

Privacy Policy

This policy describes how Giorgio S Gjergja and Dianne L Gjergja trading as 'Port Phillip Estate', 'Kooyong Wines' and 'Bellvale Wines' (ABN 64 726 473 361) (Port Phillip Estate, we, us or our) collects, manages, stores, uses and discloses your personal information. It contains the broad privacy framework within which we operate, and should be read in conjunction with any:

- supplementary privacy policies; and
- implementation procedures,

that we introduce or vary from time to time.

If you do not agree with the terms of this policy, please do not provide us with your personal information.

DEFINITIONS

To explain some of the terminology which commonly appears in this policy:

Information and records

Information and records may be in electronic or hard copy form. This policy does not extend to information or records that are publicly available, or that would constitute an 'employee record' as defined by the Privacy Act 1988 (Cth) (Privacy Act).

Personal information

Personal information is information or an opinion that identifies you, or from which your identity can be reasonably ascertained (irrespective of whether the information or opinion is true or not, and regardless of whatever form it is recorded in).

HOW DOES PORT PHILLIP ESTATE COLLECT AND HOLD PERSONAL INFORMATION?

We collect personal information in a number of ways, including:

- directly from you, via email, telephone, post, when purchasing goods from us, participating in one of our promotions or competitions, registering as a user of our website or as a member of our wine club, in person or by forms that you complete and submit to us; and
- from third parties to whom you make payments in connection with our goods or services, or to whom you provide personal details in connection with the receipt of marketing materials. This includes third parties who you authorise to provide us with personal information.

Sometimes it is not practicable or reasonable to obtain personal information from you. In those circumstances, we may collect the personal information from third parties. If this occurs, we will take reasonable steps to ensure that you are made aware of the collection, and why it was necessary and reasonable in the circumstances.

Cookies

Our website may also collect personal information automatically from you. Our website uses 'cookies' to improve your browser experience. Cookies are small text files that are downloaded and stored onto your computer's browser directory when you visit a particular website. By using our website you consent to our use of cookies.

Cookies are used to track the pages and goods or services you visit on our website and to ensure that you are able to move freely across our website without the need to re-enter information that you have already provided.

We use cookies to collect information including:

- your computer's IP address and other technical information;
- the date and time at which you access our site and the duration of your visit;
- the pages and content that you viewed during your visit; and
- the type of browser you are using.

It is possible to disable cookies by adjusting your Internet browser's setting, such that it refuses cookies. However, our website may not function correctly in the event that your browser refuses cookies. For an optimal browsing experience, we recommend that you allow the use of cookies.

Personal information

We will only solicit and collect personal information if:

- it is reasonably necessary in order for us to provide our goods and services and conduct our functions and activities; and
- we are permitted to do so by law.

WHAT TYPES OF PERSONAL INFORMATION DOES PORT PHILLIP ESTATE COLLECT AND HOLD?

Depending upon how you interact with us, we may collect the following types of personal information from you:

- your name, gender and date of birth;
- your email address;
- your residential and postal address;
- telephone numbers; and
- your bank account or financial details.

You may refuse to provide personal information to us. However, if you exercise this right of refusal, it may affect our ability to meet our obligations to you or to a third-party agency.

You may also deal with us anonymously or by using a pseudonym. However, if you do so, we may be prevented from providing you with accurate or useful information, and you may not be able to access our full range of goods or services.

WHY DOES PORT PHILLIP ESTATE COLLECT, HOLD, USE AND DISCLOSE PERSONAL INFORMATION?

We may collect, hold and use your personal information for a number of reasons including:

- to provide information in relation to our goods or services;
- to administer and manage processes which are key to our operations;
- to effect the collection of money that you owe to us;
- to assess any application for employment, during the recruitment process;
- to answer your queries, provide you with information you may have requested and generally conduct dealings with you; and
- to comply with legislative or other legal requirements.

We may disclose your personal information for a number of reasons including:

- to identify you and verify your identity and financial information;
- to provide our goods or services to you, or the organisation that you represent;
- to improve our website and the goods and services that we provide;
- to communicate with you; and
- for other purposes which are related, or directly related (in the case of sensitive information) to the purpose for which your information was initially collected.

