

## Hallmark Australia Privacy Policy

Updated and Effective as of 27 August, 2021

Welcome to Hallmark Australia! We strive to help people create a caring and more connected world, and to do this we use information collected from or about you. This Policy describes the practices of Hallmark Cards plc and its group companies including Hallmark Cards Australia Limited, which operates this website at [www.hallmark.com.au](http://www.hallmark.com.au) (collectively, “Hallmark Australia,” “we” or “us”).

Hallmark Cards Australia Limited is a company registered in Australia under ABN 85 004 058 646, and our address is 10 Caribbean Drive Scoresby, Victoria, 3179. If you have any questions, concerns or comments about this website, please reach out via our contact details below.

By accessing or using the Hallmark Australia Properties (defined below), you agree that your access to and use are governed by this Privacy Policy and our [Terms of Use](#).

This Policy regarding how personal information entrusted to us is collected, used, disclosed, or retained reflects the Australian Privacy Principles (APPs) under the Privacy Act 1988 as amended.

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### When does this Privacy Policy Apply?

This Privacy Policy applies to our websites (such as [www.hallmark.com.au](http://www.hallmark.com.au)), mobile and other applications, and any other product, feature, or service we offer that posts or provides this Policy (collectively, the “Hallmark Australia Properties”). We may combine all of the information we collect through our Hallmark Australia Properties.

## Changes to This Privacy Policy

To the extent allowed by applicable law, we reserve the right to change this Privacy Policy at any time without prior notice. If we make material changes to our Privacy Policy, we will update the effective date and post a notice on our Hallmark Australia Properties. Your continued use of any of the Hallmark Australia Properties after the effective date of the revised Privacy Policy will constitute your consent to those changes to the fullest extent allowed by applicable law.

## General Audience Sites

The Hallmark Australia Properties are not intended for use by children under the age of 18. We do not knowingly collect personal information from children younger than age 18.

## Consent for Personal Information

We collect information whenever you interact with us. Some of the information we collect may be considered “personal information” under applicable laws. Personal information is any information about an identifiable individual. Personal information includes information that relates to personal characteristics (e.g. gender, age, income, home address, or phone number, ethnic background, family status), health (e.g. health history, health conditions, health services received), or activities and views (e.g. religion, politics, opinions expressed by an individual, an opinion or evaluation of an individual).

We may de-identify your personal information so as to make it non-personal, either by combining it with information about other individuals and/or by hashing the information or otherwise removing characteristics that make the information personally identifiable to you. We will treat de-identified information as non-personal to the fullest extent allowed by applicable law.

Hallmark Australia collects and processes personal information in accordance with this Policy. Hallmark Australia collects, uses, and discloses personal information for the purposes described in this Policy, including providing our products, services, promotions, and events to you. We will not sell, share, or rent this information to others, except as set out in this Policy.

By providing Hallmark Australia with your personal information, you consent to the collection, use, and disclosure of such information in accordance with this Policy or for the purposes identified to you at the time you provided the personal information. Any secondary use of the personal information will only be processed with your express consent, except as required by law.

You have the opportunity to withdraw your consent, or to opt-out at any time. If you wish to withdraw your consent or to opt-out at any time, including to remove yourself from our email or mailing list, please contact us as set out in Section 15 below.

## Information We Collect

**Information you provide directly to us.** When you use the Hallmark Australia Properties, we ask you to provide us with certain information. This information will depend on the Hallmark Australia Properties you interact with, and may include without limitation:

- First and last name

- Email address, phone number and other contact information
- Shipping and billing addresses
- Demographic information, such as your date of birth and gender
- Photographs and video, messages and handwriting, and other data provided by you for personalized cards and gifts, some of which may be considered biometric information
- Wish list or other favorites information
- Information provided by you in responses to surveys, quizzes, or in community forums
- Information provided by you as you interact with our Customer Care team
- Information provided by you as you provide feedback through the Hallmark Australia Properties on our products or services
- Information relating to transactions and products and services purchased, including payment information, and return and exchange information

**Information collected automatically.** We, our service providers, business partners, and/or other third parties may automatically collect and/or store certain information when you visit or interact with the Hallmark Australia Properties (“Usage Information”). This Usage Information may be stored and/or accessed from your computer, tablet, mobile phone, or other device whenever you visit or interact with the Hallmark Australia Properties. Usage Information may include, but is not limited to:

- Your IP address, mobile device identifier and other unique identifiers.
- Device information, including device model, operating system version, device date and time, mobile network information
- Geolocation of your device
- How you use and interact with the Hallmark Australia Properties, including your search terms, pages you visit, content you watch, and your preferences.

