

SIXT Australia

PRIVACY POLICY

Effective July 2023

1. Our commitment to privacy

The privacy of our customers is of utmost importance to Kingmill Pty Limited trading as Sixt Australia (ACN 003 966 649) (**Sixt, we, us, our**). Sixt is a wholly owned company of National Roads and Motorists' Association Limited (NRMA).

This privacy policy (**Privacy Policy**) sets out how we manage personal information across our business. It applies to Sixt, and to the practices of the agents and contractors engaged by the us to provide goods and services. It also applies to your use of any of our website, our apps, your dealings with us as a customer (and a member of the NRMA, if applicable), and your dealings with our franchisees in Australia.

If you live in the European Economic Area (EEA) or the United Kingdom, section 14 below provides additional information for you to verify.

We may update this Privacy Policy from time to time. The most current version will always be located on our website and is also available by contacting our Privacy Officer on (02) 8337 2700 or by email to privacy@Sixt.com.au or at the address detailed below

Examples have been provided in this Privacy Policy for guidance, but they do not limit scope or application.

2. Types of personal information we collect and hold

The types of personal information we collect and hold will vary depending on your dealings with us and the products, services and benefits we (or our agents, franchisees, contractors and third parties) provide to you, or a request or inquiry you make in relation to such products, benefits and services.

This information may include any or all of the following:

- name, address(es), telephone number(s) and other contact details;
- electronic address(es);
- date of birth and age;
- gender;
- details of your family members where required for us to provide services to you (for example the age of a child when hiring a child seat);
- credit card details;
- details of your membership to any loyalty or affiliate program (for example, the Sixt Loyalty Program);
- emergency contact details;
- details of associated insurance cover (for example where that insurance cover provides specific rental benefits as part of the policy);
- location data associated with rental pick-up and drop-off, in-vehicle technology or devices, or toll or incident information;

- telematics data relating to your use of the vehicle which may include, but is not limited to, oil life, fuel levels, tire pressure, battery state of charge, charging history, distance, speed, vehicle location data (including global positioning satellite (GPS) coordinates and direction of travel), vehicle damage detection data and accident footage, vehicle diagnostic information (such as advice that the engine warning light has activated), braking, acceleration and cornering data and vehicle lock status;
- your vehicle details including registration, model and colour (if you ask us to sign you up for NRMA membership);
- driver's license number and/or passport number, expiry date and issue location and, upon our request, a copy of your driver's license or passport;
- transaction details relating to your use of our products, services or other benefits (for example reservation number, where and when the vehicle was collected and returned, payment arrangements, insurance preferences and personal insurance information, fuel consumption, mileage, license plate numbers of rented vehicles, photographs of rented vehicles, and other information related to the vehicle rental);
- your social media preferences;
- fees and charges that you may incur associated with your rental account (for example tolls and infringements); and
- any preferences you tell us about or any other information that you provide.

We may use CCTV at our sites. As a result, we may record your image, voice, activity, and other personal information about you (such as your vehicle licence number plate). We also record phone calls made to and from our sites and help centres.

We may collect and hold the following sensitive information:

- any disability or special needs you have, to allow us to provide services more effectively to you;
- your membership of a professional association or trade association, where membership of such an association is linked with additional benefits that we may provide;
- health information associated with any incident while using our services or on our sites; and
- health information required by law (for example associated with the covid pandemic).

If we do not collect this information in the ways described in this Privacy Policy, either we will not be able to provide any services to you, or we may not be able to provide some services to you.

Please see the Direct Marketing section of this policy for more examples of the kinds of personal information we collect.

3. Website cookies and digital services

Our websites use "cookies". Cookies are small text files that are copied from a web server onto your hard disk. Cookies contain information that can later be read by a web server within the domain in which the cookie was

assigned to you. Cookies cannot execute any programmes or infect your computer with viruses. The cookies used by us neither contain personal data nor are they connected to any such data.

Most web browsers are set to accept cookies, but this function can usually be disabled if you wish. Please note that if you do disable this, not all functionality on our websites or apps will be available to you, and we will not be able to personalise your visit to our website or apps.

