

## Privacy Statement – New Zealand

Floorscape Limited is committed to the privacy of all individuals who have dealings with us, such as customers, suppliers and employees. We are bound by the Privacy Act 1993, and from 1 December 2020, the Privacy Act 2020. For your information we set out below our policies on handling personal information.

### Personal Information We Collect

We collect personal information where reasonably necessary for our functions and activities. Personal information held by us may include the following:

- Identity information including a record of your name(s) (including an alias or previous name), date of birth, gender, current or last known address and previous addresses (home and business) and drivers licence number
- Telephone/mobile phone and facsimile numbers
- Email addresses
- Bank account and/or credit card details
- Employment (including employer details if appropriate) and income details
- Offices held in companies
- Details of your dealings with us, including records of telephone, email and online transactions
- Details of your trading history
- Credit related personal information (see below)

### How Do We Collect Personal Information?

We collect personal information directly from an individual where reasonable and practical. We may also collect such information from other sources, including:

- Directly from you or your representatives, when you provide information in documents, as guarantees, promotions, tenders, invoices, resumes, job application or complaint forms, or by email or phone
- From other entities who provide services to us related to the product or services provided to you by us
- From carpet retailers from whom you may purchase any of our products
- From credit providers, credit reporting agencies contacted by us in the course of carrying our credit checks or verifying information provided by you
- Reference checking from referees or networking with your peers
- From our own records of your employment history (if previously employed by us)
- From publicly available sources of information
- From our own records of your trading history with us
- From other subsidiaries of Mohawk Industries Inc
- Data matching activities conducted by us or our trusted service providers

### How Do We use Personal Information?

We respect your privacy, so we do not trade, rent or sell your personal information to any external organisations. The primary purpose for which we use your personal information is to manufacture, sell

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and distribute our quality products, administer our dealings and potential dealings with you and respond to queries in a timely manner. Your personal information may also be used, with your consent, to promote and market our products and promotions which we consider may be of interest to you or used to invoice your involvement with future projects of provision of goods or services in the future. If you do not wish us to contact you regarding other products or future potential dealings, please contact our Privacy Manager (contact details below). We may also collect use and disclose personal information in connection with potential or actual unlawful activity, misconduct or transfers of our business or assets and as required by law, such as the Anti-Money Laundering and Countering Financing of -Terrorism Act 2009.

In the course of our dealings with you, your personal information may be used to:

- Provide the products and customer service you require
- Provide samples of our products and conduct promotions
- Administer and manage our dealings with you, including charging, invoicing and collecting debts and/or arranging for provision of goods or services, processing and payment of invoices
- Inform you of ways the services provided to you can be improved
- Assess applications for commercial credit, manage accounts and insure our risk in respect of debts, conduct appropriate checks for credit worthiness and for fraud
- Investigating complaints in relation to our products and services or problems relating to your goods and/or services
- Research and develop our products and services
- Gain an understanding of the needs of our customers and users of our products in order for us to provide you with better products and services
- Maintain and develop our business systems and infrastructure including testing and upgrading of these systems
- Enable us to disclose such information as set out below

In respect to employment applications or contracts/tenders, the purposes for which we collect your personal information will depend on whether you are an applicant, a referee, a current employee, a contractor, a service provider or tenderer. If an applicant or referee for an applicant, the primary purpose for which we use your personal information is to receive and assess the applicant's application for an employment or contractor position/tender. This may be done through a third party intermediary. In the course of assessing your suitability and should we offer you employment, a position or work, your personal information may be used to:

- Offer you employment or work
- Contact you if a position becomes available that you may be interested in
- Comply with government legislation
- Maintain and develop our business systems and infrastructure including testing and upgrading of these systems
- Comply with law e.g. to comply with requirements of government departments for business data
- Enable us to disclose such information as set out below

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If you choose not to provide personal information, we may not be able to provide credit or the goods and services you require, the advice or assistance you require or the level of service to which we aspire to provide or be able to utilise your goods or services or provide timely payment.

