

# **BREADCRAFT (WAI) LTD.**

## **Privacy Policy**

Masterton, New Zealand

### **Privacy Statement**

Your privacy is very important to us. This privacy policy discloses how Breadcraft (Wai) Ltd (BWL) collects, protects, uses and shares personal information gathered about you, in conformance with New Zealand's Privacy Act (1993). Our privacy practices are consistent with:

- New Zealand's Privacy Act (1993) and the 12 Information Privacy Principles.
- The European Union Data Protection Directive and the U.S. Department of Commerce Safe Harbor Program Principles of notice, choice, onward transfer, security, data integrity, access, and enforcement.
- Fair information practices established by the Organization for Economic Co-operation and Development (OECD).
- The Asia Pacific Economic Cooperation forum (APEC) Privacy Framework.
- Applicable country, national, state and local data protection laws (some country's laws require country specific information in a privacy policy).

All Personal Information is collected in a fair and non-intrusive manner, with your voluntary consent. Personal Information is not accessible to anyone outside the specific function for which it is collected. BWL respects the privacy of our BWL customers, our employees, job applicants, and other visitors to our website who may choose to provide personal information. We recognise the need for appropriate protections and management of personal information that you provide to us. This Privacy Policy will assist you to understand what types of information we may collect, how that information may be used, and with whom the information may be shared.

This Privacy Policy explains BWL's practices regarding the information collected online from users of BWL's website located at [www.breadcraft.co.nz](http://www.breadcraft.co.nz)

In an effort to comply with the law, and our commitment to protect your personal information, we provide the following, which discloses our policies. Please note that this Privacy Policy does not govern the privacy policies and procedures of BWL's affiliated companies.

### **Type of information we may collect**

Personal Information is defined as any information concerning the personal or material circumstances of an identified or identifiable individual. An identifiable person is one who can be identified, directly or indirectly, by reference to any National Identification Number (e.g. IRD number) or to one or more factors specific to his physical, physiological, mental, economic, cultural or social identity.

Personal Information shall include but is not limited to: name, home address, home postal code, home telephone number, mobile phone number, email address, IRD Number, financial information and employment related information

such as may be found on resumes, applications, background verification information, or in employment references.

BWL takes measures to maintain the confidentiality of your personal information to protect your personal information from unlawful disclosure, and to limit access to your personal information will not make your personal information available to the general public, print your personal information on any card, require you to provide your personal information to access any products or services, transmit your personal information over the Internet unless the connection is secure or your personal information has been encrypted, or requires the transmittal of your personal information to access our Website without requiring additional authentication.

Non-personal information is information that is already a matter of public record or knowledge. Business contact information is considered non-personal information and not subjected to special protection and it can be routinely shared with anyone inside or outside of the business. Business contact information shall include but is not limited to: business name, business address, business telephone number, and is not considered personal information in certain jurisdictions.

Sensitive data is information that can include but is not limited to, an individual's gender, racial or ethnic origins, politics, religion, trade union membership, veteran status, physical or mental health, disabilities, sex life, sexual orientation, or criminal (or alleged criminal) activities, proceedings or convictions. We will never collect Sensitive Personal Information except to comply with Affirmative Action data requirements.

### **BWL's Commitment: Adhering to New Zealand's Privacy Act (1993) and the 12 Information Privacy Principles ("IPP")**

New Zealand's Privacy Act (1993) regulates the collection, use, and dissemination of personal information in both the public and private sectors. It applies to "personal information" about an identifiable individual, whether automatically or manually processed, and grants individuals the right of access to their personal information held by any agency. An agency can include a person or body of people; such as, companies, government departments, incorporated societies, and boards of trustees. New Zealand law lays out the 12 Information Privacy Principles ("IPP") for the proper handling of personal information. The Privacy Act and 12 IPP's presume that trans- border data flows are permissible provided the IPP's are preserved. New Zealand's Privacy Act contains 12 Privacy Principles that include:

#### **Principle 1: Purpose of collection of personal information**

Personal information must not be collected unless:

- the collection is for a lawful purpose connected with a function or activity of the agency collecting the information; and
- it is necessary to collect the information for that purpose.

#### **Principle 2: Source of personal information**

Personal information must be collected directly from the individual concerned. The exceptions to this are when the agency collecting the information believes on reasonable grounds that:

- the information is publicly available; or

- the individual concerned authorizes collection of the information from someone else; or
- the interests of the individual concerned are not prejudiced; or
- it is necessary for a public sector agency to collect the information to uphold or enforce the law, protect the tax base, or assist court or tribunal proceedings; or
- complying with this principle would prejudice the purposes of collection; or
- complying with this principle would not be reasonably practical in the particular case; or
- the information will not be used in a form that identifies the individual; or
- the Privacy Commissioner has authorized collection under section 54.

