

Privacy Notice – Performance Indicator

1. Introduction

This privacy notice (the “**Privacy notice**”) describes how Volvo Construction equipment AB, reg. no 556021-9338, (“**Volvo CE**”, “**we**”, “**us**” and “**our**”), processes your personal data when you use Performance Indicator (the “**Service**”). Volvo CE abides by the Australian Privacy Principles (“**APPs**”) under the *Privacy Act 1988* (Cth) (“**Privacy Act**”). You can obtain information about the APPs and your privacy rights at the website of the Office of the Australian Information Commissioner at <https://www.oaic.gov.au/>.

Please read this Privacy Notice carefully to make sure that you have understood how your personal data will be used. If you have any questions regarding how Volvo CE processes your personal data, please contact us using the contact information at the end of this document.

We may need to make updates or changes to this Privacy Notice. You can find the latest version of this Privacy Notice on [Service Marketplace legal site](#).

2. How we process your personal data

In this section we describe the processing of personal data relevant to the Service.

2.1 Account management

What we do and why:	The personal data that we process:
We collect your personal data during account registration to set up your account and give you access to the Office Portal.	We process the personal data that we receive from you during registration, which includes your name and e-mail address.
Our legal basis for processing:	
Legitimate interest: We have a legitimate interest to deliver the Service in accordance with the agreement between Volvo CE and our customer through whom you access and use the Service.	
How we share and transfer your data:	
Your personal data will be shared with our IT service providers to the extent it is necessary for them to perform their service to us. This includes IT service providers established outside Australia or the European Union (“ EU ”)/European Economic Area (“ EEA ”) area (“ Third countries ”).	
Volvo CE will not transfer your personal data to a Third country. However, our IT service providers make use of suppliers belonging to company groups headquartered in the United States which therefore may, e.g., for technical support purposes, be granted remote access to personal data stored within the EU.	

How long we keep your data:
We will process your personal data as long as it is necessary for us to provide the Service to our customer. When the customer relationship ends, we will periodically purge inactive accounts from our systems, including any related personal data.

2.2 Delivering the Service

What we do and why:	The personal data that we process:
When using the Service, your machine and/or mobile device will be tracked in real-time and visualized on a site map visible to the site manager through the Office Portal and other users of the Service. We process your personal data to enable these service functions.	<p>We process the personal data collected, generated, recorded or stored operating machines and/or mobile devices, including:</p> <p>Machine utilization data. This includes information such as material moved; fuel levels and consumption data; and other performance, mechanical and operational data; as well as associated date/time stamps for such information.</p> <p>Geolocation data. This information includes machine GPS location; as well as associated date/time stamps for such information.</p> <p>Driving data. This includes trip data (mileage, date, length, conditions); information about machine incidents or events; other information about how Users drive the machines; as well as associated date/time stamps for such information.</p>
Our legal basis for processing:	
Legitimate interest: We have a legitimate interest to deliver the Service in accordance with the agreement between Volvo CE and our customer through whom you access and use the Service.	

How we share and transfer your data:
<p>Your personal data will be shared with our IT service providers to the extent it is necessary for them to perform their service to us. This includes IT service providers established outside Australia or the European Union (“EU”)/European Economic Area (“EEA”) area (“Third countries”).</p> <p>Volvo CE will not transfer your personal data to a Third country. However, our IT service providers make use of suppliers belonging to company groups headquartered in the United States which therefore may, e.g., for technical support purposes, be granted remote access to personal data stored within the EU.</p>
How long we keep your data:
<p>We will process your personal data as long as it is necessary for us to provide the Service to our customer.</p>

2.3 Service optimization and product development

What we do and why:	The personal data that we process:
<p>We derive aggregated and generalized data about how the Service is used and performs, which allows us to analyse it and gain insights into how we can optimize and develop our services and products. We will process the data in a highly aggregated and/or obfuscated format making it practically anonymous.</p>	<p>We process technical and statistical data derived from the performance and customer utilization of the Service, including data from activity logs, information relating to the conditions and performance of associated operating machines and mobile devices, and information relating to operational productivity.</p>
Our legal basis for processing:	
<p>Legitimate interest: We have a legitimate interest in improving and developing our products and services.</p>	
How we share and transfer your data:	
<p>Your personal data will be shared with our IT service providers to the extent it is necessary for them to perform their service to us. This includes IT service providers established outside Australia or the European Union (“EU”)/European Economic Area (“EEA”) area (“Third countries”).</p>	

Volvo CE will not transfer your personal data to a Third country. However, our IT service providers make use of suppliers belonging to company groups headquartered in the United States which therefore may, e.g., for technical support purposes, be granted remote access to personal data stored within the EU.

