

# Privacy Policy – PepsiCo

## 1 Who is covered by this policy

PepsiCo, Inc., together with all its operating divisions, subsidiaries and affiliates in Australia (including but not limited to PepsiCo Australia Holdings Pty Ltd ABN 25 079 719 743, The Smith's Snackfood Company Pty Ltd ABN 31 057 976 940, Sakata Rice Snacks Australia Pty Ltd ABN 94 064 157 026 and Quaker Oats Australia Pty Ltd ABN 73 065 540 865) (collectively "PepsiCo", "we" or "us") respects and is committed to protecting your privacy.

This document is our Privacy Policy and describes how we will comply with our obligations under the *Privacy Act 1988* (Cth) (**Privacy Act**) in relation to the handling of your personal information.

## 2 What is covered by this policy

This policy sets out how we manage your "personal information". When used in this policy, the term "personal information" has the meaning given to it in the Privacy Act. In general terms, it is any information that can be used to personally identify you. This may include your name, address, telephone number, email address and profession or occupation. If the information we collect personally identifies you, or you are reasonably identifiable from it, the information will be considered personal information.

## 3 Collection

We collect personal information in the course of our business dealings with you. Generally, and as appropriate, we will tell you why we are collecting personal information, when we collect it and how we plan to use it, or these things will be obvious when we collect the information. We usually collect personal information such as name, email and street address, telephone number, and records of your communications and interactions with us.

We may collect your personal information through our websites, by phone, email, or through your participation in a promotion, competition, or survey. Such promotions, competitions or surveys may be conducted through third party websites, such as Facebook.

We may also collect your personal information during the recruitment process when you enquire about or apply for any positions at PepsiCo. It may be collected as part of your application submitted or provided to us by a third party such as a recruitment agency. We may also collect your personal information if you or your employer propose to provide contracted services to us. In these circumstances your personal information may be provided by you directly to PepsiCo or by your employer providing us with your personal details. Any personal information submitted to PepsiCo, and the use and protection of such information is governed by the Australian Privacy Principles within the Privacy Act. Further information on the Australian Privacy Principles can be found on the Office of the Australian Information Commissioner website.

If you do not provide us with the personal information described above, some or all of the following may happen:

- we may not be able to provide any products or services to you, either to the same standard or at all;
- we may not be able to provide you with information about products or services that you may want, including information about special promotions;

- we may be unable to tailor the content of our websites to your preferences and your experience of our websites may not be as enjoyable or useful; or
- we may not be able to consider your application for employment or an application to provide contracted services.

As a general rule we do not collect sensitive information (as defined in the Privacy Act). However, if we do, it will usually be for the purposes of facilitating our business dealings with you and, if the law requires us to, we will seek your consent to collect your sensitive information.

If you provide us with personal information about another person, you should tell that person about this policy and let them know that their information has been provided to us. We may also collect some information that is not personal information because it does not identify you or anyone else. For example, we may collect anonymous answers to surveys or aggregated information about how users browse our website.

From time to time we may require our employees to provide personal information to us, or to consent to the collection of their personal information from a third party. Some of this information may be subject to the exemption in relation to employee records in the *Privacy Act* but, to the extent that it is not, it will be dealt with in accordance with our relevant employment policies or, where no relevant policy exists, this privacy policy.

## **4 Use and Disclosure**

We use your information to provide and market our products to you and to fulfil administrative functions associated with our business activities. This can include processing payments, delivering orders, managing promotions, providing refunds and discounts, verifying your identity, communicating with you (including direct marketing), conducting product and market research, maintaining and updating our records, dealing with enquiries from you, and working with our service providers and other PepsiCo group companies in Australia.

We may also use and disclose your personal information:

- to answer enquiries and provide information or advice about existing and new products and services;
- to provide you with access to protected areas of our websites;
- to assess the performance of our websites and to improve the operation of our websites;
- to conduct business processing functions including providing personal information to our related bodies corporate, contractors, service providers or other third parties;
- for the administrative, marketing (including direct marketing), planning, product or service development, quality control and research purposes of us and our related bodies corporate, contractors or service providers;
- to provide your updated personal information to our related bodies corporate, contractors or service providers;
- to update our records and keep your contact details up to date;
- to process and respond to any complaint made by you;

- to comply with any law, rule, regulation, lawful and binding determination, decision or direction of a regulator, court or tribunal or in co-operation with any governmental authority;
- to protect our lawful interests and facilitate purchases and potential purchases of our businesses;
- with your consent;
- otherwise as required or authorised under an Australian law.