We may use a range of online analytic tools, including for reporting and advertising purposes, and to understand consumer behaviour and activity. Further information on cookies and on deactivating them can be found in our cookie policy here, or through our online privacy policy at sixt.com.au.

4. Why we collect and hold personal information

Generally, we collect, hold and use personal information about our customers to provide them with a range of products, services and benefits. This includes, collecting and using your personal information to complete your rental booking; to provide you services in connection with your rental, to provide you customer service assistance and to process fees and charges connected to your rental account.

We also collect personal information to assist in identifying ways in which we can serve you better, such as providing our products and services to you more effectively and to provide you with services in connection with the Sixt loyalty program and similar services. We also collect and use your personal information to assist our internal administration and operations including accounting, risk management (including fraud and theft), record keeping, archiving, systems development and testing, and staff safety and training.

Some of the information we collect is for the purpose of improving our interaction with customers, suppliers, business partners and contractors and their involvement with us. We collect personal information about third parties, including family members, for purposes in relation to your and their dealings (either directly or indirectly) with us, the NRMA and its wholly owned subsidiaries (**NRMA Group**), and Sixt SE and its related companies (**Sixt Group**).

Customers who provide personal information about a third party individual (for example passenger details, family information, or employee or client details) need to ensure that those persons are aware of this Privacy Policy, understand it and agree to accept it. If that individual does not have the capacity to understand and agree to these terms, Sixt requires a parent or guardian to give the assurances set out in this paragraph.

Some Sixt vehicles may have telematics devices fitted which enable us to process location data as well as vehicle status information such as vehicle locking, vehicle speed, status of sensors and activation of safety systems (e.g. airbags). We collect and use this data for the purpose of handling the rental process, to confirm your compliance

with or enforcing the terms of the rental agreement, to investigate or prevent property offences if the vehicle is lost, stolen or not returned within the agreed rental period, and to determine, verify and investigate vehicle damage and accidents.

5. How we collect information

Generally, we collect personal information directly from you, such as when you make a reservation or request a product or service, in the course of providing you with that product or service, or when you have other dealings with us. We may also collect personal information through our in-vehicle technologies such as telematics devices.

We may collect and update that information over the phone, over the Internet, by email, through our mobile sites or apps, in person (when you visit us at a Sixt office), when you write to us or if you participate in our marketing campaigns.

We may also collect personal information through third parties such as:

- our related companies including companies in the NRMA Group;
- Sixt Group;
- your employer, booking agent or corporate travel manager (where they are associated with your booking);
- your insurer, where your rental is associated with an insurance policy, or where you have an incident associated with your rental or on our property (which may include health information);
- an enforcement body, where there is an incident associated with your rental or on our property (which may include health information);
- debt collection, fraud and theft prevention, or credit provider companies;
- affiliated interstate motorists' clubs;
- our business partners who provide customer or loyalty benefits;
- our service providers including vehicle suppliers;
- Insurance Australia Limited¹ and its related entities (trading as NRMA Insurance) or other insurance companies;
- Sixt franchisees throughout Australia, the EEA and the UK;
- data washing organisations and postal service providers, including Australia Post or other entities providing similar services worldwide.

6. Storage and protection of personal information

We store personal information in a combination of secure computer storage facilities and paper-based files and other records. In so doing, we have taken numerous steps to protect your personal information from misuse, interference and loss, and unauthorised access, modification or disclosure.

¹ Insurance Australia Limited and its related entities (trading as **NRMA Insurance**) are separate from and unrelated to Sixt and the National Roads and Motorists' Association Limited.

Additionally we take reasonable steps to destroy or permanently deidentify personal information when we no longer need it. We impose

strict requirements of security and confidentiality on all third parties as to how they store, handle and deal with your personal information.

