

This Privacy Policy sets out the approach which Living & giving will take in relation to the treatment of Personal Information. It includes information on how Living & Giving collects, uses, discloses and keeps secure, individuals' Personal Information. It also covers how Living & Giving makes the Personal Information it holds available for access to and correction by the individual.

This policy has been drafted having regard to Living & Giving obligations under the Privacy Act 1988 (including the new National Privacy Principles) (the Privacy Act).

This Policy is a public document and has been prepared in light of National Privacy Principle 5, Openness.

1. Collection

1.1 Living & Giving will only collect Personal Information where the information is necessary for Living & Giving to perform one or more of its functions or activities. In this context, "collect" means gather, acquire or obtain by any means, information in circumstances where the individual is identifiable or identified.

1.2 Living & Giving collects Personal Information primarily to supply customers with the products and services ordered from it and its related companies. Living & Giving also collects and uses Personal Information for secondary purposes including:

1. billing and account management
2. business planning and product development; and
3. to provide individuals with information about promotions, as well as the products and services of Living & Giving affiliated companies and other organisations.
4. to enhance the online shopping experience by displaying products and/or services that match the personal preferences of individuals based on their previous website browsing history and/or buying activity.

1.3 Living & Giving will not collect Sensitive Information from individuals except with consent and only where it is necessary for Living & Giving to collect such information for an activity or function.

1.4 Living & Giving will not collect Personal Information secretly or in an underhanded way.

1.5 Living & Giving will take steps to ensure that individuals on purchased lists are or have been notified of the information as outlined at 1.3.

2. Use

2.1 Living & Giving will obtain an individual's consent for Use of non-sensitive Personal Information for Secondary Purposes at the time of collection, unless the Use is a related Secondary Purpose which would be within the relevant individual's Reasonable Expectations.

2.2 Living & Giving Uses Personal Information primarily for the purposes listed in 1.2 above.

2.3 If Living & Giving relies on the Direct Marketing exception to Direct Market to individuals it will ensure that:

1. the individual is clearly notified of their right to Opt Out from further Direct Marketing;
2. there is only one Use of the information before the Opt Out right is given and this Use applies across all Living & Giving Related Bodies Corporate (if the information is shared between those Related Bodies Corporate);
3. the individual is given an Opt Out in all further instances of Direct Marketing if they have not previously chosen to Opt Out; and

4. if the individual opts out of all direct marketing the opt out will be respected by Living & Giving.

2.4 Living & Giving will not use sensitive information for direct marketing.

2.5 Living & Giving may use personal information to avoid an imminent threat to a person's life or to public safety. It may also use personal information for reasons related to law enforcement or internal investigations into unlawful activities.

2.6 Living & Giving will not use personal information without taking reasonable steps to ensure that the information is accurate, complete and up to date.

3. Disclosure

3.1 Living & Giving may disclose personal information to related or unrelated third parties if consent has been obtained from the individual. This will include obtaining the individual's consent for disclosures made under the credit reporting requirements of the Privacy Act.

3.2 Living & Giving may disclose personal information to unrelated third parties to enable outsourcing of functions (such as billing, customer relations management and order fulfillment), where that is disclosure or use for a related secondary purpose and has been notified to individuals or where such disclosure is within the individual's reasonable expectations.

3.3 Living & Giving will take reasonable steps to ensure that its contracts with third parties include requirements for third parties to comply with the use and disclosure requirements of the Privacy Act.

3.4 Living & Giving may Disclose Personal Information to law enforcement agencies, government agencies, courts or external advisers where permitted or required by law.

3.5 Living & Giving may Disclose Personal Information to avoid an imminent threat to a person's life or to public safety.

3.6 If a Disclosure is not for a Primary Purpose; is not for a related Secondary Purpose; or upfront consent has not been obtained, Living & Giving will not Disclose Personal Information otherwise than in accordance with the exceptions set out at 3.1 to 3.5 above.

3.7 Living & Giving does not generally sell or share its customer lists on a commercial basis with third parties but if it did, it would only do so if we had the appropriate consent of the individual involved. If the consent provided is conditional, Living & Giving will take steps to ensure (by contract) that the use of its customer list by third parties does not exceed the scope of the consent.

4. Information Quality

4.1 Living & Giving will review, on a regular and ongoing basis, its collection and storage practices to ascertain how improvements to accuracy can be achieved.