We may provide marketing communications and targeted advertising to you on an ongoing basis by telephone, electronic messages (e.g. email and SMS) and other means. You can call us on 1800 500 502, or contact us using the other contract details below, at any time to opt out of electronic and telephone direct marketing communications.

We may disclose your information to

- service providers, contractors and strategic partners from time to time to help us provide and market our products to you;
- our employees, related bodies corporate, contractors or service providers for the purposes of operation of our website or our business, fulfilling requests by you, and to otherwise provide services to you including, without limitation, web hosting providers, IT systems administrators, mailing houses, couriers, payment processors, data entry service providers, electronic network administrators, debt collectors, and professional advisors such as accountants, solicitors, business advisors and consultants;
- suppliers and other third parties with whom we have commercial relationships, for business, marketing, and related purposes; and
- any organisation for any authorised purpose with your consent.

If we do this, we will take steps to ensure those parties protect your information in the same way we do. From time to time, we may share your information with our business partners who will use your information to tell you about products or services which we think may be of interest to you.

We may also combine or share any information that we collect from you with information collected by any of our related bodies corporate (within Australia).

## **5 Our websites**

### **5.1 Application of this policy**

This policy also applies to our websites including [www.pepsico.com.au](http://www.pepsico.com.au), [www.pepsimax.com.au](http://www.pepsimax.com.au), [www.gatorade.com.au](http://www.gatorade.com.au), [www.smiths.com.au](http://www.smiths.com.au), [www.doritos.com.au](http://www.doritos.com.au), [www.redrockdeli.com.au](http://www.redrockdeli.com.au), [www.sakata.com.au](http://www.sakata.com.au), [www.twistiesmuseum.com](http://www.twistiesmuseum.com), [www.smithsfortune.com.au](http://www.smithsfortune.com.au), [www.offtheeatenpath.com.au](http://www.offtheeatenpath.com.au) and [www.smithssnackvend.com.au](http://www.smithssnackvend.com.au), including any personal information you provide to us using one or more of our websites.

## 5.2 Cookies

When you access our website, we may send a “cookie” (which is a small summary file containing a unique ID number) to your computer. This enables us to recognise your computer and greet you each time you visit our website without bothering you with a request to register. It also enables us to keep track of goods and services you view so that, if you consent, we can send you news about those goods and/or services. We also use cookies to measure traffic patterns, to determine which areas of our website have been visited and to measure transaction patterns in the aggregate. We use this to research our users’ habits so that we can improve our online services. Our cookies do not collect personal information. If you do not wish to receive cookies, you can set your browser so that your computer does not accept them. We may log IP addresses (that is, the electronic addresses of computers connected to the internet) to analyse trends, administer the website, track users’ movements, and gather broad demographic information.

## 5.3 Security

As our website is linked to the internet, and the internet is inherently insecure, we cannot provide any assurance regarding the security of transmission of information you communicate to us online. We also cannot guarantee that the information you supply will not be intercepted while being transmitted over the internet. Accordingly, any personal information or other information which you transmit to us online is transmitted at your own risk.

## 5.4 Links

Our website may contain links to other websites operated by third parties. We make no representations or warranties in relation to the privacy practices of any third party website and we are not responsible for the privacy policies or the content of any third party website. Third party websites are responsible for informing you about their own privacy practices.

## 6 Direct marketing materials

We may send you direct marketing communications and information about our products and services that we consider may be of interest to you. These communications may be sent in various forms, including mail, SMS, fax and email, in accordance with applicable marketing laws, such as the *Spam Act 2003* (Cth). If you indicate a preference for a method of communication, we will endeavour to use that method whenever practical to do so. In addition, at any time you may opt-out of receiving marketing communications from us by contacting us (see the details below) or by using opt-out facilities provided in the marketing communications and we will then ensure that your name is removed from our marketing list.

We may provide your personal information to other organisations, for example our marketing agencies, for the purposes of direct marketing.

## 7 Do we disclose your information to anyone outside Australia?

We may disclose personal information to our related bodies corporate and our third party suppliers and service providers located overseas for some of the purposes listed above.

