



## CUSTOMERS PRIVACY STATEMENT

### New Zealand

When you are shopping at Foot Locker in New Zealand or when using our Sites, you will be sharing certain personal data (“**Personal Data**”) with us. With this Customers Privacy Statement (“**Statement**”) we inform you on how we process your Personal Data.

This Statement has the following chapters:

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2. Who are we?
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#### 1. Introduction

Transparency is one of the key principles of data protection legislation. With this in mind, we inform you on how your Personal Data is being processed and we promote the objective of strengthening your rights as an individual, our accountability and the lawful processing of Personal Data.

This Statement contains information on how we process your Personal Data when you visit our websites and stores (“**Sites**” and “**Stores**”) and sign up for our newsletters (“**Newsletter**”), use our mobile applications (“**Apps**”), register through the creation of a personal account (“**Personal Account**”), respond to a survey (“**Customer Satisfaction Program**”) and when you contact us (collectively the “**Services**”). This Statement applies to all Personal Data of Customers collected by Foot Locker New Zealand, Inc. or any of its brands (“**Foot Locker**”).

#### 2. Who are we?





Foot Locker New Zealand, Inc. is the agency that collects and holds your Personal Data. Foot Locker New Zealand, Inc. has its principal address at Bell Gully, Level 22, Vero Centre, 48 Shortland Street, Auckland, 1010, NZ. Our contact details are listed in the “Contact” section in this Statement.

### 3. What Personal Data do we collect from you?

#### 3.1 Personal Data you share with us directly

We collect the following categories of Personal Data directly from you when you use our Services (depending on which of the Services you are using):

- a. Customer personal details: full name, title/salutation, contact details, date of birth, gender, preferred language, address;
- b. Interests and preferences: historical product purchases (including returns or orders cancelled), shoe and/or apparel size, interests, feedback and survey data;
- c. Customer account details: customer ID, account information, choice and opt-in of Foot Locker communications (Newsletters);
- d. Order information: order (tracking) number, order status and history, sales order information, invoice and shipping address, bank account information, purchase history; and
- e. Communications with Customer Service.

#### 3.2 Personal Data we collect from you indirectly

We collect the following categories of Personal Data indirectly from you when you use our Services:

- a. Online activity: your online interaction with us through the use of cookies, web beacons, pixel tags, log files or other similar technologies when you use our Services or interact with our emails or advertisements on our Site, our App, or other sites. For more information, please read our Cookies Statement;
- b. Customer personal details: for example, name, email address, profile image, gender, date of birth, place of residence, list of friends, interests and likes. Only information you have consented to be used is shared with us. For more information, please read our Cookies Statement; and
- c. Your image(s) from you when you visit our Stores to record you on video through the use of Closed-Circuit Television (“CCTV”). For more information, please read our CCTV Statement.

#### 3.3 Personal Data we receive from other sources

We receive the following Personal Data from other sources when you use our Services:





- a. Customer personal details: for example, name, username, demographic information, address, contact information and interests. We obtain such Personal Data from other sources that you use to connect with us. For example, from social networks. To disable this, please adjust your privacy and advertising settings through the applicable (browser) service provider used;
- b. Online activity: your online interaction with us if you have provided your consent for the use of third party (tracking) cookies. For more information, please read our Cookies Statement; and
- c. Any other information obtained from third parties with your consent or as permitted by law.

The failure to provide to us, or allow us to collect, the required Personal Data may mean that we cannot provide you with any information you have requested or complete any contract we may have with you for any of our products or services, or delivery of such products or services.

#### **4. Why do we use your Personal Data?**

We use your collected Personal Data for the following specific purposes and categories of use:

##### 4.1 To process and execute your order

This includes processing and delivering your order, contacting you concerning the status of your order or any other information related to your order which we have to communicate with you.

##### 4.2 To provide you with customer service and do business with you

We wish to answer any of your questions or requests, and we communicate with you with regard to a purchase, the use of our Services and to solve any of your possible issues in relation to the Services.

##### 4.3 To comply with applicable laws and regulations

When you purchase products or take services from us, we may be required by law to keep certain Personal Data. We may also need to process your Personal Data to comply with court orders or governmental requests.

##### 4.4 Personal Account

When you shop at Foot Locker, you can register your Personal Data and create your own profile. Even though the registration is not required, it provides you with a quick and simple checkout experience.

##### 4.5 Customer Satisfaction Program





When you shop you have the possibility to participate in our survey for research program and opinion polling to develop and improve our Services obtaining your feedback. The data collected in this context is not used by us for advertising purposes. Your answers are neither passed on to third parties nor are published.

4.6 Newsletter, for marketing purposes to provide you with customized content, updates on your orders, targeted offers and advertising on our Services

We provide you with customized content, targeted offers, and advertising in order to improve your shopping experience, to provide you more relevant content and to know more about you. This may include generating tailored ads on social media like Facebook, or may be communicated through email or SMS. You can also subscribe for our Newsletter in order to receive future e-mails about sneaker releases, news, surveys, initiatives and events, to remind you to complete a purchase or a transaction and to send you specific content based of your preferences and interests.

We will obtain your consent prior to sending you any commercial electronic message (as set out in the Unsolicited Electronic Messages Act 2007). By checking the opt-in box, you consent to receiving our marketing materials, including by way of commercial electronic messages, for any of the purposes set out in this Statement. Please note that you can always withdraw your consent to such electronic messages by using the unsubscribe link at the bottom of our emails or any other marketing communication sent to you from us, change your communication preferences settings in your Personal Account, or contact us to unsubscribe, at any time.

