

# **ESAM**

# **PRIVACY POLICY**

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**2024**

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# ESAM PRIVACY POLICY

## 1. About our Privacy Policy

ESAM Australia Pty Ltd ABN 45 082 743 093 (trading as ESAM) (“we”, “us” or “our”) recognises the importance of privacy and data security.

We are committed to protecting the privacy of individuals when handling all personal information. We handle, use, store and disclose personal information about individuals for specific purposes relating to functions and activities involving the supply of dental air technology equipment in Asia and abroad.

This Privacy Policy (“the Policy”) outlines how we handle personal information about individuals for purposes relating to our functions and activities in an open and transparent manner. This Policy is set out in accordance with the Australian Privacy Principles contained in the *Commonwealth Privacy Act 1988* and to the extent applicable, the EU General Data Protection Regulation (GDPR). Personal information includes sensitive information and any information about an individual’s identity or an individual where the identity is reasonably identifiable.

By providing us with any personal information you consent and agree to us collecting, storing, holding, using and disclosing it in accordance with the Policy. If you revoke your consent, you may do so at any time.

If you revoke your consent, we may not be able to provide you, or your organisation with our products or services and you may not be able to attend or participate in our functions, events or activities.

If you provide us with any personal information about another individual, then we rely upon you to inform that individual of the details contained in our Privacy Policy and inform us if that individual withdraws consent, at anytime

## 2. Why we collect, hold, use and disclose personal information

We collect, hold, use and disclose personal information for purposes relating to our functions and activities.

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We may collect, hold, use or disclose your personal information for one or more of the following purposes *inter alia*:

- providing your organisation with our products or services,
- to invite you to attend our functions, activities or events,
- managing our customer relationship with you and/or your organisation,
- providing you with information about our products, services, functions, activities or events,
- evaluating or improving our products, services, functions, activities or events,
- marketing or promoting our products, services, functions, activities or events,
- carrying out our business functions and activities, and
- complying with our legal or regulatory obligations

### **3. What personal information we collect**

The personal information about you that we may collect, and hold include:

- your personal details including your name, contact details, date of birth, address, email address and organisation
- your payment information,
- Product usage information and alerts
- data obtained via cookies or websites you may have visited owned or operated by us,
- Applications managed by ESAM SpA..
- Education and training information collected via rise.com

If you choose not to disclose the personal information when requested, we may not be able to provide your organisation with our products or services and you may not be able to attend or participate in our functions, activities, events and extended warranty.

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#### **4. What kinds of website visitor information we collect**

We use Google Analytics and other cyber analytics to collect and hold information about your visits to our website <https://esam.com.au/> and <https://esamasia.com> (“**Website**”).

Google Analytics uses cookies to collect information about your visits to our Website including your IP address and Website pages visited.

A cookie is a small text file which is stored on your computer or device by your web browser when you visit our Website to enable your visits to be recognised. The information generated by cookies when you visit our Website is collected and stored by Google. We use the information collected by Google about your visits to our Website for the purpose of maintaining and improving our Website and enhancing your experience browsing our Website.

If you do not wish us to use Google Analytics to collect information about your visits to our Website then you may install the [Google Analytics Opt-out Browser Add-on](https://tools.google.com/dlpage/gaoptout) [Hyperlink] (available at <https://tools.google.com/dlpage/gaoptout>) or set your browser to disable cookies but some parts of our Website may not function properly if cookies are disabled. Further information about how Google collects and uses information generated by cookies when you visit our Website is available from Google’s website page [“How Google uses data when you use our partners’ sites or apps”](https://policies.google.com/technologies/partner-sites) [Hyperlink] (available at <https://policies.google.com/technologies/partner-sites>).

##### ***Third party sites***

Our site may from time to time have links to other websites not owned or controlled by us. These links are meant for your convenience only. Links to third party websites do not constitute sponsorship or endorsement or approval of these websites. Please be aware that ESAM Pty Ltd is not responsible for the privacy practises of other such websites. We encourage our users to be aware, when they leave our website, to read the privacy statements of each and every website that collects personal identifiable information.

#### **5. How we collect personal information**

We collect personal information in the following ways:

- Directly from you in person when you communicate with us in person, by telephone, email, standard form, letter, facsimile or other means

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- When you request us to provide your organisation with our products or services
  - When you request us to provide your organisation with assistance or support for our products or services
  - When you attend or participate in our functions, activities or events
  - When you request us to provide you with information about our products, services, functions, activities or events
  - When you complete a survey or provide feedback in respect of our products, services, functions, activities or events
  - When you subscribe to receive news or other information about our products, services, functions, activities or events

We may also collect your personal information from a third party for the purpose of carrying out our functions and activities.

