

# Privacy Notice

This Privacy Notice was last updated on 23 March 2022.

## 1. Introduction

- 1.1 Lexel, being made up of Lexel Systems Limited and Lexel Systems Pty Limited (we/us) is a New Zealand and Australian based provider of end-to-end IT services and solutions (New Zealand Company Number 107817, Australian Company Number 81094670569).

At Lexel we take your privacy seriously. The purpose of this Privacy Notice is to inform you about our collection, use, and disclosure of any personal information that we may hold about you, including how we ensure the accuracy, integrity, and security of such information. This statement should be read in conjunction with the agreement under which you engaged with us, and any terms and conditions provided to you.

Within this Notice we explain how we manage your Personal Information when you interact with us.

We are bound by this Privacy Notice and the requirements of the New Zealand Privacy Act 2020 and the Australian Privacy Act 1988, each of which regulates how we may collect, use, disclose, and store Personal Information, as well as how individuals may exercise their rights or options regarding the Personal Information held about them.

### 1.2 Changes to this Privacy Notice

This Privacy Notice may be updated periodically. We advise you to check back frequently to see any updates or changes. The latest version and publication date will always be clearly marked.

## 2. What Personal Information do you collect?

- 2.1 We collect Personal Information about you directly from you when you:

### **Open a business account with us**

We collect the applicant entity business name, contact(s) name, contact(s) title, physical and postal address(s), phone(s), email address(s) and details about the nature of the business that the applicant is associated with.

We also collect details of business credit references, the contact information of those within applicant's organisation who may have a key role in decision making or in the business relationship (for example, the Chief Financial Officer, Head of IT and Accounts Payable contacts), as well as the name, address and role of any guarantors and witnesses included in the application.

### **Contact us via the Help Desk Portal or Procurement Portal**

We collect your name, title, email address, address(s), User ID(s), contact telephone numbers and the contents of your query.

### **Contact us via email or webform**

We collect your email address and any Contact Information provided. We will also collect the contents of your email or webform query.

### **Contact us via telephone**

We collect your Contact Information, and the content of the conversation.

### **Use our website**

We collect aggregate technical information, which tracks traffic to the Website, which includes, but is not limited to, your device identifier, server address, IP address, domain (whether you are accessing the Website from New Zealand or elsewhere), the platform you are using, browsers used when accessing the Website (including version), your search terms, pages accessed on the Website, links that are clicked on, date and time of Website visits, your operating systems, and any other such technical information relating to your use of the Website.

Failure to provide necessary personal information when requested may result in certain products and

services not being available to you.

### 3. What Personal Information do others collect?

3.1 If you use our websites whilst logged into the following services, then they will collect information about your browsing as detailed in their privacy policies.

- [Facebook](#)
- [Google+](#)
- [Instagram](#)
- [LinkedIn](#)
- [Twitter](#)
- [YouTube](#)

We use Google Analytics to collect information about your browsing habits whilst using our services. As detailed within [Google's Privacy Policy](#), Google may share this information publicly and with their partners.

3.2 **Linked sites:** The contents of the Website may include links to other third-party websites (Linked Sites) or featured articles on Vendors (Featured Articles). The Linked Sites and Featured Articles are provided to you as a convenience and/or a courtesy, and the inclusion of any link does not imply our endorsement of the Linked Sites or Featured Articles or any association by us with their business or owners. We are not responsible for the data protection/privacy/cookie usage policies of any Linked Sites and those sites may not follow the same privacy policies as us. We recommend that you check any relevant privacy policies of such Linked Sites before providing your personal information to any third party.

### 4. What can you tell me about cookies and web analytics?

4.1 A cookie is a piece of code that creates a file on your computer to track the pages that you view on our website. You may turn off cookies at any time. Most browsers have a feature that allows the user to refuse cookies, or issues a warning when cookies are being sent. Turning off cookies may affect your ability to use some components of this site.

### 5. Why do you collect my personal information?

5.1 We collect your personal information in order to:

- a. enable you to purchase products or services from us, to process your orders and deal with administrative issues;
- b. undertake credit checks with respect to opening new accounts;
- c. answer your inquiries and deliver customer service to you;
- d. measure or understand the effectiveness of advertising we serve to you and others, and to deliver relevant advertising to you; and
- e. undertake research to understand our customers, and make improvements to our products, services, purchasing and customer support processes;
- f. administer our site for internal operations, including troubleshooting, data analysis, testing, research, security, statistical and survey purposes;
- g. meet our legal and compliance obligations;
- h. manage and resolve any legal or commercial complaints and issues; and
- i. enforce the law.

