



## Privacy Policy

Last Updated: April 2018

Ferrero Australia Pty Ltd ACN 001 249 261 and Agri Australis Pty Limited ACN 151 383 934 (collectively "Ferrero") acknowledge and respect the privacy of individuals. This Privacy Policy sets out the way in which we will collect, use, disclose, manage and protect your personal information in accordance with applicable Australian and New Zealand privacy legislation. Please note that in limited circumstances, activities and websites operated by Ferrero may have their own privacy policy that applies specifically to information collected in connection with that activity or website and in that case that particular privacy policy will prevail.

By providing your personal information you agree to this Privacy Policy. This Privacy Policy may change from time to time, so please check our websites periodically to ensure that you are aware of our current Privacy Policy.

You can browse Ferrero's websites, view content, and enjoy many features without any personal information being collected. We do not require personal information for you to use our products or gain access to our websites. However, you will not be able to utilise certain features that require registration, enter trade promotions, and receive materials such as newsletters, unless such information is provided. Further, our ability to meet our obligations to you or to process any request, complaint or application may be adversely affected if you do not give us the requested personal information, or if the information you give us is incomplete or inaccurate.

### **What type of personal information do we collect and how?**

The personal information we collect may include your name, address, telephone number and email address. We may also collect other demographic information such as date of birth, gender, interests, hobbies and preferences, and combine this with your personal information. If you have specific dietary requirements, allergies or religious compliance needs, we may need to know this information about you to be able to assist with enquiries regarding our products. If you purchase products or services online you will be required to provide additional information such as a valid credit card details and postage and billing address. Please note that depending on the Ferrero website you are visiting, many of the activities listed above may not be available and as such personal information may not be collected.



We will only collect personal information from you when you knowingly and voluntarily provide us with information, including when you:

1. register or provide information on our websites;
2. purchase products or services from us;
3. enter into a promotion, sweepstake or contest;
4. participate in a program, poll, online game, message board, survey or questionnaire;
5. subscribe to our mailing list, or sign up to receive our newsletters or other materials, including promotional materials;
6. ask us questions or request information about products, services, offers or features or make a complaint;
7. request or receive customer or technical support; or
8. apply for employment with us (either personally or through an employment agency).

#### **How do we use and disclose personal information?**

You acknowledge and consent to the use and disclosure of your personal information in circumstances that are:

1. set out in this Privacy Policy;
2. clearly explained to you at the time the information is collected from you; or
3. required or permitted by law.

We may use the personal information that you give to us:

1. to improve our products, services or internal processes;
2. for reasonable business purposes including customer service, record keeping, transaction and order fulfilment, marketing, research, auditing our internal operations, and to resolve product satisfaction claims;
3. to provide you with products, services, newsletters or information that you have requested;
4. to send you occasional offers or information on products (current or new) or services or features, offers, promotions, contests or events that we consider may be of interest to you;
5. to send you information on enhancements or functional changes to our websites or policies, or other information about Ferrero; or
6. for any other purpose that is stated to you at the time of collection or that you otherwise authorise.

We may disclose personal information that we collect from you to a third party:



1. to meet the purpose for which it was collected including to provide you with products, services or prizes;
2. if we have your consent to disclose the information;
3. to assist with internal website support operations, including online product fulfilment, email services or technical support;
4. if we are required or permitted by law to disclose the information, including for example to comply with a court order or regulatory investigation;
5. in the event of a merger, acquisition or any other change in ownership of all or a portion of Ferrero's business (in which case your personal information may be transferred to the new owner so that the business can continue its operations);
6. to protect the safety and security of our customers and our websites;
7. to enable us to deal with any concern, issue or complaint you have raised with us, including disclosing details of any such matter to Ferrero's related bodies corporate overseas and also to professional advisors, insurers and service providers; or
8. if your personal information is collected in connection with a joint promoter or service provider, to that organisation for marketing and research purposes, but only if that disclosure was disclosed to you at or before the time of collection.

Ferrero allows you to tell us the way in which you would like us to use your personal information. At the time you provide personal information, Ferrero may give you the option of declining further offers or information. In addition, materials sent to you by Ferrero will give you the ability to unsubscribe.

### **Cross-border disclosure of personal information?**

We may deal with third parties, such as service providers or related bodies corporate that are located overseas. As a result, your personal information may be disclosed to a recipient in a foreign country, including but not limited to countries of the European Union, the United State of America and Singapore. We will take reasonable steps, in the circumstances, before disclosing personal information to an overseas recipient to ensure that the overseas recipient does not breach privacy laws in relation to that information.

### **Security, Accuracy and Access**

We will take reasonable technical and organisational steps to ensure that the personal information we hold is:

1. accurate, complete, up-to-date, relevant and not misleading;
2. stored in a secure environment; and



3. protected from misuse, interference and loss as well as unauthorised access, modification or disclosure.

If any of your details change, please let us know as soon as possible by using the contact details below so we can maintain the accuracy of your personal information.