4.7 To operate our business and analyze, develop and improve our Services

We maintain security of our Services. We also enable your use of our Services to administer accounts, diagnose and resolve technical and Service related problems and other internal functions. This includes analyzing trends and Site traffic and administer and optimize our Services, including through the use of third party service providers. This may also be partially done via the use of internet Cookies. For more information, please read our Cookies Statement.

We also use Personal Data to help us learn more about the visitors to our Sites so that we can improve your in-store shopping experience and our business, and to develop and maintain our relationship.

4.8 For litigation case management and evidentiary purposes

To the extent permitted by law, we may store your Personal Data if relevant for any possible future court case, legal advice and/or any other litigation and disputes.

4.9 To prevent and detect offences and to protect you, our employees and your and our property





We record how you use our Services to prevent and/or detect fraud, abuse, illegal use or violations of our policies and procedures or our general terms and conditions. This includes the use of CCTV. For more information, please read our CCTV Statement.

4.10 Or otherwise as described to you at the point of Personal Data collection

## **5. How long do we retain your Personal Data?**

We retain your Personal Data for as long as is necessary to fulfil the relevant purposes we collected it for, as described in this Statement, unless a longer retention period is required by the applicable law.

We may also keep hold of some of your Personal Data, for the period and extent reasonably necessary to meet legal or regulatory requirements, resolve disputes, prevent and combat fraud and abuse, or enforce our terms and conditions.

## **6. Who do we disclose your Personal Data to?**

We may disclose your Personal Data in the following ways:

6.1 With other Foot Locker entities that are part of the Foot Locker Group

We may share your Personal Data with entities that are part of our group organization, to the extent required for internal and administrative management or for the fulfillment of our Services and related actions and requirements.

6.2 With third party vendors

We use third party vendors for business, professional and technical support. These companies only handle your Personal Data on behalf of us and under our written instructions. Specifically, we use such third party vendors and their servers and services for our web platforms, storage and business related data processing. In limited circumstances these vendors might have access to your Personal Data when this is required for maintenance or problem solving.

6.3 With a competent public authority

In order to comply with the law or our legal obligations, when we believe in good faith that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or respond





to legitimate government requests, including public and government authorities outside your country of residence, for national security and/or law enforcement purposes.

6.4 With cardholder and credit card issuing companies and investigative, criminal or judicial authorities

In case of fraud, confirmed by the cardholder and or credit card issuing company, we will share your Personal Data with investigative, criminal or judicial authorities for fraud prevention, investigation and prosecution purposes. In case of governmental inquiries or requests, we will share the requested Personal Data to the extent required to by any law.

6.5 With your consent

With your consent, we may disclose your Personal Data to any person. Such consent may be obtained through your agreement to any terms of use for our Services.

## **7. How do we protect your Personal Data?**

Foot Locker takes reasonable steps to protect all personal information held by it from misuse, loss, unauthorised access, modification or disclosure. Foot Locker has implemented appropriate physical, organizational, administrative and technical security measures to protect your Personal Data against unlawful access, loss, misuse or alteration. Foot Locker uses a variety of secure techniques to protect your Personal Data, including secured servers, firewalls, and encryption of application data and of your communications via the Internet. To safeguard your transactions, we encrypt your Personal Data using encryption technology Secure Socket Layer (SSL) coding. Our systems will only be accessed by authorized staff involved in the performance in their tasks. Personal Data is only made available internally on a need to know basis and per department or even per associate if so applicable. We also have an ongoing Foot Locker privacy training program to raise awareness on privacy compliance.

## **8. Links to other sites**

Our Services contain links to other sites and applications. We are not responsible for the privacy practices or content of such other sites or applications that are not affiliated with or maintained by Foot Locker. We recommend that you review the privacy statement posted on any external site or app that you access through our Services.

## **9. What are my rights?**

You have the right:





- 9.1 To request access to the Personal Data that we hold about you; and
- 9.2 To request correction of that Personal Data.

To exercise these rights, please contact us using our contact details listed in the Contact section of this Statement. We will provide you with information on the action taken within 20 working days after the successful submission of your request.

We are required to verify your identity including, but not limited to, the verification of your email address. If you do not allow us to verify your identity, we cannot proceed to process your request.

Foot Locker members who have registered a Personal Account may be able to change or correct some Personal Data previously provided by logging into their Personal Account on the Foot Locker website and updating their information using the options on that page.

Please note that the above-mentioned rights are not absolute. Under certain conditions and in line with applicable data protection legislation, we may refuse a request. When such a restriction (partially) applies to your request, we will inform you on the reason of our refusal to comply to your request.

If you request correction of your personal information, you may provide to Foot Locker a statement of the correction sought and, if we do not make the correction sought, you may request that the statement be attached to the information you have asked to be corrected so that it is read with the information.

## **10. Updates to this Privacy Statement**

We amend this Statement from time to time to keep the information provided up to date. We encourage you to review this Statement periodically.

Last Updated: 8 October 2021

## **11. Contact**

If you have any questions, concerns or complaints regarding this Statement or the processing of your Personal Data, or you wish to exercise your rights, please contact us using: the “Contact Us” link on our website at [www.footlocker.co.nz/](http://www.footlocker.co.nz/) or emailing [service@footlocker.co.nz](mailto:service@footlocker.co.nz)

Please note that you also have the right to lodge a complaint with the Office of the Privacy Commissioner.