## 6. What if I don't want to receive further marketing communications from you?

- 6.1 **Unsubscribe:** You may opt out of receiving certain types of communications from us by utilising the unsubscribe function in communications sent to you. Any emails we send will also always contain a link at the bottom enabling you to edit your email setting or be removed from our general mailing list. If you elect not to receive emails or ask to be removed from a mailing list, we may still send you emails where it is necessary to provide you with details of any transactions you have completed, along with key service messages, such as those relating to accounts or system outages.
- 6.2 **Changes:** If our intended collection, use or disclosure of your personal information is outside the collection, use or disclosure set out in this Privacy Policy we will give you the option to:
- opt out and not receive certain services or participate in certain interactive areas; or
  - opt in to agree to be contacted by us in relation to certain matters such as notification of new features to the Website and/or promotional activities.

## 7. Who do you share my information with?

- 7.1 **Sub-Processors:** We use a number of sub processors to enable the provision of services to you (for example, providers of hosting, maintenance, backup, storage, infrastructure, payment processing, analysis and marketing services), who may need to access information about you. If a service provider needs to access information about you to perform services on our behalf, they do so under instruction from us, including abiding by policies and procedures designed to protect your information. Some of these service providers may be located in countries other than New Zealand or Australia.

- 7.2 Information may also be disclosed in the following ways:

**Credit Reference Agencies:** We may share your information with credit reference agencies who may share your information with other organisations and who may keep a record of the searches made against your name.

**Legal obligations:** We may share information about you with a third party if we believe that sharing is reasonably necessary to:

- comply with any applicable law, regulation, legal process, or governmental request, including to meet national security requirements, and our service providers may also do this;
- enforce our agreements, policies and terms;
- protect the Intellectual Property Rights of any person;
- protect the security or integrity of the Website and our related services; or
- protect us, you or the public from harm or illegal activities.

**Sale of our business:** In the event that we propose to sell the business or any of our assets, we may provide your personal information as part of a database to a prospective buyer solely so that they can consider the purchase of the business. Should we proceed to sell the business (or a material part of it) we may provide your personal information as part of that sale so that the purchaser can continue to operate the business and contact you about their plans for the business.

We do not disclose your personal information to any third party other than those described previously or when we are legally required to do so.

## 8. How do you store and protect my personal information?

- 8.1 We take reasonable steps to ensure the personal information we collect is protected against loss, unauthorised access and disclosure or any other misuse.
- 8.2 While we use reasonable safeguards to protect your personal information against theft, loss or unauthorised access, use, modification, disclosure or disposal, no data transmission over the Internet can be guaranteed to be completely secure. We cannot ensure or warrant the security of any information you transmit or receive through the Website. These activities are conducted at your own risk.

## 9. How long do you keep my personal information for?

- 9.1 We only keep your personal information for as long as it is required.

We will keep your personal information:

- Until we no longer have a valid reason for keeping it.
- Until you request us to stop using it.

For as long as required by law e.g. we keep invoice information for 7 years to fulfil our tax obligations.

We may keep just enough of your personal information to ensure that we comply with your requests. We will not use your personal information for any purpose other than those described in this notice.

## 10. How do I access, correct, or update personal information you have collected?

- 10.1 **Access:** You have the right to request access to the personal information that we hold about you.
- 10.2 **Correction:** You have the right to request correction of the personal information that we hold about you. We rely on customers and subscribers to update or request correction of their personal information whenever necessary.
- 10.3 **Making a request:** If you would like to access the personal information that we hold about you, or correct this information, please email Lexel's Privacy Officer at [privacyofficer@lexel.co.nz](mailto:privacyofficer@lexel.co.nz), or contact our Privacy Officer via post at:
- Privacy Officer  
Private Bag 302 902  
North Harbour  
Auckland 0751  
New Zealand
- 10.4 **Verifying identity:** We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal information (or to exercise any of your other rights). This is a security measure to ensure that personal information is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

## 11. What should I do if I have further questions or concerns?

11.1 In the first instance, please get in contact with us directly via the details below. If you consider that your query or privacy concerns have not been resolved satisfactorily by us, or you wish to obtain more information on privacy requirements, you can contact the relevant Supervisory Authority.

### Lexel Privacy Officer:

**Email:** [privacyofficer@lexel.co.nz](mailto:privacyofficer@lexel.co.nz)

**Via Post:** Privacy Officer  
Private Bag 302 902  
North Harbour  
Auckland 0751  
New Zealand

### New Zealand:

#### Office of the Privacy Commissioner

Information about how to lodge a complaint is available on the Privacy Commissioner's website.

Alternatively:

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

**Call:** 0800 803 909

#### Via Post:

Office of the Privacy Commissioner  
PO Box 10-094  
Wellington 6143  
New Zealand

### Australia:

#### Office of the Australian Information Commissioner

Information about how to lodge a complaint is available on the Privacy Commissioner's website.

Alternatively:

**Call:** 1300 363 992

#### Via Post:

Office of the Australian Information Commissioner  
(OAIC)  
GPO Box 5218  
Sydney  
NSW 2001  
Australia