

# 1. Privacy policy

## Privacy Policy

October 24th 2017

You can download a printable copy of the Privacy Policy by clicking on the link .

HERMÈS Australia Pty Ltd (ACN 003 558 085) is a member of HERMÈS INTERNATIONAL, the parent of the HERMÈS group. In this Privacy Policy, references to "HERMÈS" are references to HERMÈS Australia Pty Ltd, HERMÈS INTERNATIONAL and all of their related bodies corporate.

This Privacy Policy sets out the policies and practices adopted by HERMÈS which relate to the collection, use and disclosure of information about you obtained by HERMÈS either on the Hermes.com website (which is hosted and operated by HERMÈS INTERNATIONAL) or through our other dealings with you. Please read this Privacy Policy carefully.

By using the Hermes.com website, or by providing your personal and financial information to HERMÈS, you agree to the collection, the use, the storage, the processing and the disclosure of your information, including personal and financial information as set out in this Privacy Policy. If you do not agree with the terms of this Privacy Policy, or any modifications thereto, please exit the Hermes.com website now and do not purchase any of the HERMÈS products offered for sale on the website.

### What is 'personal information'?

'Personal information' is information or an opinion about you, from which you are, or may reasonably be, identified. The personal information HERMÈS collects about you may also include 'credit information' about you. Credit information is information which is used to assess your eligibility for a loan and may include information about your income, assets, liabilities and repayment history information.

'Personal information' may include your name, signature, date of birth, driver's licence number, marital status, number and age of your dependants, phone number, email address, address, nationality, employment history, bank account details and credit card number.

Some 'personal information' is 'sensitive information'. 'Sensitive information' is information about your health, race or ethnic background, religion, trade union membership, political opinion, sexual preference or criminal record.

Due to the nature of our services, HERMÈS, may collect 'personal information' about you. HERMÈS may collect information such as your name, address email address, phone number and credit card number. If you are applying for employment with HERMÈS, HERMÈS may request additional 'personal information'. However, HERMÈS, will not collect 'sensitive information' about you.

### Why does HERMÈS, collect 'personal information' about you?

HERMÈS, collects and receives 'personal information' about you in order to conduct our business and to provide our services. This means that HERMÈS may collect 'personal information' about our clients and organisations and other businesses that supply goods and services to us. HERMÈS also collects 'personal information' about you if you apply for a job with HERMÈS. Further, HERMÈS holds 'personal information' about all of our employees.

### How does HERMÈS collect your 'personal information'?

HERMÈS collects 'personal information' about you in the following ways:

- when you visit our website Hermes.com;
- when you make a purchase in a HERMÈS store or contact us through our call centres;
- when you complete any forms HERMÈS provides you with or when you join the Customer Book;
- when you request a product which is not available and ask HERMÈS to notify you of when it will receive additional stock;
- when you leave a product for repair or alteration at an HERMÈS store; or
- when you attend an event hosted by us;
- when you apply for employment with us;
- when you join our staff; or
- if you are business providing goods or services to HERMÈS, when we enter into an arrangement with you for you to provide HERMÈS with those goods and services.

Where reasonable and practical, HERMÈS will collect your 'personal information' only directly from you. However, we will also collect information about you from third parties, such as a partner or spouse who contacts us on your behalf or from your friends or our external consultants who make provide your 'personal information' to HERMÈS in order to invite you to events you may be interested in.

If you provide 'personal information' to HERMÈS about someone else, you must ensure that you are entitled to disclose that information to us and that, without HERMÈS taking any further steps required by privacy laws, HERMÈS may collect, use and disclose such information for the purposes described in this Privacy

Policy. For example, you should take reasonable steps to ensure the individual concerned is aware of the various matters detailed in this Privacy Policy. The individual must also provide the consents set out in this Privacy Policy in respect of how we will deal with their personal information.

You may use the Hermes.com website without providing any 'personal information' to HERMÈS INTERNATIONAL or any other member of the HERMÈS group. You will however, need to provide certain information, including your name, address, telephone number and e-mail address, as well as certain financial information (such as your charge or credit card number) if you choose to purchase products offered on the Hermes.com website for the purposes of paying for the products you ordered and processing your order.