### **Principle 3: Collection of information**

When an agency collects personal information directly from the individual concerned, it must take reasonable steps to ensure the individual is aware of:

- the fact that the information is being collected;
- the purpose;
- the intended recipients;
- the names and addresses of who is collecting the information and who will hold it;
- any specific law governing provision of the information and whether provision is voluntary or mandatory;
- the consequences if all or any part of the requested information is not provided; and
- the individual's rights of access to and correction of personal information.

These steps must be taken before the information is collected or, if this is not practical, as soon as possible after the information is collected.

An agency is not required to take these steps if they have already done so in relation to the same personal information, or information of the same kind, on a recent previous occasion.

It is also not necessary to comply with this principle if the agency collecting the information believes on reasonable grounds that:

- collection is already authorized by the individual concerned; or
- it is not prejudicing the interests of the individual concerned; or
- it is necessary for a public sector agency to collect the information to uphold or enforce the law, protect the tax base, or assist court or tribunal proceedings; or
- complying with this principle will prejudice the purposes of collection; or
- complying with this principle is not reasonably practical in the particular case; or
- the information will not be used in a form in which the individual concerned is identified.

### **Principle 4: Manner of collection of personal information**

Personal information must not be collected by:

- unlawful means; or
- means that are unfair or intrude unreasonably on the personal affairs of the individual concerned.

### **Principle 5: Storage and security of personal information**

An agency holding personal information must ensure that:

- there are reasonable safeguards against loss, misuse or disclosure; and

- if it is necessary to give information to another person, such as someone working on contract, everything reasonable is done to prevent unauthorized use or unauthorized disclosure of the information.

### **Principle 6: Access to personal information**

Where personal information is held in a way that it can readily be retrieved, the individual concerned is entitled to:

- obtain confirmation of whether the information is held; and
- have access to information about them.

An agency may refuse to disclose personal information for a range of reasons, including that it would:

- pose risks to New Zealand's security or defence;
- breach confidences with another government;
- prevent detection of criminal offences or the right to a fair trial;
- endanger the safety of an individual;
- disclose a trade secret or unreasonably prejudice someone's commercial position;
- involve an unwarranted breach of another individual's privacy;
- breach confidence where the information has been gained solely for reasons to do with the individual's employment, or to decide whether to insure the individual;
- be contrary to the interests of an individual under the age of 16;
- breach legal professional privilege;
- reveal the confidential source of information provided to a Radio New Zealand or Television New Zealand journalist; or
- constitute contempt of court or the House of Representatives.

Requests can also be refused, for example, if the agency does not hold the information or if the request is frivolous or vexatious.

### **Principle 7: Correction of personal information**

Everyone is entitled to:

- request correction of their personal information;
- request that if it is not corrected, a statement is attached to the original information saying what correction was sought but not made.

If agencies have already passed on personal information that they then correct, they should inform the recipients about the correction.

### **Principle 8: Accuracy of personal information to be checked before use**

An agency must not use or disclose personal information without taking reasonable steps to check it is accurate, complete, relevant, up to date, and not misleading.

### **Principle 9: Personal information not to be kept for longer than necessary**

An agency holding personal information must not keep it for longer than needed for the purpose for which the agency collected it.

### **Principle 10: Limits on use of personal information**

Personal information obtained in connection with one purpose must not be used for another.

The exceptions include situations when the agency holding personal information believes on reasonable grounds that:

- the use is one of the purposes for which the information was collected; or
- the use is directly related to the purpose the information was obtained for; or
- the agency got the information from a publicly available publication; or
- the individual concerned has authorized the use; or
- the use is necessary for a public sector agency to collect the information to uphold or enforce the law, protect the tax base, or assist court or tribunal proceedings; or
- the use is necessary to prevent or lessen a serious and imminent threat to public health or safety, or the life or health of any individual; or
- the individual concerned is not identified; or
- the use is authorized by the Privacy Commissioner under section 54.

### **Principle 11: Limits on disclosure of personal information**

Personal information must not be disclosed unless the agency reasonably believes that:

- the disclosure is in connection with, or directly related to, one of the purposes for which it was obtained; or
- the agency got the information from a publicly available publication; or
- disclosure is to the individual concerned; or
- disclosure is authorized by the individual concerned; or
- it is necessary for a public sector agency to disclose the information to uphold or enforce the law, protect the tax base, or assist court or tribunal proceedings; or
- disclosure is necessary to prevent or lessen a serious and imminent threat to public health or safety, or the life or health of any individual; or
- disclosure is necessary to facilitate the sale of a business as a going concern; or
- the information is to be used in a form in which the individual concerned is not identified; or
- disclosure has been authorized by the Privacy Commissioner under section 54.