7. How we use and disclose personal information

We may use and disclose your personal information for a variety of purposes in connection with servicing you as our customer and in relation to our business operations. These include:

- processing and administering your dealings with us as a customer, supplier or contractor;
- processing and administering your dealings with us and verifying your membership as a part of a loyalty or discount program with us, the NRMA Group, the Sixt Group, or one of our business partners including any auto club of which you are a member;
- providing you with the products and services you have requested from us;
- developing processes, products, services and benefits to better meet your needs;
- dealing with any complaint made by you to us or any complaints handling body;
- where applicable for invoicing and dispute resolution purposes, to any third party who is responsible for payment of your car rental account (for example your employer, booking agent or corporate travel manager);
- for location services and vehicle data, statistics, footage including those provided by in-built vehicle technology, charging technology and vehicle manufacturers; and
- disclosing your information for use by relevant parties in connection with our services, such as to our franchisees, to any enforcement body issuing infringement notices or where there is an incident associated with your rental or on our property, to any toll road or toll account operator, to a debt collection or credit provider company for recovery purposes, and to any insurance provider associated with your rental or an incident associated with your rental or on our property (all of which may include health or other sensitive information).

We may also use and disclose your personal information to offer or provide you with loyalty benefits, memberships, discounts or other information about such schemes that may be operated by us or third parties. This includes:

- providing your personal information to companies in the NRMA Group, to our franchisees, to the Sixt Group, and to our other business partners, to give you information and offers about products and services offered by us or these companies;
- obtaining details about how you acquire and use our products, services and benefits; and

- rewarding customers for utilising our products and services through mechanisms such as discounts, special pricing offers and prizes.

Where we disclose your personal information to third parties, including members of the NRMA Group and the Sixt Group, the privacy policy of those third parties will apply.

We may disclose your personal information to our agents, franchisees, contractors, business partners, suppliers and vehicle manufacturers or related companies for the purposes of, or in connection, with the supply of products and services to you and for the same purposes above.

We may also disclose your personal information to a purchaser or potential purchaser if we sell or otherwise dispose of some or all of our business or assets.

We will not sell or rent your personal information without your consent. We may disclose your personal information where we are required or authorised by law to do so, for any purposes connected to a fraud, theft, crime prevention or investigation, or any other impropriety investigation.

8. Direct marketing

We collect personal information so that we can provide our customers with useful and relevant information about our products and services. Generally, we collect this information directly from you. In some circumstances, however, we may collect personal information from third parties, including from the Sixt Group, the NRMA Group, our service providers, and social media platforms such as Facebook.

We use this information to assist us to determine how we can best engage with our customers about our products and services. To this end, we may collect information about your social media preferences and activities so that we can engage with our customers on social media sites. We may also collect certain demographic information and behavioural information from social media platforms to better serve consumers with more targeted advertising. If we do not collect this information in the ways described above, we may not be able to let you know about our products and services in the most effective way.

We may use and disclose the information we collect for the purpose of providing you with tailored marketing communications about our goods and services, or to conduct market research. Typically, we (or our service providers on our behalf) send these communications to your email address or mailing address. Occasionally, we may also send marketing communications to your social media accounts, including, for example, your Facebook account.

We may also disclose your personal information to companies in the NRMA Group, the Sixt Group, our other business partners, our service providers and Insurance Australia Limited* (trading as NRMA Insurance) and its related entities, to give you information and offers about products and services offered by us or these companies.

9. Opting Out of Direct Marketing

If you do not wish to receive direct marketing information from us, please use the contact details below to opt-out or

use the unsubscribe feature on our electronic marketing communications. Please note that if you make such a request:

- we may still need to use your personal information to provide you with the services and products you have requested as a customer; and
- it may not be possible for us to immediately action a request to cease receiving any or all direct marketing material. However, we will respond to such requests as soon as practicable and will make all reasonable efforts to promptly action your request to opt out of receiving future direct marketing material.

If you do not wish to receive direct marketing information from the NRMA Group, the Sixt Group, our other business partners, our service providers and Insurance Australia Limited² (trading as NRMA Insurance) and its related entities, please use the opt out mechanisms in the direct marketing materials from those companies.

10. Overseas disclosure of personal information

We are likely to disclose some of your personal information, for the purposes described above, to organisations outside Australia including the Philippines, Germany, the United Kingdom and the United States of America.

Personal information provided to organisations in the Philippines and the United States of America may not have the same protection as set out in this privacy policy and the Australian Privacy Principles, and we may not take any steps to ensure such protection.

11. Access to, and correction of, personal information

We will take reasonable steps to make sure that the personal information we collect, hold, use or disclose is accurate, complete and up to date. If your personal details change, such as your address or phone number, please contact us on (02) 8337 2700 or to update your details.