From time to time we review our security procedures to consider appropriate new technology and methods. However please appreciate that despite our best efforts, no security measure is perfect or impenetrable due to the nature of email and the internet, and we cannot guarantee the privacy or confidentiality of your personal information.

You have a right to access any personal information we hold about you. We will comply with any request to access your personal information except where the *Privacy Act 1988* (Cth) or the APPs allow us to refuse to do so. There is no fee for making a request to access your personal information but we may charge a fee for giving you access to your personal information in a mutually agreed format, usually by sighting the accessible information held on file.

You also have a right to ask us to correct personal information about you that is inaccurate, incomplete, out-of-date, irrelevant or misleading. If we refuse to correct your personal information as requested by you, we will notify you in writing of the reasons for the refusal (unless it would be unreasonable to do so) and, upon request from you, we will attach a note recording the correction that you sought to the relevant information, so that it can always be read with that information.

You may also request that we delete your personal information. We will comply with your request unless we are required by law to keep the information.

Any requests for access to, or correction of, your personal information should be made directly by emailing us at [consumercare@ferrero.com](mailto:consumercare@ferrero.com). In every case where we receive a request to either correct or delete personal information concerning you, we will inform you of the action taken as a result of that request (whether or not the request is granted).

### **Sensitive Information**

We do not actively seek to collect sensitive information from you. We will not disclose sensitive information (such as information about your health, racial or ethnic origins or political or religious beliefs) except with your specific consent or in circumstances permitted under Australian or New Zealand privacy legislation.



## Children's Privacy

This section of our Privacy Policy is designed to answer your questions regarding our privacy policies and principles concerning children. We take children's privacy, confidentiality and safety online very seriously and strive to constantly improve our practices.

We have no intention of collecting any personal information from individuals under fifteen years of age other than where this is voluntarily provided to us in accordance with this Privacy Policy, and with the additional safeguards for children included in this section.

We urge parents or guardians to instruct their children to never give out their real names or contact details online without permission. We recommend that children under 18 should encourage their parent or guardian to review this Privacy Policy and contact us if they would like to raise any concerns. We require that children under 15 seek the permission of a parent or guardian before submitting their personal information to us.

If a child under 15 has provided us with personal information, a parent or guardian of that child may contact us at the email address listed below if they would like this information deleted from our records. We may collect information from parents to allow children to participate in certain activities offered on any of our websites and within our children's subscription services.

We have implemented technical, administrative and physical security measures to protect children's personal information from unauthorised access and improper use.

## Clickstream Data

Each time you visit any of our websites our server collects some anonymous information, known as click-stream data, including the type of browser and system you are using, the address of the website you have come from and move to after your visit, the date and time of your visit, and your server's IP address.

We may collect this information for statistical purposes to find out how the website is used and navigated, including the number of hits, the frequency and duration of visits, most popular session times. We may use this information to evaluate and improve any of our websites' performance, or as necessary to investigate or report any suspected unlawful activity, as required or permitted by law or as reasonably necessary for the activity of an enforcement body.



## Cookies

Our websites use cookies. A Cookie is a piece of information that our web server may send to your computer when you visit one of our websites. The Cookie is stored on your browser but does not identify you or give us any information about your computer.

A Cookie helps us to recognise you when you re-visit one of our websites and to co-ordinate your access to different pages on a website. Most Internet Browsers allow you to erase Cookies from your computer hard drive, block all Cookies, or receive a warning before a Cookie is stored. If you want to do this, refer to your Browser instructions or help screen. You might not be able to use the full functionality of our websites by refusing the use of Cookies.

## Links

Please be aware that our websites may contain links to advertisers or other third party websites. Some of these links may request or record information from users or use cookies or other methods to collect information from you. This Privacy Policy does not apply to, and cannot govern the activities of, those other advertisers or third parties. We recommend that you check the privacy policy of each and every website you visit that collects personally identifiable information.

## Contact Us

If you have any questions, comments or complaints about how we handle your personal information, please contact us at [consumercare@ferrero.com](mailto:consumercare@ferrero.com). You can also contact us at:

### Australia

### New Zealand

#### Consumer Care

Ferrero Australia Pty Ltd  
Level 18, 168 Walker Street  
NORTH SYDNEY NSW 2060

Telephone: 1800 627 231

Telephone: 0800 441 512

We will consider and respond to any complaint notified to us within a reasonable time. We will always endeavour to answer your questions efficiently and correctly and try to resolve any complaint you may have about our privacy handling procedures to your satisfaction.

In case of dissatisfaction you may decide to contact the Privacy Commissioner in the relevant jurisdiction:



**Australia**

**Office of the Australian Information  
Commissioner**

GPO Box 5218  
SYDNEY NSW 2001

Telephone: 1300 363 992

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

**New Zealand**

**Privacy Commissioner of New Zealand**

PO Box 10 094, The Terrace,  
WELLINGTON 6143

Telephone: 0800 803 909

Email: [enquiries@privacy.org.nz](mailto:enquiries@privacy.org.nz)