

Kintetsu International Express (Oceania) Pty Ltd is committed to providing quality services to you and this policy outlines our ongoing obligations to you in respect of how we manage your Personal Information.

We have adopted the Australian Privacy Principles (the 'APPs') contained in the Privacy Act 1988 (Cth) (the 'Privacy Act'), and the General Data Protection Regulation (Regulation (EU) 2016/679) [stipulated by the European Union and the United Kingdom ((hereinafter referred to as "UK") as saved in UK law] ([hereinafter both referred to as] the 'GDPR').

The APPs and the GDPR govern the way in which we collect, use, disclose, store, secure and dispose of your Personal Information.

A copy of the Australian Privacy Principles may be obtained from the website of The Office of the Australian Information Commissioner at [www.oaic.gov.au](http://www.oaic.gov.au)

## What is Personal Information and why do we collect it?

Personal Information is defined in the Privacy Act and Article 4 of the GDPR as any information or opinions about an identified individual, or an individual who is reasonably identifiable.

Personal Information we collect from you may include but not limited to the following information (the 'Personal Information').

- i. Contract-related information: Names, genders, addresses, email addresses, phone numbers, date of birth, nationalities, passport numbers, visa details, government-issued identification numbers, language preferences, membership details, booking history, credit and debit card numbers and expiry date and bank account details
- ii. Website-related information: Browser type and version, operating system used, website from which you visit us (referrer URL), website that you call up on our server, and the date and time when you accessed the website as well as your IP address).

The Personal Information is obtained in many ways, including interviews, correspondence, by telephone, facsimile, email, via our website [www.kintetsu.com.au](http://www.kintetsu.com.au), from media and publications, from other publicly available sources and from browser cookies and from third parties.

We process your Personal Information for the following primary purposes, with the following legal basis and retention periods:

- (i) To provide our services to you. The lawful basis for these uses is to perform our contract with you.
- (ii) To operate website. The lawful basis for this use is to pursue our legitimate interest in the technically functional operation of the website and the prevention of misuse and criminal prosecution according to Article 6 (1) (f) of the GDPR
- (iii) To provide information to our clients. The lawful basis for these uses is to perform our contract with you, to comply with our legal obligations or to pursue our legitimate interests in improving our service and giving our clients the best experience.
- (iv) For marketing. The lawful basis for this use is your consent.

#### Retention periods

- We processes the data for purposes of item (i) only as long as they are necessary for the fulfilment of its obligations. In addition, in individual cases, the Company processes the data until the end of a legal dispute or until the expiry of the statute of limitations if claims for damages are asserted.
- We process the data for purposes of item (ii) for years.
- We process the data for purposes of item (i) for how long the specific legal obligation requires it to do so.
- We process the data based on consent until this consent is withdrawn.

You are required to provide us with your Personal Information when you enter into a contract with us. Personal Information that is mandatory is indicated on the relevant forms. We are not able to provide our services to you if such data is not provided. We also use your Personal Information for secondary purposes related to the primary purpose, in circumstances where you would reasonably expect such use or disclosure. You may unsubscribe from our mailing/marketing lists at any time by contacting us. We will provide an option to unsubscribe or opt-out of further communication on any electronic marketing communication sent to you.

When we collect Personal Information we will explain to you why we are collecting the information and how we plan to use it.

Where you make a travel booking on behalf of another person (e.g. a family or group booking or a travel booking made for an employee), you agree you have obtained the consent of the other person for us to collect, use and disclose the other person's Personal Information in accordance with the Privacy Policy and that you have otherwise made the other person aware of this Privacy Policy.

You should let us know immediately if you become aware that your Personal Information has been provided to us by another person without your consent or if you did not obtain consent before providing another person's Personal Information to us.

## Sensitive Information

Sensitive information is a type of Personal Information, and defined in the Privacy Act or the GDPR to include information or opinion about an individual's racial or ethnic origin, political opinions, membership of a political association, religious or philosophical beliefs, membership of a trade union or other professional body, criminal record or health information, the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

Sensitive information will be used by us only:

- For the primary purpose for which it was obtained;
- For a secondary purpose that is directly related to the primary purpose;
- With your explicit consent; or where required or authorised by law.

Examples of Sensitive Information we collect from you may include, but not limited to, your medical conditions and your membership of an association.

## Third Parties

Where reasonable and practicable to do so, we will collect your Personal Information only from you. However, in some circumstances, we may be provided with information by third parties. In such a case we will take reasonable steps to ensure that you are made aware of the information provided to us by the third party. Our website contains links to third party websites over which we have no control. We are not responsible for the privacy practices or the content of such websites. We encourage you to read the privacy policies of any linked third party websites you visit as their privacy policy and practices may differ from ours.

## Disclosure of Personal Information

Your Personal Information may be disclosed in a number of circumstances including the following:

- to third parties we engaged to provide services to you;
- to third parties where you consent to the use or disclosure; and
- Where required or authorised by law.

