of a contract you have with us, or to enter into a contract and to act on your requests. For example, when you order a product, provide us with contact details for a contract, or when we are fulfilling our delivery and payment obligations.

Kotahi’s legitimate business interests, for example, fraud prevention, maintaining the security of our data and systems, marketing, and the improvement of our services. Whenever we rely on this lawful basis to process your data, we assess our business interests to make sure they do not override your rights. Additionally, in some cases you have the right to object to this processing. For more information, visit the ‘How can you exercise your privacy rights?’ section of this statement.

Compliance with mandatory legal obligations, including for example accounting and tax requirements, which are subject to Kotahi Policies and Standards.

Consent you provide where Kotahi does not rely on another legal basis. Consent may be withdrawn at any time. When you give your consent, you will be given details on how to change your mind. For more information, visit the 'How can you exercise your privacy rights?' section of this statement.

## **4.2. We collect your personal data in a number of situations, for example:**

### **4.2.1. When you do business with us:**

(a) For the assessment and acceptance of a customer, supplier or business partner

When you get in contact with us, either via our website, telephone, offline or otherwise, we may process your personal data for assessment and acceptance purposes, for example to confirm and verify your identity. We may further process your personal data for other administrative purposes such as due diligence and screening against publicly available government and/or law enforcement agency sanctions lists. In addition, we may collect personal data about your credit arrangements in order to assess any credit application you make, this may include collecting your personal data from credit reporting agencies or other third parties for credit assessment and debt collection purposes.

(b) For the conclusion, execution and performance of agreements:

When you have purchased a product or service from us as a customer or consumer, either online through an online shop, via telephone or offline, or when you work together with us as a vendor, supplier or business partner, we may process your personal data for administrative and customer service purposes, including sending invoices, processing payments, providing you with order status, dealing with your enquiries and requests, assessing and handling complaints, and otherwise communicating with you regarding an order that you have placed with us, or a product/service you are using (including critical updates and announcements).

(c) For relationship management and marketing

We may use the information stored in our customer database for marketing purposes, including, supply you with further information concerning products or services which may be of interest to you, and to invite you to take part in competitions, surveys or events. We will also use it to provide customer services, perform account management and communicate recalls. We may also use your personal data for the development, execution and analysis of market surveys and marketing strategies.

(d) For business process execution and internal management

We process your personal data in the performance and organisation of our business. This includes general management, order management and management of our assets. We have central processing facilities which conduct audits and investigations, implement business controls, and manage and use consumer, customer, vendor and business partner directories. Also, we process your personal data for finance, accounting, archiving and insurance purposes, legal and business consulting, and to maintain the security of our data and systems.

(e) For organisational analysis and development, management reporting and acquisition and divestitures

We process your personal data in the preparation and performance of management reporting and analysis (including in the context of mergers, acquisitions and divestitures, and management of such transactions). We use aggregated and anonymised personal data to create management reports and to analyse our business and report on certain metrics, either to comply with reporting regulations or to improve our processes and services. We may conduct customer, supplier and business partner surveys to learn more about your views and opinions in preparation of our management reporting.

**(f) To comply with mandatory legal and regulatory obligations**

In some cases, we process your personal data to comply with laws and regulations (including tax and accounting requirements), which are subject to Kotahi's Policies and Standards.

We also monitor our IT systems to check for compliance with regulations and laws, fraud, and compliance with Kotahi policies. During compliance and monitoring activities, personal data we hold about you may be accessed and viewed for this purpose. The personal data that are accessed and viewed for this purpose will not be stored following such checking unless we need them to further investigate potential non-compliant behaviour.

(g) Any other purposes authorised by you or that are notified to you at the time of collection.

### **4.2.2. When you interact with Kotahi (online using our website or mobile applications or offline):**

(h) Responding to questions and correspondence from you

If you get in touch with us via our customer services centres, corporate email addresses, phone numbers, physical address or via a contact form on a Kotahi website, we will use your personal data as set out in this privacy statement, including to reply to and answer your question or to provide other customer services or commercial support. Accordingly, we process your name, contact details, correspondence with us, your question and all other personal data which is necessary to respond to your communication.

(h) To allow you to connect with us (e.g. via social media)

We are active on social media platforms like LinkedIn. When you contact us via social media, we process your personal data to answer your questions, to respond to your messages, and to provide customer services support.

In addition, when you visit a 'Contact' screen on one of our websites, you can contact us through a variety of communication channels. We provide you with our email address, for you to send us your feedback and suggested improvements, as well as our website details. When you click one of the corresponding icons we will refer you to the website or app of the applicable external party, whether this is your email provider or a social media platform.