## How does HERMÈS use your 'personal information'?

HERMÈS uses your 'personal information' for the purpose for which it has been provided, for reasonably related secondary purposes, any other purpose you have consented to and any other purpose permitted under the Privacy Act. This may include using your personal information for the following purposes:

- to provide you with the products or services you requested;
- to verify your identity;
- to assess, process and manage an order placed by you;
- for complaints handling or data analytics purposes;
- to assess, process and manage your application for employment;
- as part of our on-going relationship with you as an employee; or
- as part of our ongoing relationship with organisations and other businesses that provide HERMÈS with goods and services.

## Direct marketing

HERMÈS will not send you direct marketing communications unless you provide your consent to receive such information. You may provide consent to receive direct marketing material from HERMÈS by subscribing online at Hermes.com or opting in to receive direct marketing material in store. Once you have provided HERMÈS with your consent to receive direct marketing material, HERMÈS may use your 'personal information' to provide you with current information about events, special offers you may find of interest, changes to our organisation, or new products or services being offered by HERMÈS. When you provide HERMÈS with consent to use your 'personal information' for direct marketing purposes, you consent to HERMÈS using your information to contact you on an ongoing basis for this purpose, including by mail, email, SMS, social media and telephone.

If you no longer wish to receive marketing information from HERMÈS, you may at any time decline to receive such information by contacting the HERMÈS Australia Pty Ltd Privacy Officer on the contact details below. HERMÈS will not charge you for giving effect to your request and will take all reasonable steps to meet your request at the earliest possible opportunity.

## To whom may HERMÈS disclose your 'personal information'?

To enable HERMÈS to maintain a successful business relationship with you, HERMÈS may disclose your personal information to:

- related bodies corporate of HERMÈS and HERMÈS INTERNATIONAL;
- companies and contractors who we retain to provide services for us, such as IT contractors, call centres, lawyers, accountants, auditors and financial institutions responsible for processing payments for orders placed by you and who need access to your 'personal information' to provide those services; and
- other individuals or companies authorised by you.

By providing us with your personal information, you consent to us disclosing your information to such entities without obtaining your consent on a case by case basis.

From time to time HERMÈS is required or authorised by law to disclose your 'personal information'. Circumstances in which we may disclose your personal information would be to a Court, Tribunal or law enforcement agency in response to a request or in response to a subpoena or to the Australian Taxation Office.

In addition, not all members of the HERMÈS group are located in Australia. Some members of the HERMÈS group and some of our third party service providers, are located in countries outside of Australia. For example, all 'personal information' collected about you is also disclosed to our information technology service provider who is located in the country of France. In addition, we may use cloud storage to store the 'personal information' we hold about you. Some of the jurisdictions and countries to which your 'personal information' may be sent, and in which your 'personal information' may be stored, do not have laws that provide the same level of protection as the laws of Australia. By providing your 'personal information' HERMÈS you consent to your 'personal information' being sent offshore in accordance with HERMÈS group policy.

## Notifiable matters

HERMÈS may provide your credit information to a credit reporting body. The credit reporting body may provide the information that HERMÈS reports about you to credit providers to assist them to assess your credit worthiness.

If you fail to meet your payment obligations to HERMÈS, for example because charges debited to your credit card are dishonoured, or if you commit a serious credit infringement, HERMÈS may report this to the credit reporting body.

You may access the credit information that HERMÈS holds about you. Please refer to the section titled 'Accessing your Personal Information' below. You may also request that HERMÈS corrects any credit information that HERMÈS holds about you if you believe the information is incorrect. Please refer to the section titled 'Updating your Personal Information' below.

The information that HERMÈS provides to a credit reporting body may sometimes be used for 'pre-screening' of direct marketing offers to be made by another credit provider. You may contact the credit reporting body to request that your credit information is not used in this way.

You may also contact the credit reporting body to request that they not use or disclose the credit-reporting information they hold about you if you consider that you may have been a victim of fraud or if you believe on reasonable grounds that the information they hold about you is incorrect. The credit reporting body must not use or disclose your credit information for a period of 21 days after receiving your notice.

For further information, contact the following credit reporting bodies at:

- [www.veda.com.au](http://www.veda.com.au);
- [www.dnb.com.au](http://www.dnb.com.au);
- [www.experian.com.au](http://www.experian.com.au).

## Cookies

HERMÈS INTERNATIONAL reserves the right to use cookies and similar devices on the Hermes.com website to facilitate site-navigation and to customize the information that appears on the Hermes.com website. HERMÈS INTERNATIONAL also reserves the right to use cookies and similar devices to collect non-personal information about users of the Hermes.com website, such as a user's IP address, the type of web browser and operating system being used and/or the pages of the website a user visits. HERMÈS INTERNATIONAL collects this information in order to monitor usage of the Hermes.com website and to improve aspects of the website.