Please note that in this Privacy Policy, where we say "disclose", this includes to transfer, share (including verbally and in writing), send, or otherwise make available or accessible your Personal Information to another person or entity.

When you book or otherwise arrange travel related products and services through us, we usually act as an agent for the relevant travel service providers (e.g. for a hotel). In this case, we process your Personal Information as necessary so as to provide the services you requested from us. This usually includes collecting

Personal Information about you both for our internal purposes as described in this Privacy Policy and for the service provider for whom we act as agent (e.g. to provide you with the booked services). For example, if you book a flight through us, then we use your Personal Information to enable your flight to be booked and disclose it to the airline to enable the airline to provide the flight service to you.

We may therefore share your Personal Information with the service providers such as hotel, airline, car rental, or other providers, who fulfill your bookings. Please note that these service providers also may use your Personal Information as described in their respective privacy policy and may contact you as necessary to obtain additional information about you, facilitate your travel reservation, or provide you with your requested services. We encourage you to review the privacy policies of any third-party service providers whose products you purchase through us. We will provide you with copies of all relevant travel service provider terms, conditions and privacy policies on request.

Your personal information may be disclosed to the following types of third parties:

- our contractors, suppliers and service providers, including without limitation:
  - suppliers of IT based solutions that assist us in providing products and services to you (such as any external data hosting providers we may use);
  - publishers, printers and distributors of marketing material;
  - event and expo organisers;
  - marketing, market research, research and analysis and communications agencies;
  - mailing houses, freight services, courier services; and
  - external business advisers (such as lawyers, accountants, auditors and recruitment consultants);
- our related entities and brands;
- travel service providers such as travel wholesalers, tour operators, airlines, hotels, car rental companies, transfer handlers and other related service providers;
- any third party to whom we assign or novate any of our rights or obligations;
- financial institutions such as banks, when processing financial transactions;
- a person making your travel booking on your behalf, where you are travelling on a booking made on your behalf by another person (for example, a family member, friend or work colleague);
- your employer, where you are an employee of one of our corporate, business or government clients and you are participating in an event or travelling for work purposes;
- a person who can verify to us that they have a relationship with you (e.g. a family member) where you are not contactable, the person correctly answers our required security questions and the request is, in our opinion, in your interest (for example, where the person is concerned for your welfare or needs to undertake action on your behalf due to unforeseen circumstances);
- as required or authorised by applicable law, and to comply with our legal obligations;
- customs and immigration to comply with our legal obligations and any applicable customs/immigration requirements relating to your travel;
- government agencies and public authorities to comply with a valid and authorised request, including a court order or other valid legal process;

- various regulatory bodies and law enforcement officials and agencies, including to protect against fraud and for related security purposes; and
- enforcement agencies where we suspect that unlawful activity has been or may be engaged in and the personal information is a necessary part of our investigation or reporting of the matter.

We act as agent for or on behalf of numerous travel service providers around the world, so it is not possible for us to set out in this Privacy Policy all of the service providers for whom we act or their locations. For more information about the disclosure of Personal Information to service providers located overseas, please refer to “Personal Information Transferred Overseas” section below.

Other than the above, we will not disclose your personal information without your consent unless we reasonably believe that disclosure is necessary to lessen or prevent a threat to life, health or safety of an individual or to public health or safety or for certain action to be undertaken by an enforcement body, or where such disclosure is authorised or required by law.

If you have any concerns regarding the transfer of your personal information to a service provider, or you wish to contact us for further information, please refer to the “Privacy Policy Complaints and Enquiries” section below.

## Personal Information Transferred overseas

We may disclose your Personal Information to certain overseas (including outside of the European Economic Area countries) recipients, as set out below.

We will ensure that any such international transfers are either necessary for the performance of a contract between you and the overseas recipient or are made subject to appropriate or suitable safeguards as required by the APPs.

It is possible that information will be transferred to an overseas recipient (other than any of our overseas related entities) located in a jurisdiction where you will not be able to seek redress under the local data protection laws and that does not have an equivalent level of data protection as in the Australian Privacy Act. To the extent permitted by laws, we will not be liable for how these overseas recipients handle, store and process your Personal Information.

In the absence of an adequacy decision pursuant to Article 45 (3) of the GDPR by the European Commission, we take appropriate safeguards as prescribed in the GDPR, including conclusion of a contract that contains standard data protection clauses or obtains explicit, freely given consent for individual cases as defined in Article 49 (1) (a) of the GDPR or the transfer is necessary for the performance of a contract with us or the implementation of pre-contractual measures.

## **Our overseas related entities**

Kintetsu Group operates a global business, including operations in Australia, New Zealand and Japan. Your Personal Information may be disclosed to our overseas related entities in connection with facilitation of your travel booking and/or to enable the performance of administrative, advisory and technical services, including the storage and processing of such information.