We may collect your personal information from:

- your organisation in connection with providing your organisation with our products or services or your attendance at or participation in our functions, activities or events
- our service providers that assist us to carry out our functions and activities including our suppliers, distributors, couriers, installers, technicians, information technology providers, credit report providers, and billing and debt recovery providers

## **6. When you will have the option of not identifying yourself**

We will give you the option of not identifying yourself or using a pseudonym when dealing with us in relation to a particular matter except where it is impracticable or unlawful for us to do so.

## **7. How we disclose personal information**

We disclose personal information to third parties for the purpose of carrying out our functions and activities and when we are required to do so by law.

We may disclose your personal information to:

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- your organisation in connection with providing your organisation with our products or services or your attendance at or participation in our functions, activities or events
  - our service providers that assist us to carry out our functions and activities including our suppliers, distributors, couriers, installers, technicians, information technology providers, printing and mailing providers, sales and marketing providers, credit report providers, and billing and debt recovery providers
  - our related companies, agents, partners, affiliates and other trusted entities that assist us to carry out our functions and activities
  - our professional advisers including accountants, auditors and lawyers
  - a purchaser of all or part of our business which handles your personal information
  - a body to which are transferred all or some of our functions that involve the handling of your personal information

The third parties to which we may disclose your personal information may be located in Australia, United States of America, Europe or other countries including New Zealand.

We will not disclose your personal information to any third parties for any other purpose without your consent except where required or authorised by law. For example, we will not sell, trade or rent your personal information to any third parties for marketing purposes without your consent.

## **8. How we use personal information for direct marketing**

We may use your personal information to provide you with news or other information about our products, services, functions, activities or events that may be of interest to you.

In each such communication we will describe how you may at any time request not to receive any further such communications from us. We will give effect to your request not to receive any further such communications from us as soon as reasonably practicable.

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## **9. How we hold and protect personal information**

We hold personal information that we collect in both physical and electronic storage facilities including paper-based files, computer servers, storage cloud, desktop and laptop computers, tablets, mobile phones and other portable data storage devices.

We protect personal information which we hold from misuse, interference and loss, and from unauthorised access, modification or disclosure using both physical and electronic security measures which include secure premises, physical access restrictions, locked cabinets, video surveillance, secure databases, password access, anti-virus software, data encryption, intrusion detection systems and firewalls.

If we hold any personal information that we no longer need for any purpose for which we may use or disclose the information then we will take reasonable steps to encrypt, destroy or de-identify the information unless we are required by law to retain the information. We securely destroy credit card details immediately after completion of the relevant transaction and paper-based files after the expiry of seven years.

## **10. General Data Protection Regulation (GDPR) for the European Union (EU)**

ESAM Pty Ltd will comply with the principles of data protection set out in the GDPR for the purpose of fairness, transparency and lawful data collection and use.

We process your personal information as a Processor and/or to the extent that we are a Controller as defined in the GDPR.

We must establish a lawful basis for processing your personal information. The legal basis for which we collect your personal information depends on the data that we collect and how we use it.

We will only collect your personal information with your express consent for a specific purpose and any data collected will be to the extent necessary and not excessive for its purpose. We will keep your data safe and secure.

We will also process your personal information if it is necessary for our legitimate interests, or to fulfil a contractual or legal obligation.



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We process your personal information if it is necessary to protect your life or in a medical situation, it is necessary to carry out a public function, a task of public interest or if the function has a clear basis in law.

We do not collect or process any personal information from you that is considered "Sensitive Personal Information" under the GDPR, such as personal information relating to your sexual orientation or ethnic origin unless we have obtained your explicit consent, or if it is being collected subject to and in accordance with the GDPR.

You must not provide us with your personal information if you are under the age of 16 without the consent of your parent or someone who has parental authority for you. We do not knowingly collect or process the personal information of children.

### **Your rights under the GDPR**

If you are an individual residing in the EU, you have certain rights as to how your personal information is obtained and used. ESAM Pty Ltd complies with your rights under the GDPR as to how your personal information is used and controlled if you are an individual residing in the EU

Except as otherwise provided in the GDPR, you have the following rights:

- to be informed how your personal information is being used;
- access your personal information (we will provide you with a free copy of it);
- to correct your personal information if it is inaccurate or incomplete;
- to delete your personal information (also known as "the right to be forgotten");
- to restrict processing of your personal information;
- to retain and reuse your personal information for your own purposes;
- to object to your personal information being used; and to object against automated decision making and profiling.

Please contact us at any time to exercise your rights under the GDPR at the contact details in this Privacy Policy.

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We may ask you to verify your identity before acting on any of your requests.