How long we keep your data:

We will keep personal data in a format enabling identification only for as long as it takes to effectively turn it into aggregated and generalized data. Generalized or anonymized data may be kept indefinitely.

2.4 Additional processing purposes

In addition to the processing purposes listed above, we may be required to process personal data for additional purposes. We may be required to keep certain personal data for longer periods of time e.g., to be able to establish, exercise, and/or defend against legal claims. Additionally, we may also be required to process personal data to comply with legal obligations e.g., relating to bookkeeping or tax legislation, or if we are ordered to process personal data (including disclosing it) by a competent court or government authority.

2.5 Third country transfers

Where necessary for the purposes listed above, we may transfer your personal data to countries outside of Australia, including to countries outside the European Union/European Economic Area (“EU/EEA”). Whenever we transfer your personal data to any such a country (a “Third Country”), we will take reasonable steps, in the circumstances, before disclosing personal information to an overseas recipient to ensure that the overseas recipient does not breach the APPs. Where we disclose personal information to an overseas recipient, we will be accountable for an act or omission by the overseas recipient that breaches the APPs. We will ensure that appropriate safeguards are provided for, such safeguards including Volvo CE signing a contract with the recipient of the personal data incorporating the EU Commission’s standard contractual clauses for the transfer of personal data to a country outside the EU/EEA. Transfers of personal data to Third Countries can also be based on a valid adequacy decision by the EU Commission.

3. Your rights

In this section we describe your rights as a data subject. You can exercise them by contacting us using the contact information at the end of this document. Please note that not all rights listed below are absolute and there are exemptions which can be valid. Your rights are the following:

3.1 Right of access

You have the right upon request to get a copy of your personal data which we process and to get complementary information regarding our processing of your personal data.

3.2 Right of rectification

You have the right to have your personal data rectified and/or complemented if they are wrong and/or incomplete.

3.3 Right to erasure

You have the right to request that we erase your personal data without undue delay in the following circumstances: (i) the personal data is no longer necessary in relation to the purposes for which they were collected or otherwise processed; (ii) you withdraw your consent on which the processing is based (if applicable) and there is no other legal ground for the processing; (iii) you object to our processing of personal data, and we do not have any overriding legitimate grounds for the processing; (iv) the processed personal data is unlawfully processed; or (v) the processed personal data has to be erased for compliance with legal obligations.

3.4 Right to restriction

You have the right to restrict the processing of your personal data in the following circumstances: (i) you contest the accuracy of the personal data during a period enabling us to verify the accuracy of such data; (ii) the processing is unlawful, and you oppose erasure of the personal data and request restriction instead; (iii) the personal data is no longer needed for the purposes of the processing, but are necessary for you for the establishment, exercise or defence of legal claims; or (iv) you have objected to the processing of the personal data, pending the verification whether our legitimate grounds for our processing override your interests, rights and freedoms.

3.5 Right to data portability

If your personal data has been provided by you and our processing of your personal data is based on your consent or on the performance of a contract with you, you have the right to receive the personal data concerning you in a structured, commonly used and machine-readable format in order to transmit these to another service provider where it would be technically feasible and can be carried out by automated means.

3.6 Right to object

You have the general right to object to our processing of your personal data when it is based on our legitimate interest. If you object and we believe that we may still process your personal data, we must demonstrate compelling legitimate grounds for the processing which override your interests, rights, and freedoms, or for the establishment, exercise, or defence of legal claims.

3.7 Right to object to direct marketing

You have the right to at any time object to processing which is done for the purpose of direct marketing. If you object to such processing, we will no longer process your data for such purposes.

3.8 Right to withdraw consent

When our processing of your personal data is based on your consent, you have the right to withdraw your consent at any time. Please note that the lawfulness of any processing based on your consent before its withdrawal is not affected by the withdrawal.

4. Security

We will take reasonable steps to ensure that all personal data that we hold is:

- accurate, complete, and up to date;
- stored in a secure environment; and
- protected from misuse, interference, and loss as well as unauthorised access, modification, or disclosure.

If any of your details change, please let us know as soon as possible by using the contact details below so we can maintain the accuracy of your personal data.

5. Complaints to the supervisory authority

If you believe that our processing is performed in breach of the Privacy Act, you can contact us in order for us to oversee your complaints. If you are not satisfied with the way in which we handle your complaint, you can contact the Office of the Australian Information Commissioner on Tel: 1300 363 992 or email: enquiries@oaic.gov.au.

6. Contact details

If you have any questions about the processing of your personal data or want to exercise any of your rights, please contact us at:

Email: hrsc.au@volvo.com

Address: 41 Bivouac Place, Wacol Qld 4076

Telephone: [+61 7 3718 3500](tel:+61737183500)