4.2 Living & Giving will take steps to destroy or de-identify Personal Information after as short a time as possible and after a maximum of seven years from the date of the last customer interaction, unless the law requires otherwise.

5. Information Security

5.1 Living & Giving requires employees and contractors to perform their duties in a manner that is consistent with store's legal responsibilities in relation to privacy.

5.2 Living & Giving will take all reasonable steps to ensure that paper and electronic records containing Personal Information are stored in facilities that are only accessible by people within Living & Giving who have a genuine "need to know" as well as "right to know".

5.3 Living & Giving will review, on a regular and ongoing basis, its information security practices to ascertain how ongoing responsibilities can be achieved and maintained.

6. Access and Correction

6.1 Living & Giving will allow its records containing Personal Information to be accessed by the individual concerned in accordance with the Privacy Act.

6.2 Living & Giving will correct its records containing Personal Information as soon as practically possible, at the request of the individual concerned in accordance with the Privacy Act.

6.3 Individuals wishing to lodge a request to access and/or correct their Personal Information should do so by contacting Living & Giving Customer Service, as per the details on the website.

6.4 Living & Giving can charge a fee for processing an access request but will generally not do so unless the request is complex or is resource intensive.

7. Openness

7.1 Living & Giving Customer Service representatives will be the first point of contact for inquiries about privacy issues.

Individuals wishing to make an inquiry or complaint regarding privacy, should do so by contacting Living & Giving Customer Service, as per the details on the Living & Giving website.

7.3 Living & Giving websites will contain a prominently displayed privacy statement and will include a copy of this Living & Giving Privacy Policy.

8. Anonymous Transactions

8.1 Living & Giving will not make it mandatory for visitors to its web sites to provide Personal Information unless such Personal Information is required to answer an inquiry or provide a service. Living & Giving may however request visitors to provide Personal Information voluntarily to Living & Giving (for example, as part of a competition or questionnaire).

9. Transferring Personal Information Overseas

9.1 Living & Giving will take reasonable steps to limit the amount of Personal Information it sends to unrelated organisations overseas.

9.2 If Personal Information must be sent by Living & Giving overseas for sound business reasons, Living & Giving will require the overseas organisation receiving the information to provide a binding undertaking that it will handle that information in accordance with the National Privacy Principles, preferably as part of the services contract.

10. Glossary

Collection Information means the information outlined in 1.3 notified to individuals prior to, or as soon as practical after, the collection of their Personal Information.

Direct Marketing means the marketing of goods or services through means of communication including written, verbal or electronic means. The goods or services which are marketed may

be those of Living & Giving or a Related Body Corporate or those of an independent third party organisation.

Disclosure generally means the release of information outside Living & Giving , including under a contract to carry out an "outsourced function".

Health Information means:

1. information or an opinion about:
 1. the health or a disability (at any time) of an individual; or
 2. an individual's expressed wishes about the future provision of health services to him or her; or
 3. a health service provided or to be provided to an individual; that is also personal information; or
2. other personal information collected to provide or in providing a health service; or
3. other personal information about an individual collected in connection with the donation; or intended donation by the individual of his or her body parts or body substances.

Opt Out means an individual's expressed request not to receive further Direct Marketing.

Living & Giving means all companies in the Living & Giving group, including Needful Things PTY LTD

Personal Information means information or an opinion (including information or an opinion forming part of a database), whether true or not and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained from the information or opinion.

Primary Purpose is the dominant or fundamental reason for information being collected in a particular transaction.

Reasonable Expectation means a reasonable individual's expectation that their personal information might be Used or Disclosed for the particular purpose.

Related Body Corporate means that where a body corporate is:

- a holding company of another body corporate;
- a subsidiary of another body corporate; or
- a subsidiary of a holding company of another body corporate,

the first mentioned body corporate and the other body corporate are deemed to be related to each other.

Sensitive Information means:

1. information or an opinion about an individual's:
 1. racial or ethnic origin; or
 2. political opinions; or
 3. membership of a political association; or
 4. religious beliefs or affiliations; or
 5. philosophical beliefs; or
 6. membership of a professional or trade association; or
 7. membership of a trade union; or
 8. sexual preferences or practices; or
 9. criminal record;that is also personal information or
2. Health Information about an individual.

Use means the handling of Personal Information within Living & Giving.

Contacting Living & Giving

If you require further information regarding store's Privacy Policy, you can contact Living & Giving Customer Service Centre through this Web site

Alternatively you can call Brisbane +61 7 37202477