(i) To deliver you our websites' or apps' functionalities and for their technical and functional management

If you use our websites or apps (Digital Channels), we process technical data to offer you our Digital Channels functionalities and to allow our administrators to manage and improve our the performance of these services. If you enter data in our digital channels (such as a product preference, a photo or your location to receive relevant information or functionalities), we process this data to: (a) provide you with the requested information or functionalities; (b) allow you to save your data (such as preferences and products) to your saved items; (c) allow you to share these with others using the sharing options you have configured on your device; and (d) customise our digital channels to suit your preferences and interests. Kotahi also uses cookies to ensure you can retrieve information from our digital channels quickly and easily.

(j) If you open a user account with us, to administer the account and to ensure confidentiality and security of your transactions

When you choose to register with one of Kotahi's websites, apps or online portals, you need to provide personal data so that we can create a personal account for you. Upon creating your account, we will send you your personal login information. This personal data enables us to administer your account and verify your identity, ensure confidentiality and to maintain the security of your transactions, data or use of the account (including providing you with a replacement password when you forget your username or password for any account you have with us). We are, however, not able to view your password.

(k) For the development and improvement of products and/or services

We process your personal data to assess, analyse and improve our products and services for our customers and consumers. We use aggregated personal data to analyse consumer and customer behaviour and to adjust our products and services accordingly. When you use a website, app, or online portal, enter or search data through this website or app, we also process your personal data to compile analytics reports. We use aggregated personal data to analyse customer behaviour and to adjust our products and services accordingly, to ensure that it is relevant to our customers. This means that we may analyse how often you read our newsletters, how often you visit our website, apps or portals, which pages you click on and what transactions you make. We may purchase supplementary data from public sources to complement our database for the above purposes.

(k) To protect health, safety, security and to ensure integrity

At Kotahi, we value your health, safety, security and integrity highly. We process your personal data to safeguard our employees, customers, suppliers and business partners. As such, we authenticate your access rights to our premises. We also process your personal data to protect Kotahi and employee and customer assets.

### **4.3. The types of information we may collect and process are, where applicable:**

Your contact details such as your title, name, address, phone number, email address, contact preferences, and personal details such as your date of birth, gender, payment and credit information, tax and GST or VAT details.

Your correspondence with us, such as a note or recording of a call you make to a customer service centre, or with any of our employees, a live chat log, an email or letter sent, or other records of any contact or correspondence with us including the completion of forms on our digital channels (including surveys, search forms, registration forms, and other forms).

Where you have a personal account with us, your account information such as order history, payment history, account numbers, login data, correspondence with us, account management information or other information that you have added to your account.

Credential information – we'll collect passwords, hints and similar security information used for authentication and access to any accounts and services.

Your preferences for particular products, services and activities when you tell us what they are (for example by completing a survey), or we assume what they are, based on how you use any of our products and services.

Data generated during the performance of the agreement(s) between you and Kotahi, and other data stored in our customer, supplier and business partner databases.

We process the personal data you have entered into our websites, apps or online portals or that is generated by the functionalities you have used in these forums and the technical data from your device such as its IP address, the internet browser you use, the pages you have visited on our websites, portals or apps, your click and surf behaviour and the length of your session. We process the communication channel you may have chosen to use to connect with us and the personal data you supply to us. We may gather more extensive information if we are concerned, for example, about abnormal website usage patterns or website security breaches.

Your location data. This may be precise such as where you enable location-based services or features on our websites, apps or online portals, or less precise where, for example, a location is derived from your IP address or data such as an address.

If you physically visit our premises, we may also collect information about you on CCTV as part of our security and crime prevention measures, we may also collect your name and contact details and, where applicable, car registration for security and health and safety purposes, and your visiting history to our premises, and to provide to facilities such as wifi.

Information we obtain from other third-party sources, such as credit agencies, fraud-prevention agencies, debt collection agencies and from other data providers that may relate to your interactions with us.

If you provide personal data to us about another person, you must ensure that person is aware of this privacy statement and you warrant that the person has authorised us, through you, to collect, use, process and disclose personal data about that person, for the purposes described in this privacy statement.

## **5. WHO HAS ACCESS TO YOUR PERSONAL DATA?**

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### **5.1. Transferring your personal data**

Personal data we collect may be transferred internationally throughout our worldwide organisation.

Your personal data may be exchanged within Kotahi and amongst its group companies. We exchange your data for administrative purposes and so that we can have a complete overview of your contacts and contracts with Kotahi. We may also exchange your data to offer you a complete package of services and products.

If your personal data are transferred to a recipient in a country that does not provide the level of protection for personal data as New Zealand or the European Union do, we will take measures to ensure that your personal data are adequately protected.

### **5.2. Access to your personal data by external parties**

Our employees are authorised to access personal data only to the extent necessary to serve the applicable purpose and to perform their jobs. Kotahi holds its own Privacy Policy and Standards which Kotahi personnel must comply with as a condition of their employment (or contractual obligations where they are a contractor).

When third parties are given access to your personal data, we will take the required contractual, technical and organisational measures to ensure that your personal data is only processed to the extent necessary, and in accordance with applicable law.