You may request access to information that we hold about you by contacting the Privacy Officer using the contact details below. Following a request, we will provide you with a copy of any personal information which we hold about you in accordance with our obligations under the Privacy Act. We may charge a fee for retrieving this information, in which case we will inform you of the fee in advance of providing the information.

In the first instance, we will ask you to provide some of identification, such as your driver's licence, to ensure that you have the right to access the information

12. Making a complaint

If you wish to complain about our handling of your personal information, please send a written complaint to the Privacy Officer in the first instance by using the contact details below. We undertake to promptly acknowledge and investigate any complaint about the way we manage personal information. If you are dissatisfied with the

outcome of our investigation, you may take your privacy complaint to the Office of the Australian Information Commissioner (OAIC). For information in making a complaint to the OAIC, please visit the OAIC's website <http://www.oaic.gov.au/privacy.making-a-privacy-complaint>, or phone 1300 363 992.

13. Contacting us

If you have any questions about this Privacy Policy, our processing of your personal data, or if you wish to exercise any of your rights, including to have the information we hold about you updated, or if you wish to make a complaint about the way we manage personal information, please write to:

The Privacy Officer
Kingmill Pty Limited t/a Sixt Australia
PO Box 1026
STRATHFIELD NSW 2135

You can also telephone us on (02) 8337 2700 or email our Privacy Officer at privacy@sixt.com.au.

14. Users from European Economic Area / the United Kingdom

14.1. Contact details of the controller

If you live in the European Union, the EEA or the United Kingdom, the data controller is Sixt, at the address Level 13, 151 Clarence Street, Sydney NSW 2000 Australia and Sixt SE at the address Zugspitzstrasse 1 Pullach, 82049 Germany.

You can contact us at privacy@sixt.com.au. You can also contact our representative at Bird & Bird Privacy Solutions.

Below is additional information on how we process your personal data and on your rights that are available under the applicable data protection laws, including the General Data Protection Regulation no. 679/2016 (GDPR), if you live in the European Union, the EEA or the United Kingdom.

14.2. What are the legal grounds for using your personal data?

As described in detail in sections 0 - 8 above, we use your personal data for a variety of purposes. Below we outline the legal bases we rely on when using your data for those purposes.

Contract

We use your data when it is necessary to perform a contract with you, or where you have asked us to take steps prior to entering into a contract with us, in particular:

- to provide you with our products, services and benefits, including to complete your rental booking, to provide you with services in connection with your rental, to provide you with customer service

² Insurance Australia Limited and its related entities (trading as NRMA Insurance) are separate from and unrelated to Sixt and the National Roads and Motorists' Association Limited.

- assistance, and to process fees and charges connected to your rental account;
- to process and administer your dealings with us as a customer, and to provide you with the products and services you have requested from us, and to administer your dealings with us as supplier or contractor;
- to deal with or facilitate customer service, including handling complaints, to carry out your instructions, deal with or respond to any enquiries given by (or purported to be given by) you or on your behalf;
- to verify your membership as part of a loyalty or discount program with us and the Sixt Group or one of our business partners, including any auto club of which you are a member (including the NRMA).

Legal obligation

We use your data to comply with our legal obligations, which, depending on local laws, may include:

- dealing with an incident associated with your rental or on our property;
- accounting, risk management, record keeping;
- responding to legal processes or complying with or as required by any applicable law, governmental or regulatory requirements of any relevant jurisdiction.
- preventing, management and control of Covid -19.

Legitimate interest

We use your data when it is necessary for our legitimate interests or those of third parties. In such cases we perform relevant legitimate interests balancing tests to ensure that we have considered and weighed any privacy impact in relation to the interest in question. This includes the following purposes:

- developing our processes, products, services and benefits to better meet your needs;
- related to our restructuring and/or reorganisation, or acquisition by or assignment of our assets to a third party (in whole or in part);
- allowing us to provide services to you more effectively;
- storing, hosting, backing up (whether for disaster recovery or otherwise) your personal data to ensure our business continuity;
- providing you with tailored marketing communications about our goods and services and targeted advertising of our products and services, to conduct market research;
- to assist our internal administration and operations, including accounting, risk management (including fraud and theft), record keeping, archiving, systems development and testing, and staff safety and training;
- verifying your membership as part of a loyalty or discount programme with us and the Sixt Group or one of our business partners, including any auto club of which you are a member (including the NRMA)
- dealing with or facilitating customer service, including handling complaints, carrying out your instructions, dealing with or responding to any enquiries given by (or purported to be given by) you or on your behalf;
- dealing with an incident associated with your rental or on our property;

- responding to any threatened or actual claims asserted against us or against third parties in relation to our products or services.