### **Principle 12: Unique identifiers**

Unique identifiers – such as IRD numbers, bank customer numbers, driver's license and passport numbers – must not be assigned to individuals unless this is necessary for the organization concerned to carry out its functions efficiently. The identifiers must be truly unique to each individual (except in some tax related circumstances), and the identity of individuals must be clearly established. No one is required to disclose their unique identifier unless it is for, or related to, one of the purposes for which the identifier was assigned.

### **Cookies**

We may also use a feature of Your browser called a 'cookie' to assign Your computer a user ID. Cookies do not contain information by which we can identify You. A cookie is a small text file placed on Your computer hard drive by a web page server. Cookies can be accessed by our web servers and provide us with information about Your use of the Website.

Cookies determine if You have previously visited the Website and identify what pages You have accessed from it.

If You do not wish Your computer to accept cookies, You can set Your browser to disable them, however this may inhibit full use of the Website and the services on the Website that require cookies in order for You to participate.

### **Children and Data Collection**

Our website is intended for the use of all users, including children under the age of 18. We cannot distinguish the age of persons who access and use our website. If a minor (according to applicable laws) has provided us with personal information, without parental or guardian consent, the parent or guardian should contact our privacy officer at [privacyofficer@bwl.co.nz](mailto:privacyofficer@bwl.co.nz).

### **Forward-to-a-Friend and Refer-a-Friend**

Of you provide information to us about another person (such as a friend) e.g. you may use a referral feature (either on a web page, in an e-mail, from a banner ad or other communication) to inform a friend about a BWL web page or promotion. BWL may use any e-mail address provided when using this referral feature to send both an initial e-mail and a subsequent e-mail to recipients about the particular promotion, product, or service in which you indicated your "friend" may have an interest. You are responsible for making that individual aware that you have disclosed their personal information to us and that we can use their information as set out in this policy. Please direct them to this policy.

### **Opt-Out of Email Updates**

You may have the opportunity to elect to receive email communications from BWL.

BWL will only email you if you elect to receive them. If you elect to receive email communications, BWL will send you occasional updates about new additions to the Website as well as special offers and promotions of which you can take advantage. If at any time you decide you would rather not receive these types of communications from BWL, you can opt-out by clicking the unsubscribe link at the bottom of any BWL email, update the contact preferences for your account, or contact the Privacy Officer at [privacyofficer@bwl.co.nz](mailto:privacyofficer@bwl.co.nz)

### **Sharing of Personal Information**

BWL does not sell Personal Information to third parties. We may share Personal Information with our service providers, consultants and affiliates for our internal business purposes. Except as described in this Privacy Policy, BWL will not share Personal Information with a third party, unless a customer requests, consents to such disclosure, or disclosure is required or authorised by law.

We may share your Personal Information with agents, affiliates or service providers who act for or on behalf of BWL in connection with the business of BWL, or for further processing the data in accordance with the purpose(s) for which the data was originally collected, e.g., third party maintenance of secure listing databases or prize fulfilment in connection with a contest or sweepstakes. We require our agents, affiliates and service providers to agree in writing to maintain the confidentiality and security of Personal Information they maintain on behalf of BWL and not to use it for any purpose other than the purpose for which we retained them. We also require any third parties we retain to protect Personal

Information disclosed by us in accordance with all applicable privacy requirements and the general privacy principles described in this Privacy Policy.

The Personal Information you provide BWL is considered a company asset and may be disclosed and/or transferred to a third party in the event of a proposed or actual purchase, sale, lease, merger, amalgamation or any other type of acquisition, disposal, or financing of all or any portion of BWL or of any of the business assets or shares of BWL or a division thereof, in order for a customer to continue to receive the same products and services from the third party.

Although we make every effort to preserve user privacy, we reserve the right to disclose Personally Identifiable Information to a third party in certain limited circumstances, specifically: to comply with a law, regulation, search warrant, subpoena, judicial proceeding, a court order, or as otherwise may be required by law, to enforce our policies or contracts, to collect amounts owed to us, to protect users of our sites from fraudulent or abusive use, during emergencies when safety is at risk, as determined by BWL otherwise where necessary for the establishment, exercise or defence of legal claims. In addition, from time to time, server logs may be reviewed for security purposes; for example, to detect unauthorised activity on the web site. In such cases, server log data, containing IP addresses, would be shared with law enforcement bodies in order that they may identify users in connection with their investigation of the unauthorized activities.