Most browsers accept cookies automatically, but can also be configured not to do so or to indicate when a cookie is being sent. We recommend that you do not disable your browser from accepting cookies, as it will prevent you from moving freely from page to page and from taking advantage of all of the features of the Hermes.com website.

## Links

The Hermes.com website may contain links to other third party websites. HERMÈS has no control over the content, policies or actions of these websites. The use of any information you may provide to third parties on other websites, or which such parties may otherwise collect on other websites, is not governed by this Privacy Policy. You should carefully review the privacy policies of any third party websites and contact the operators of those websites if you have any questions about their use of your information. HERMÈS cannot be responsible for any third party, or its affiliates or agents, failing to use your 'personal information' in accordance with such third party's privacy policy, or any contractual or other legal obligations to which such third party, its affiliates or agents, may be subject.

## Security

HERMÈS has implemented security measures to protect the 'personal information' you provide against unauthorized access and use.

HERMÈS will take reasonable steps to protect any personal information from misuse, loss and unauthorised access, modification or disclosure.

All financial information you provide on the Hermes.com website is stored on a secure site operated by HERMÈS INTERNATIONAL's financial institution. Transactions conducted on the Hermes.com website are protected by an SSL encrypting system. Please be aware, however, that no data transmission over the Internet is 100% secure and any information disclosed online can potentially be collected and used by persons other than the intended recipient.

When your 'personal information' is no longer needed for any purpose for which the information may be used or disclosed, it will be destroyed or permanently de-identified.

## Updating your 'personal information'

It is important that the 'personal information' HERMÈS holds about you is accurate and up to date.

If you wish to make any changes to your 'personal information' that HERMÈS holds about you, you should contact HERMÈS Australia Pty Ltd to have it updated. HERMÈS will generally rely on you to inform us if the 'personal information' HERMÈS holds about you is inaccurate or incomplete.

## Access to your 'personal information'

HERMÈS will provide you with access to the 'personal information' HERMÈS holds about you, subject to limited exceptions in the Privacy Act as outlined below. You may request access to any of the personal information HERMÈS holds about you at any time by contacting us on the 'contact details' below.

## Denied access to 'personal information'

There may be situations where HERMÈS are not required to provide you with access to your 'personal information'. For example, such a situation would be information relating to an existing or anticipated legal proceeding with you, or if your request is vexatious. If you are an employee, you should also be aware that the Privacy Act does not apply to the 'personal information' that we hold about you and therefore, there may be situations where we are unable to provide you with access to the 'personal information' we hold about you.

An explanation will be provided to you if HERMÈS denies you access to your 'personal information' held by HERMÈS.

## Further information and complaints

You may request further information about the way HERMÈS manages your 'personal information' or lodge a complaint by contacting the HERMÈS Australia Pty Ltd Privacy Officer(s) at the address or email address provided under the section labelled 'Contact Details' below.

HERMÈS will deal with any complaint by investigating the complaint, and providing a response to the complainant within a reasonable time, provided that HERMÈS has all necessary information and have completed any investigation required. In cases where further information, assessment or investigation is required, HERMÈS will seek to agree alternative time frames with you.

If you are unhappy with the outcome of your complaint, you can take your complaint to the Office of the Australian Information Commissioner (OAIC). For more information on how to contact the OAIC, please visit their website at: <http://www.oaic.gov.au/about-us/contact-us-page>

## Contact details

You can contact the HERMÈS Australia Pty Ltd Privacy Officer by writing to us at GPO Box 4407 Sydney NSW 2001 or by emailing [service.au@hermes.com](mailto:service.au@hermes.com).

## Alternative forms of the HERMÈS Australia Pty Ltd Privacy Policy

If you would prefer to receive a copy of the HERMÈS Privacy Policy in an alternative form (such as in hard copy or via email) please contact HERMÈS at the address or email address provided under the section labelled 'Contact Details' above. We will be pleased to comply with your request.

## Changes and updates to Privacy Policy

HERMÈS may change or update this Privacy Policy periodically. You can view the most current version of the Privacy Policy at any time by clicking on the hyperlink labelled "customer service" located on the top of each page of the Hermes.com website then selecting "Privacy Policy" from the left menu. You may also ask for a copy of our Privacy Policy in any HERMÈS store.