### To Whom Do We Disclose Personal Information?

We understand the importance of keeping personal information private and only disclose such information to third parties in limited circumstances. Outside organisations with whom we may, for the purposes set out above, disclose and/or exchange information include:

- Contractors and service providers to whom we may outsource services or may manage services provided to you on our behalf including:
  - Customer enquiries
  - Invoicing and debt collection
  - Account payment
  - Payroll
  - Project management
  - Mailing systems
  - Transport services
  - IT services including website, data management and technology services
  - Complaint investigation
  - Market research
  - Promotion development and administration(Any disclosure is limited to that required to provide you with the services we have outsourced and any party to whom we outsource is required to comply with all relevant laws including any privacy legislation)
- If relating to a job application or tender, organizations involved in the managing, validating or administering your application, employment, engagement or tender (such as third party suppliers, training providers, professional associations, our advisers etc) and/or involved in your employment or engagement (such as employment agencies, counsellors, assessment agencies etc) and/or involved in conducting probity checks or monitoring of employee or contractor conduct
- Your representatives (eg. legal advisers)
- Our credit insurers and credit providers for credit related purposes such as credit-worthiness, credit rating, credit provision and financing
- Credit reporting agencies, other credit providers and fraud checking agencies (whether or not your account is overdue)
- Our professional advisers, including our accountants, auditors, lawyers and business consultants
- Government/regulatory authorities and other organizations as required or authorized by law
- Data processors acting on our behalf
- Business partners (as third parties) which whom we are conducting joint promotions and which may be interested in telling you more about their brands, products or services
- Other subsidiaries of Mohawk Industries Inc
- Organizations involved in:
  - A transfer/sale of all or part of our assets or business (including accounts and trade receivables)

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- o Managing our corporate risk and funding functions (eg securitisation)

Parties to whom we may disclose personal information may be located in New Zealand, Australia and other countries. As set out below, web traffic information is disclosed to Google Analytics when you visit our websites and Google stores information across multiple countries. We will only transfer your personal information outside of New Zealand in compliance with applicable privacy law.

### Website Usage Information and Cookies

When you use our websites we collect personal information in a number of ways including:

- Data collected automatically by our websites' host/s and through third party cookies when you visit our websites eg. your IP address, referral URL your browser type and version, your operating system, host name of the accessing computer and time of server request. This information does not identify you personally and you remain anonymous and will not be combined with data from other sources
- Directly from you eg. data you provide or enter on certain pages of the websites as contact forms

Should you choose to send us a message, you are not required to provide any personal information and messages can be sent anonymously.

Our websites use Google Analytics and its "Demographics and Interest Reporting" feature to help analyse how users use this site. The tool uses "cookies," which are text files placed on your computer, to collect standard Internet log information and visitor behaviour information in an anonymous form. Visitors can opt-out of "Demographic and Interest reporting" and customize their own Google Display Network ads using Google's Ads settings (<https://www.google.com/settings/ads>).

Our websites also includes different types of "social plugins" and social media widgets. These features may collect your IP address and information on which pages you are visiting on our websites, and they may set a cookie to enable the feature to function properly. Social media features and widgets may be hosted by a third party or directly on our websites. Your interactions with these features are governed by the privacy policy of the company providing it. If you do not want to be tracked by social media widgets, log out of all social networks you're logged into before visiting our website.

We also use Hotjar in order to better understand our users' needs and to optimize this service and experience. Hotjar is a technology service that helps us better understand our users' experience (e.g. how much time they spend on which pages, which links they choose to click, what users do and don't like, etc.) and this enables us to build and maintain our service with user feedback. Hotjar uses cookies and other technologies to collect data on our users' behaviour and their devices (in particular device's IP address (captured and stored only in anonymized form), device screen size, device type (unique device identifiers), browser information, geographic location (country only), preferred language used to display our website). Hotjar stores this information in a pseudonymized user profile. Neither Hotjar nor we will ever use this information to identify individual users or to match it with further data on an individual user. For further details, please see Hotjar's privacy policy by clicking on this [link](#). You can opt-out to the creation of a user profile, Hotjar's storing of data about your usage of our site and

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Hotjar's use of tracking cookies on other websites by following this [opt-out link](#) and clicking "Disable Hotjar" or enabling Do Not Track (DNT).