## **Service providers located overseas**

In providing our services to you, it may be necessary for us to disclose personal information to relevant overseas service providers. The location of a service provider relevant to your Personal Information will depend on the services being provided. The relevant service providers will in most cases receive your Personal Information in the country in which they will provide the services to you or in which their business or management is based.

We may also disclose your Personal Information to third parties located overseas for the purpose of performing services for us, including the storage and processing of such information. Generally, we will only disclose your Personal Information to these overseas recipients in connection with facilitation of your travel booking and/or to enable the performance of administrative and technical services by them on our behalf.

If you have any specific questions about where or to whom your Personal Information will be sent, please refer to the “Privacy Policy Complaints and Enquiries” section below.

## **Security of Personal Information**

Your Personal Information is stored in a manner that reasonably protects it from misuse and loss and from unauthorized access, modification or disclosure. When your Personal Information is no longer needed for the purpose for which it was obtained, we will take reasonable steps to destroy or permanently de-identify your Personal Information. However, most of your Personal Information is or will be stored in your file which will be kept by us for a minimum of 7 years.

## **Access to your Personal Information**

You have the right to access your Personal Information we hold and update, delete and/or correct it, restrict processing and offer the convenience of data portability of it subject to certain exceptions.

**You have the right to object to processing of your Personal Information which is based on our legitimate interests, including “profiling” (i.e. analysing or predicting your behaviour based on your information). When we process your personal data for direct marketing purposes, you have an absolute right to opt out of such processing.**

Wherever we rely on your consent in order to process your personal data, you have the right to withdraw that consent at any time. Such withdrawal does not affect the lawfulness of any processing performed pursuant to the consent given prior to the withdrawal.

If you wish to exercise these rights, please contact us in writing at the email address listed in the Privacy Policy Complaints and Enquiries.

Kintetsu International Express (Oceania) Pty Ltd will not charge any fee for your access request, but may charge an administrative fee for providing a copy of your Personal Information.

In order to protect your Personal Information, we may require identification from you before releasing the requested information.

We reserve the right to deny you access for any reason permitted under applicable laws. Such exemptions may include national security, corporate finance and confidential references. If we deny access or correction, we will provide you with written reasons for such denial unless it is unreasonable to do so and, where required by laws, will note your request and the denial of same in our records.

You have the right to lodge a complaint with a relevant supervisory authority, in Australia and the member state of the EU [or the UK] where you have a habitual residence or place of work or where the alleged infringement of the APPs or GDPR took place.

## Maintaining the Quality of your Personal Information

It is important to us that your Personal Information is up to date. We will take reasonable steps to make sure that your Personal Information is accurate, complete and up-to-date. If you find that the information we have is not up to date or is inaccurate, please advise us as soon as practicable so we can update our records and ensure we can continue to provide quality services to you.

## **Cookies**

When you access our websites, we may place cookies, pixels or other code on your computer to collect information about your usage of our website and information about the device you are using to access our website (Session Data). We use Session Data to help us recognise you when you visit our website again and better understand how our website is navigated to and used, so we can improve our website content and ease of its use, personalise and improve your individual viewing experiences on our website and provide information that may be of interest to you. We may use service providers to collect Session Data on our behalf. Unless you specifically inform us of your identity (e.g., by registering with us or making a booking through us), your identity will be unknown to us. A cookie is a small file on your computer which contains information that will enable us to recognise your browser next time you visit our website. If you do not wish to use a cookie, you can adjust your browser settings to reject cookies or to notify you when they are being used. You may opt-out of certain Session Data being collected while you are using a mobile device. We also use pixel tags to monitor the open rate of our communications. This helps us understand the effectiveness of communications we send. We do not use this information for any other purpose.

## **Google Analytics**

When you visit certain sections of our website, Google Analytics, a website analytics service provided by Google, Inc (“Google”), will place cookies on your computer’s browser. The information generated by the cookies about your use of our website is transmitted to Google. This information is then used for the purpose of compiling statistical reports to enable us to measure and analyse the number of visits to our website and its pages, the average time spent on the site and the pages viewed. We will not (and will not allow any third party to) use Google Analytics to track or to collect any personal data of visitors to our website. We will not associate any data gathered via use of cookies with any personal data from any source as part of our use of Google Analytics. Website visitors who do not want their data used by Google Analytics can install the Google Analytics opt-out browser add-on.

## **Policy Updates**

This Policy may change from time to time and is available on our website.

## Privacy Policy Complaints and Enquiries

If you have any queries or complaints about our Privacy Policy, please contact us the following desk.

- Data Controller: Kintetsu International Express (Oceania) Pty Ltd  
Email: [admin@kintetsu.com.au](mailto:admin@kintetsu.com.au)
- Data Protection Officer: Manager of general affairs and public relations department  
Email: [privacysomu@or.knt.co.jp](mailto:privacysomu@or.knt.co.jp)