Consent

We use your data if we obtain your consent (or explicit consent in case of special category data) for particular a use described in the consent, including:

- provide you direct marketing when such consent is required by applicable laws;
- in case of special category of data, allow us to provide services more effectively to you or
- providing you with additional benefits (including where such benefits are linked with your membership in a professional association or trade association).

Necessity to establish, exercise or defend legal claims

We may process special category of your personal data for purposes related to legal claims, including to deal with an incident associated with your rental or on our property and for recovery purposes, and to any insurance purposes related to your rental or an incident associated with your rental or on our property.

14.3. How we retain your personal data

In general, we store your personal data only as long as necessary to achieve the purpose of the processing.

Depending on the applicable purposes of the processing, we will store your personal data for as long as at least one of the following cases:

- if we use your data based on consent, we will store it at most until you withdraw the consent;
- if we use your data to perform a contract, we will generally store it for the duration of the contract and until the lapse of the claims limitation period;
- if we use your data to perform our legal obligations, we will store it for any retention periods mandated by applicable laws;
- if we use your data on the basis of a legitimate interest, we will store it as long as necessary to fulfil our legitimate interest, or until you successfully exercise your right to object.

14.4. International transfer of personal data

We may share your personal data with entities located within the EEA and countries recognized by the European Commission as ensuring an appropriate level of protection of personal data, e.g. Israel and the United Kingdom (based on EC decisions available [here](#) and [here](#)).

We may share your personal data with our agents, franchisees, contractors, business partners, related companies, suppliers and subcontractors located outside the EU/EEA or outside the countries recognized by the European Commission as ensuring an appropriate level of protection of personal data for the purposes described above. The recipients of your personal data may be located in countries such as Australia, the Philippines and the United States of America.

In such cases, we implement special safeguards, in particular we conclude the Standard Contractual Clauses approved by the European Commission and/or as appropriate, implement additional contractual, technical, and organisational measures (you can obtain a copy of those clauses or other safeguards by contacting us in accordance with Section 14.1 above).

14.5. Data portability, objection, consent withdrawal, restriction of processing data and data erasure

In addition to your rights described in section 11, you have the right to:

- **erasure** – in certain situations, you can request that we erase your personal data, for example if we no longer need it to achieve the purpose of the processing or we processed it unlawfully. We can refuse your request for specific reasons, for example if we need the personal data for the establishment, exercise or defence of legal claims;
- **request restriction of processing** – in certain situations you can request that we limit the ways in which we process your personal data, for example if you contest its accuracy or you have brought an objection and we are assessing whether your objection is valid;
- **data portability** – if you provided personal data to us and we process it by automated means on the basis of your consent or because it is necessary to perform a contract, you can request that we provide the personal data in a structured, commonly used and machine-readable format, and that we have the data transmitted to another controller;
- **objection** – if we process your personal data on the basis of a legitimate interest, you can object to the processing on grounds relating to your particular situation. We must stop the processing unless we can demonstrate compelling legitimate grounds to continue, or if the processing is necessary for the establishment, exercise or defence of legal claims. If we process personal data for direct marketing purposes, we must always stop the processing; and
- **withdrawal of consent** – if the processing is based on your consent, you have the right to withdraw that consent at any time, without affecting the lawfulness of the processing based on your consent before its withdrawal.

To exercise your rights described in section 11 and above, please contact us as described in section 14.1.

If you disagree with the way we process your personal data, you also have a right to lodge a complaint with the competent supervisory authority of one of the EU Member States (full list available [here](#)).

This Privacy Policy was last updated on 1 July 2023.

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