The primary purpose for which we use your personal information collected through our websites is for the use and management of our websites including sending and receiving messages and provision of information on our features, services and products. Should you provide any personal information, these details will only be used to respond to your message and as otherwise set out in this statement. We will not use your details for any other purpose. Please note, when you send emails the content of the email as it is transferred across the internet may not be secure.

Children should only access our websites with involvement of a parent or guardian. Although we do not specifically direct our websites to children, we strive to provide children with as much customer service as possible without violating their privacy rights. For your protection, we ask that anyone under 15 years of age not attempt to register with us or otherwise provide us with any personal information without the consent of a parent or legal guardian.

We use industry standard measures to protect information provided on our websites. Although we aspire to ensure the security of your personal information when storing, using and sharing the information you give us, no website is totally secure. We therefore encourage you to take appropriate measures to protect yourself, including, for example, keeping all usernames and passwords confidential.

On certain areas of our websites, we may provide links to third party websites. This statement only applies to our websites and does not describe information about collection practices on websites of other entities, including those linked.

### **Credit-related Personal Information**

We sometimes provide products and services to customers on credit. In connection with this credit, we sometimes handle certain consumer credit-related personal information described below (credit-related personal information) including information from credit reporting bodies (CRB's). For example, we may handle this information in providing credit to sole traders, or where individuals as directors provide personal guarantees for credit we provide to their companies.

When we assess your creditworthiness and at other times, we may collect and hold any types of credit-related personal information permitted under the Privacy Act 1993, and from 1 December 2020, the Privacy Act 2020, and any Credit Reporting Privacy Codes made under applicable privacy law from and give it to CRB's and our credit insurers including:

- Your name(s) (including an alias or previous name), date of birth, gender, current or last known address and previous two addresses, name of current or last known employer and drivers licence number.
- Confirmation of previous information requests to CRB's made by other credit providers and credit insurers about you
- Details of previous credit applications including the type and amount of credit applied for
- Details of current and previous credit arrangements including credit providers, period of credit and certain terms and conditions

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- Permitted payment default information including information about related payment arrangements and subsequent repayment
- Information about serious credit infringement (eg fraud)
- Information about adverse court judgements and insolvency
- Any credit score or credit risk assessment including a CRB's or credit provider's analysis of your eligibility for consumer credit
- Any publicly available information including records relating to your activities in New Zealand and your credit worthiness

This information may include information about your arrangements with other credit providers as well as us.

In addition to the sources of personal information set out above, our main sources for collecting credit information are:

- CRB's and other credit providers
- Primary credit applicant/s, co-credit applicants or co-borrowers, as well as your guarantors/proposed guarantors
- Your employer, accountant, real estate agent or other referees
- Organisations that help us to process credit applications and/or provide credit insurance such as credit insurers
- Our service providers involved in helping us to provide credit or to administer credit products, including our debt collectors and our legal advisers

We may disclose credit-related personal information to CRBs to assist the CRBs to maintain information about individuals to provide to other credit providers for credit assessments. We may collect credit-related personal information from CRBs for purposes including, to the extent permitted by law, to assess relevant credit or guarantee applications, manage and review the credit or guarantee, assign debts, collect overdue payments and produce assessments and ratings in respect of the individual's credit worthiness. We may also exchange credit-related personal information with guarantors, debt buyers and other credit providers.