### **Storage, Retention and Accuracy of Personal Information**

BWL insures that Personal Information is safeguarded against loss, access, use, modification, disclosure or other misuse. All reasonable steps are taken to prevent unauthorised use or disclosure of your Personal Information in accordance with the Privacy Act (1993). If you want to access or correct your personal information please contact the Privacy Office at the contact details below.

BWL will retain your Personal Information only for as long as necessary to fulfil the purpose(s) for which it was collected and to comply with applicable laws and your consent to such purpose remains valid after termination of our relationship with you.

We take all reasonable steps to insure that your Personal Information is accurate, up-to-date, complete, relevant and not misleading.

BWL may store your Personal Information in its databases located New Zealand and/or other countries outside of the Australasian Economic Area. Additionally, some of our service providers may reside in other countries outside of the Australasia and will be subject to the laws of the local jurisdiction. As a result, in certain circumstances, the New Zealand Government and other foreign governments, courts, law enforcement agencies or regulatory agencies may be entitled to access the Personal Information collected and held by BWL.

### **Access, Control and Update Information About You**

We want to be sure that we keep only the most accurate and up-to-date Personal Information in our records. Therefore, whenever you believe that your Personal Information needs to be updated, you can email us at [privacyofficer@bwl.co.nz](mailto:privacyofficer@bwl.co.nz) to update your contact information. You may choose at any time to remove your name, telephone numbers, and postal and email addresses from the lists we use

to send notices or updates and elect not to receive correspondence from us by sending us an email at [privacyofficer@bwl.co.nz](mailto:privacyofficer@bwl.co.nz).

To protect your privacy, we will take reasonable steps to help verify your identity before granting access or making changes.

## **Security**

We safeguard your Personal Information on the Internet by using industry-standard practices. Although "guaranteed security" does not exist either on or off the Internet, we make commercially reasonable efforts to make the collection and security of such information consistent with our Privacy Policy and all applicable laws and regulations. We maintain physical, electronic and procedural safeguards as appropriate to safeguard your Personal Information.

## **Links to Non-BWL Websites and Third Parties**

Please note that you may find links to third party website on Breadcraft (Wai) Ltd's website. The [www.bwl.co.nz](http://www.bwl.co.nz) website may contain links to other web sites for your convenience and information. These websites should have their own privacy policies which you should check. Breadcraft (Wai) Ltd does not control those sites or their privacy practices, which may differ from Breadcraft (Wai) Ltd.'s privacy policy. Breadcraft (Wai) Ltd.'s privacy policy cannot and does not apply to external websites. We do not accept responsibility or liability for third party websites or their privacy policies. The personal data you choose to give to unrelated third parties is not covered by the Breadcraft (Wai) Ltd.'s privacy policy. Please review their privacy policies regularly before submitting your Personal Information as we have no control over them. Some third parties may choose to share their personal data with Breadcraft (Wai) Ltd that sharing is governed by that third party's privacy policy.

## **Contact Information**

You may contact the Privacy Officer to access, correct or delete your Personal Information. If necessary, the Privacy Officer will contact another employee to assist in completing your requested task.

If you have any questions or complaints, please contact the Privacy Officer. The Privacy Officer can be reached by telephone at: (+64) 6 370 0260; by Facsimile at: (+64) 63788873; by email at: [privacyofficer@bwl.co.nz](mailto:privacyofficer@bwl.co.nz) or by mail at Breadcraft (Wai) Ltd PO Box 352 or 85 Judds Road, Masterton 5840, New Zealand . We will address your concern and attempt to resolve any problem.

## **Changes to our Privacy Policy**

Breadcraft (Wai) Ltd will update this Privacy Policy occasionally. When Breadcraft (Wai) Ltd posts changes to this Privacy Policy, we will also revise the "Last Updated" date below on Breadcraft (Wai) Ltd.'s Privacy Policy. If there are material changes to this Privacy Policy, Breadcraft (Wai) Ltd will notify you by email, or by means of a notice on our home page. Breadcraft (Wai) Ltd encourages you to review this Privacy Policy periodically to be informed of how Breadcraft (Wai) Ltd is protecting your information and to be aware of any changes to the Privacy Policy. Your continued use of the site after the posting of any amended Privacy Policy shall constitute your agreement to be bound by any such changes. This Privacy Policy is incorporated into any Terms and Conditions

governing the various websites and any programs or services operated or managed on behalf of Breadcraft (Wai) Ltd. Any changes to this Privacy Policy are effective immediately after being posted by Breadcraft (Wai) Ltd.

**LAST UPDATED: April 30, 2013**