We may disclose your personal information to:

- our related parties;
- other companies or individuals that assist us to provide our goods or services, or to administer our internal operations. This includes:
- government authorities or other agencies where the disclosure is required or authorised by law;
- anyone else to whom you authorise us to disclose your personal information;
- information technology/cloud service providers; and
- external business advisors, such as auditors and lawyers.

There are also a limited number of circumstances in which the Privacy Act permits the use or disclosure of your personal information, without your consent. An example of this is where the use or disclosure is necessary to prevent a serious and imminent threat to any person's life, health or safety or a serious threat to public health or safety.

DIRECT MARKETING

We may collect, store and use your personal information to market our goods and services to you, where you have provided your implied or express consent for us to do so. Consent may be implied when you have purchased goods from us, entered into a competition or promotion conducted by us or where you have enquired about goods or services that we provide.

You may always opt out of receiving marketing material from us by contacting us directly, using the details provided on our website, or using the method that is provided in any electronic marketing communications to you.

We will not use or disclose to a third party, your personal information for the purposes of marketing a third party's products or services to you, without your consent.

CROSS-BORDER DISCLOSURE OF PERSONAL INFORMATION

We will take reasonable steps to ensure that, if we disclose your personal information to an offshore recipient, the offshore recipient does not breach the Australian Privacy Principles (APPs) in relation to your personal information, except where:

- we reasonably believe the offshore recipient is subject to privacy laws in their foreign country which are consistent with the APPs, and you have access to mechanisms in that country for the enforcement of those privacy laws to protect your information;
- we are legally permitted or required to make that offshore disclosure;
- we inform you that we will not take reasonable steps to ensure that the offshore recipient does not breach the APPs, and you nevertheless consent to the disclosure; or
- the Privacy Act otherwise permits the offshore disclosure.

We may also store and process personal information at offshore locations, including cloud database or computing facilities provided by third parties. By providing your personal information to us, you consent to your personal information being disclosed offshore for this purpose.

HOW DOES PORT PHILLIP ESTATE HOLD AND SECURE YOUR PERSONAL INFORMATION?

We will take all reasonable steps to ensure the personal information we collect, use, or disclose is accurate, up to date, complete and relevant, having regard to the purpose of the collection, use or disclosure. You should ensure that any personal information you provide to us is both relevant and accurate.

We have in place user names, passwords and access restrictions that provide electronic protection of personal information stored electronically. There are inherent risks with the transmission of data over the internet. Whilst reasonably appropriate security measures are in place for the protection of your personal information, you must be aware that no guarantee is made that your personal information is completely secure.

We also secure hard copy personal information within buildings or other storage facilities, by placing restrictions on access to and from any such buildings or facilities (for example, by locking the buildings and filing cabinets in which the personal information is stored).

HOW CAN YOU ACCESS AND SEEK CORRECTION OF YOUR PERSONAL INFORMATION?

We will deal with your requests for access or correction of your personal information, in accordance with this policy.

All requests must be made in writing, and in the appropriate form specified by us from time to time. On receipt of an application, and within a reasonable timeframe, we will take reasonable steps to inform you of what personal information we hold.

We will ordinarily grant access to the personal information unless:

- giving access would have an unreasonable impact on the privacy of other individuals;
- the request for access is frivolous or vexatious;
- we are unable to verify your identity;
- we are entitled to reject your access to the information pursuant to any law; or
- the access would be unlawful.

We reserve the right to charge a reasonable fee for providing access to the personal information, but not for making the application or correcting personal information held by us. We may withhold access to the personal information until the fee is paid.

If you are of the view that your personal information requires correction, you should contact our Privacy Officer.

COMPLAINTS

If you believe that we have breached this policy, please contact our Privacy Officer by email or by mail to Privacy Officer, PO Box 153, Red Hill South, Victoria 3937 Australia. We take all complaints seriously and will respond to you within a reasonable period of time, unless we consider your complaint to be frivolous, vexatious or without legal or factual merit. If you are not satisfied with the way we have handled your complaint, you can make a complaint to the Australian Information Commissioner.

MORE INFORMATION

If you have any questions or require further information please contact our Privacy Officer by email.

TRADITIONAL CUSTODIANS

In the spirit of reconciliation, we acknowledge the Traditional Custodians of the lands on which we work. The Bellvale vineyard is located on the land of the Boon Wurrung / Bunurong people of the Kulin Nation and the Gunaikurnai people. We recognise their continued connection to land, waters and community and pay our respects to their Elders past and present.