The CRB's we use include:

Illion New Zealand Limited, PO Box 9589, Newmarket, Auckland 1031,  
[www.creditcheck.illion.co.nz](http://www.creditcheck.illion.co.nz), Ph 0800 362 222.

Each CRB has a credit reporting policy about how they handle your information, copies of which are available on their websites.

Under the Credit Reporting Privacy Code 2004 (and any replacement Credit Reporting Privacy Code under the Privacy Act 2020), CRBs may not use your credit-related personal information to determine your eligibility to receive direct marketing from credit providers.

You may request a CRB not to use or disclose credit reporting information about you, if you believe on reasonable grounds that you have been, or are likely to be, a victim of fraud. If you do this, the credit

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reporting body mustn't use or disclose the information during an initial 10 working day period without your consent (unless the use or disclosure is required by law). If, after the initial 10 working day period has passed, you believe on reasonable grounds that you continue to be or are likely to be the victim of fraud, you can apply to the CRB to extend the suppression beyond 10 working days.

Please see other sections of this privacy statement for further information regarding access, correction, complaints, disclosures (including to other countries) of personal information and how we collect and hold personal information. This privacy statement is not intended to limit or exclude our obligations under the Privacy Act 1993, or after 1 December, the Privacy Act 2020, or any applicable privacy code in relation to credit-related personal information. Additional privacy consents and notifications may also apply to credit customers and guarantors.

### How Do We Store Personal Information?

We store personal information at our own premises and with the assistance of our trusted service providers. No data transmission over the Internet or website can be guaranteed to be secure from intrusion. However, we maintain physical, electronic and procedural safeguards to protect your personal information in accordance with data protection legislative requirements and industry standards. We maintain strict procedures and standards and take a range of steps to prevent unauthorised access to, or disclosure of, personal information and protect an individual's information from misuse or loss. Once an individual's information is no longer needed by us, reasonable steps are taken to destroy or de-identify it.

### Accessing and Updating Personal Information

Generally, you have a right to access your personal information. We will handle all requests for access to personal information held by us in accordance with the Privacy Act 1993, and after 1 December 2020, the Privacy Act 2020. If you would like to access your personal information, please advise us in writing. We will respond within 20 working days. We reserve the right to charge a reasonable fee for searching for and providing access to your information. However, we will not charge you for the making of the request or to correct or update your personal information. If we are permitted to withhold some of your personal information and we choose to do so, we will advise you when responding to your request.

We take all reasonable precautions to ensure that the personal information collected, used and disclosed is accurate, complete and up-to-date. However, the accuracy of the information depends largely on the information provided to us by you. Accordingly we request that you:

- Let us know of any errors in your personal information; and
- Keep us up-to-date with any changes in your personal information.

In most cases we will amend inaccurate, incomplete or out-of-date information. In some cases it is necessary for us to keep a record of what we know or understand to be correct at a particular time. However, in those circumstances, if you request, we will take reasonable steps to associate with the relevant record of your personal information a statement to the effect that you claim the information is inaccurate, incomplete or out-of-date.



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### Complaints and Further Information

Further information may be obtained about how we manage personal information from the Privacy Manager (see contact details below). If you believe we have breached our privacy obligations or your privacy rights in any way, a complaint can be made to the Privacy Manager (see contact details below). We will endeavour to act promptly in response to a complaint.

### Changes to this Privacy Policy

We may amend this privacy statement as our business requirements or as the law changes. Any changes to this privacy statement will be updated on this website, so please visit periodically to ensure that you have our most current privacy statement.

### Contact Us

If you have a concern about your privacy or you have any queries or complaints in relation to how your personal information is collected or used, please contact us in writing or by phone to:

#### Privacy Officer

Godfrey Hirst NZ Limited  
142 Kerrs Road  
Wiri, Manukau City, 2241  
Freephone: 0800 500 210  
Email: [enquiries@godfreyhirst.co.nz](mailto:enquiries@godfreyhirst.co.nz)

### Individuals in the European Economic Area (European Data Protection Laws)

Set out below are our policies in respect to information provided by individuals in a country that is a member of the European Economic Area (EEA) during your interactions with us. This is to be read in conjunction with our general privacy statement above.