We may share your personal data with our related companies and the following types of third parties, where relevant, for the purposes set out in section 4 of this privacy statement:

- Partners, suppliers or agents involved in delivering the products and services you've ordered from us;

- Companies who are engaged to perform services for, or on behalf of, Kotahi or Kotahi's group companies including web hosting providers, IT system administrators, couriers, payment processors, data entry service providers, electronic network administrators, and professional advisors such as accountants, solicitors, business advisors and consultants;
- Debt-recovery organisations, credit reference, fraud-prevention or business-scoring agencies, or other credit scoring agencies;
- Third parties for joint promotions with that third party. They'll be responsible for their own compliance with applicable privacy laws;
- Third parties that we use for marketing, for example, approved media agencies, and third parties that we advertise with to serve you advertisements online.
- Other third parties with your express consent..

We may disclose your personal data to regulatory authorities, tax authorities and/or investigating authorities, where:

- we are obliged to do so by law or regulation; or
- we are responding to a request, including where there is a significant health and welfare issue; or
- you have provided instructions to Kotahi to allow this information to be disclosed.

### **6.3. The use of your personal data by data processors:**

When a third party processes your personal data solely following Kotahi instructions, it acts as a data processor. We enter into an agreement with such a data processor for the processing of personal data. In this agreement we include obligations to ensure that your personal data are protected and processed by the data processor solely to provide services to us.

## **6. COOKIES**

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To assist with the performance of the website, cookies may be installed on your computer. Cookies are small text files that are placed on your computer by websites that you visit. Cookies are useful because they allow a website to recognise a user's device. They are widely used to make websites work, or work more efficiently, as well as to provide information to the owners of the site.

Most cookies we use on this website collect information about how visitors use the website, for instances which pages visitors go to most often. These cookies do not collect information that identifies a visitor. All information collected by these cookies is aggregated and therefore anonymous.

This website also uses cookies to ensure that users of the website are taken to their local version of the website each time they visit. The information these cookies collect may be anonymised and they cannot track your browsing activity on other websites.

Most internet browsers give you the option to reject all cookies, accept all cookies, erase cookies stored on your computer or be notified before a cookie is stored on your computer. However, if you reject or erase the cookies referred to above some our website features or services will not function properly or may not be fully available. Please refer to your internet browser instructions if you want to find out more about rejecting or erasing cookies.

## **7. HOW ARE YOUR PERSONAL DATA SECURED?**

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We make all reasonable efforts to secure our systems to ensure the confidentiality and security of your personal data. We have implemented appropriate technical, physical and organisational measures to protect personal data against accidental or unlawful destruction or accidental loss, alteration, unauthorised disclosure or access as well as all other forms of unlawful processing (including, but not limited to, unnecessary collection) or further processing. Examples are specialised security teams, IT security policies, employee training and secure servers.

## **8. HOW LONG IS YOUR PERSONAL DATA RETAINED?**

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We will keep your personal data for as long as it is required for the purpose for which it was collected, considering our need to answer queries or resolve problems, provide improved and new services, and comply with legal requirements.

This means that we may retain your personal data for a reasonable period after your last interaction with us.

If you would like to know specific retention periods for a certain type of information we collect, please contact us.

## **9. HOW CAN YOU EXERCISE YOUR PRIVACY RIGHTS?**

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You have the right to request access of an overview of your personal data, and under certain conditions, rectification and/or erasure of personal data. In addition, you may also have the right of restriction of processing concerning your personal data, the right to object to processing as well as to data portability.

To invoke any of these rights, please contact us by using the contact details at the bottom of this Privacy Statement. Please keep in mind that we may ask for additional information to verify your identity and where you are located when processing your request as well as information about how you have previously interacted or engaged with Kotahi.

If you have given your consent to a certain purpose, you can withdraw your consent at any time. Please keep in mind that withdrawal will not have retrospective effect, and may affect what services we can provide you with.

It is important to us that your personal data held by us is accurate, complete and current. If you are a registered user of a Kotahi company website account, you may log in to your account and (functionality permitting) update your personal data.

## **10. DO YOU HAVE A COMPLAINT?**

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If you want to contact us about any of your rights or complain about how we use your information, you can contact us on the details set out below. We'll do our best to help but if you are still not satisfied, you can lodge a complaint with your local data protection supervisory authority.

## **11. HOW CAN YOU CONTACT US?**

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If you have any questions about the way we process your personal data, or want to request access to, deletion of, or correction of your personal data held by us, or want to make a complaint about breach of your privacy rights, please contact our Privacy Officer in writing to Kotahi, Privacy Officer, Private Bag 90885, Auckland 1010, New Zealand, or by email: [privacyofficer@kotahi.co.nz](mailto:privacyofficer@kotahi.co.nz)

If we cannot resolve your concerns, then you have the right to complain to the New Zealand Privacy Commissioner (or another applicable Data Protection Authority) about our actions.