We take reasonable steps to ensure that the overseas recipients of your personal information do not breach the privacy obligations relating to your information.

Some of our subsidiaries, related companies and/or programs may have their own, possibly different, policies that are posted on their own websites. If you visit their websites

or otherwise deal with any of them directly, we encourage you to review those policies available on their websites.

We may disclose your personal information to entities located outside of Australia, including the following:

- our related bodies corporate, located in the United States of America and New Zealand;
- our data hosting and other IT service providers, located in the United States of America, Singapore and India;
- our accounts receivable and claims processing providers, located in India; and
- other third parties located in the United States of America and New Zealand.

## **8 Security and data quality**

We hold personal information electronically and in hard copy form, both at our premises and with the assistance of our service providers. We use a variety of physical and electronic security measures including restricting physical access to our offices, firewalls and secure databases to keep personal information secure from misuse interference and loss and from unauthorised access, modification or disclosure

We take reasonable steps to ensure that the personal information that we collect, use and disclose about you is accurate, complete and up-to-date and, in relation to the purpose of our use or disclosure, relevant. Personal information is destroyed or de-identified when no longer needed or where we are no longer required by law to retain it (whichever is the later).

## **9 Approach**

We are bound by the Australian Privacy Principles in the Privacy Act. Where appropriate we will handle personal information relying on the related bodies corporate exemption in sharing your information within PepsiCo and the employee records exemption in the Privacy Act when dealing with the personal information of any PepsiCo employee.

## **10 Access and correction**

You may request access to any personal information that we hold about you at any time by contacting us (see the details below). Where we hold information that you are entitled to access, we will try to provide you with suitable means of accessing it (for example, by mailing or emailing it to you). We may charge you a reasonable fee to cover our administrative and other reasonable costs in providing the information to you. We will not charge for simply making the request and will not charge for making any corrections to your personal information.

There may be instances where we cannot grant you access to the personal information that we hold about you. For example, we may need to refuse access if granting access would interfere with the privacy of others or if it would result in a breach of confidentiality. If that happens, and if it is reasonable to do so, we will give you written reasons for any refusal.

If you believe that any personal information that we hold about you is incorrect, incomplete or inaccurate, then you may request that we amend it. We will consider if the information requires amendment and notify you of our decision.

For any personal information that we hold about you, we will:

- respond to your request that for the correction of your personal information within a reasonable time (usually within 30 days);
- if we agree to your request, promptly correct any personal information that we hold about you that we are satisfied is inaccurate, out-of-date, incomplete, irrelevant or misleading; and
- if we do not agree that there are grounds for amendment, then we will not correct your personal information. However, you may request that we add a note to the personal information stating that you disagree with it.

## **11 What is the process for complaining about a breach of privacy?**

If you believe that your privacy has been breached, please contact us using the contact information below and provide details of the incident so that we can investigate it.

If you wish to make a complaint that relates to your personal information, you must first lodge your complaint with us using the details in section 12 (Contact us) below and provide us with details of the incident so that we can investigate it.

We will treat your complaint confidentially. Our representative will contact you within a reasonable time after receipt of your complaint to discuss your concerns and outline options regarding how they may be resolved. We will aim to ensure that your complaint is resolved in a timely and appropriate manner.

If you are not satisfied with our handling of your complaint or our proposed resolution, you have a right to lodge a further complaint with the Office of the Australian Information Commissioner (for more information, please see [www.oaic.gov.au](http://www.oaic.gov.au)). The Office of the Australian Information Commissioner can provide you with further information about the next steps in its complaints process.

## **12 Contact Us**

If you have any questions about this policy, any concerns or a complaint regarding the treatment of your personal information or you want to notify us of a possible breach of your privacy, please contact the PepsiCo Privacy Officer as follows:

Phone: 1800 025 789  
Email: [consumer.cic@pepsico.com](mailto:consumer.cic@pepsico.com)  
Post: Tower A, Level 4  
799 Pacific Highway  
Chatswood NSW 2067  
Australia

## **13 Changes to our privacy and credit reporting policy**

We may change this privacy policy from time to time. Any updated versions of this policy will be posted on our website and will be effective from the date of posting.

This policy was last updated in February 2020.