Under European data protection laws, use of personal information must be based on one of a number of legal grounds and we are required to set out the grounds in respect of each use. Companies may process personal data only when the processing is permitted by the specific legal ground set out in the law.

**Data Controller** - We are the data controller of personal information provided to us either directly or by our website. You may contact us at our address above.

**Purposes of Processing and Legal Basis For Processing** - As explained in our privacy statements addressed to differing parties providing personal information to us, we use personal data for varying purposes and process personal data in various ways depending upon the nature of your data and the purpose for which it is provided. We process personal data on the following bases (1) with your consent (2) as necessary to perform a contract when you request; and (3) as necessary for our legitimate interests including, without limitation, providing you with our goods and services, enhancing our web services, conducting analytics and delivering relevant advertising.



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**Retention of Personal Data** - Your personal information will only be retained for as long as it takes to fulfil the purpose(s) for which it was provided/collected or as required by law. When personal data is no longer needed, we either securely destroy it, or irreversibly anonymise the data (and we may further retain and use the anonymised information).

### Your Rights Regarding Personal Data

**Access & Confirmation** – You have the right to ask us if we process personal data about you and in some circumstances to obtain a copy of your personal data and to ask for incorrect, inaccurate or incomplete personal data to be corrected

**Deletion & Blocking** – Under certain circumstances you may have the right to have your personal data deleted or blocked without undue delay

**Direct Marketing** – You may opt out of receiving any direct marketing campaigns and at any time free of charge and without having to provide any justification you may request to no longer receive any promotional materials

**Consent** – To the extent we are processing personal data based on your consent, you have the right to withdraw the consent at any time

**Data Portability** - Under certain circumstances, to the extent we are processing your personal data based on consent, or that it is necessary to perform a contract with you, and the processing is carried out by automated means, you have the right to receive the personal data in a structured, commonly-used and machine-readable format.

To exercise any of these rights please contact our Privacy Manager (details above).

**Lodging Complaints** – If there is a breach of data protection legislation, you have a right to lodge a complaint with a relevant data protection authority (for example in the place you reside or you believe we breached your rights).

**Transfers** - We are headquartered in New Zealand. Personal data may be accessed by us or transferred to us in New Zealand. The European Commission has determined that New Zealand ensures an adequate level of protection for personal data. Our general privacy statement sets out any parties outside us who may receive your personal data. We do not sell personal information to unaffiliated third parties, but we may want to share your information with data processors acting on our behalf, with our affiliated companies, including our parent company or with business partners such as third parties with whom we are conducting joint promotions and which may be interested in telling you more about their brands – some of which may be in countries which the European Commission has not determined ensure an adequate level of protection for personal data.

By providing us with personal data, you consent to the storage or processing or transfer of your personal data as set out above. You acknowledge that the personal data will be subject to the laws of New Zealand, including the ability of governments, courts or law enforcement or regulatory agencies of New Zealand to obtain disclosure of your personal information. Without assuming any obligations to do so, we also reserve the right to collect and share any information we consider necessary to investigate or take action in connection with suspected fraud, illegal activities, possible harm to persons or property, to protect ourselves or one or more of our users or their heirs, or as otherwise required or permitted by law.

We will protect the privacy and security of personal data according to our privacy statements, regardless of where it is processed or stored.

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**Contact Us** - If you have any queries or complaints in relation to privacy, please contact our Privacy Manager (details above). If you still feel your query or complaint has not been resolved to your satisfaction then you can escalate your privacy concern and you have the right to make a complaint to the relevant data protection agency (for example in the place you reside or you believe we breached your rights). If your complaint relates to how we handled your access and correction requests you may take your complain directly to a relevant data protection agency (ie you are not required to let us try and fix it first).