## **11. Hosting and International Data Transfers**

Information that we collect may from time to time be stored, processed in or transferred between parties or sites located in countries outside of Australia. These may include but are not limited to Italy.

We and our other group companies have offices and/or facilities in Italy. Transfers to each of these countries will be protected by appropriate safeguards, these include one or more of the following: the use of standard data protection clauses adopted or approved by the European Commission which you can obtain from the European Commission Website; the use of binding corporate rules, a copy of which you can obtain from ESAM Pty Ltd's Data Protection Officer.

The hosting facilities for our website are situated in Italy. Transfers to each of these Countries will be protected by appropriate safeguards, these include one or more of the following: the use of standard data protection clauses adopted or approved by the European Commission which you can obtain from the European Commission Website; the use of binding corporate rules, a copy of which you can obtain from ESAM Pty Ltd's Data Protection Officer.

Our Suppliers and Contractors are situated in Italy. Transfers to each of these Countries will be protected by appropriate safeguards, these include one or more of the following: the use of standard data protection clauses adopted or approved by the European Commission which you can obtain from the European Commission Website; the use of binding corporate rules, a copy of which you can obtain from ESAM Pty Ltd's Data Protection Officer.

You acknowledge that personal data that you submit for publication through our website or services may be available, via the internet, around the world. We cannot prevent the use (or misuse) of such personal data by others.

## **12. Security of your personal information**

ESAM Pty Ltd is committed to ensuring that the information you provide to us is secure. In order to prevent unauthorised access or disclosure, we have put in place suitable physical, electronic and managerial procedures to safeguard and secure information and protect it from misuse, interference, loss and unauthorised access, modification and disclosure.

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Where we employ data processors to process personal information on our behalf, we only do so on the basis that such data processors comply with the requirements under the GDPR and that have adequate technical measures in place to protect personal information against unauthorised use, loss and theft.

The transmission and exchange of information is carried out at your own risk. We cannot guarantee the security of any information that you transmit to us, or receive from us. Although we take measures to safeguard against unauthorised disclosures of information, we cannot assure you that personal information that we collect will not be disclosed in a manner that is inconsistent with this Privacy Policy.

### **13. Cross border disclosure**

Your personal information may also be processed by, or disclosed to employees, representatives, or other third parties operating outside of Australia who work for, or are engaged by us in the USA, New Zealand, Hong Kong and China. For example, we may use a server hosted overseas to store data, which may include your personal information <sup>[L]</sup><sub>[SEP]</sub>.

We will take reasonable steps, in the circumstances, before your personal information is disclosed to an overseas recipient, to ensure that the overseas recipient does not breach privacy laws in relation to your personal information ('the reasonable steps').

The reasonable steps may not apply if you consent to the disclosure of your personal information to an overseas recipient and we reasonably believe that the overseas receipt is subject to laws that are suitability similar to privacy laws in Australia.

If you consent to the disclosure of your personal information to an overseas recipient, the overseas recipient may not be accountable under the Privacy Act, and you will not be able to seek redress for breaches under the Privacy Act.

### **14. How to access, correct and delete your personal information**

You may request to access, correct or delete any of your personal information which we hold in accordance with the provisions of the Privacy Act 1988 (Cth), and to the extent applicable the EU GDPR.

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If you become aware that any of your personal information which we hold is inaccurate or out-of-date, please notify us immediately.

We will respond within a reasonable time to a request by you for access to your personal information. We will give you access to your personal information in the manner that you request if it is reasonable and lawful to do so

We will respond within a reasonable time to a request by you for the correction or deletion of your personal information.

If you wish to access, correct or delete any of your personal information which we hold, please contact our Privacy Officer using the contact details below. You will be required to verify your identity before you will be permitted to access, correct or delete any of your personal information which we hold.

## **15. How to make an enquiry or complaint**

If you have an enquiry or complaint about our handling of your personal information, please contact our Privacy Officer using the contact details below. Our Privacy Officer is responsible for dealing with all enquiries and complaints about our handling of personal information.

## **16. How we update our Privacy Policy**

We may update our Privacy Policy from time to time to take into account changes to our information handling practices by publishing an updated version of our Privacy Policy on our Website. You should regularly review the most recent version of our Privacy Policy available on our Website.

## **17. How to contact us**

You may contact our Privacy Officer using the contact details below:

Privacy Officer

ESAM

*Phone:* 03 9484 1120

*Email:* [privacy@cattani.com.au](mailto:privacy@cattani.com.au)

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*Address:* 280 Dundas Street, Thornbury, Victoria 3071, Australia

*This Privacy Policy is effective at 1 July 2024.*