Usage Information may be collected through the use of the following technologies:

- **Cookies and Local Storage.** Cookies and local storage are data files placed within a browser on a device when it is used to visit the Hallmark Australia Properties. Certain web browsers and browser add-ons may provide additional local data storage mechanisms. Cookies and local storage can be used for a variety of purposes, including to store a unique identifier for your device that recognizes your device as you visit the Hallmark Australia Properties or other websites or online services, and to remember your preferences. Most browsers provide you with the ability to disable, decline, or clear cookies and local storage; however, if you disable cookies you may find this affects your ability to use certain parts of the Hallmark Australia Properties. For more information about cookies please visit <https://www.aboutcookies.org>.
- **Web Tags.** Small graphic images or other web programming code (also known as 1x1 GIFs or clear GIFs) may be included in our web pages and email messages. These and similar technologies may be used for a number of purposes, including to count visitors to the Hallmark Australia Properties, to monitor how users navigate Hallmark Australia Properties, to count how many of our email messages were opened, or to count how many particular products were viewed. The information we collect through this technology may include the first date and time you open our e-mail, and whether you click any links included in our e-mail.

- **Embedded Scripts.** An embedded script is programming code that is designed to collect information about your interactions with the Hallmark Australia Properties, such as the links you click on. The code is temporarily downloaded onto your device from our server or a third-party service provider or business partner, is active only while you are connected to a Hallmark Australia Property, and is deactivated or deleted thereafter.

**Information from Other Third Parties.** We may receive information about you from third parties, such as business partners (including companies that assist us with online advertising and analytics), other customers of the Hallmark Australia Properties (such as when they provide your information to send you one of our products), data providers who enhance the information we have about you, and sources of publicly available information.

**Social Media.** We may host or facilitate interactions with social media platforms, including Facebook, Twitter, YouTube, Pinterest, and Instagram. You may also have the opportunity to log in through or otherwise connect your social media account. When you interact with social media through the Hallmark Australia Properties, we will receive information about you from the social media service.

In addition, the social media service may set their own cookies and collect information about your use of the Hallmark Australia Properties, including your IP address or other device identifiers, and which pages you visit on the Hallmark Australia Properties. These social media platforms may be able to collect certain information on your visits to the Hallmark Australia Properties regardless of whether or not you affirmatively interact with the feature and whether or not you are logged into or have an account with the social media platform. If you are logged out or do not have an account and visit a page with a social plug-in, your browser sends a more limited set of information. Like other sites, the social media platform will receive information about the webpage you are visiting, the date and time of your visit, and other browser-related information. They may use that information to help them improve their products or for other purposes set forth in their privacy policy. We may also receive information about you if other users of Social Media give us access to their profiles and you are one of their connections or "friends."

The information we collect is subject to this Privacy Policy. The information collected and stored by the third party remains subject to the third party's privacy practices, including, without limitation, whether the third party continues to share information with us, the types of information shared, and your choices with regard to what is visible to others on that third-party website or service. The third party may allow you to remove the application or feature, in which case we will no longer collect information about you through the application or feature, but may retain the information previously collected.

If you choose to post information to a third party platform, that information may be public.

## How We Use Your Information

We work hard to get to know you so that we can customize and personalize our services to you.

We may use non-personal information for any purpose allowable by law, including for advertising, research, and marketing purposes. We use information collected from or about you, including personal information and Usage Information, as disclosed in this Privacy Policy, including:

- a. Providing our services to you and allowing you to participate in the features Hallmark Australia offers;
- b. Recognizing you across devices including in connection with online advertising

- c. Identifying your preferences, learning and anticipating your needs, and tailoring our content, products, and services to you, including advertising, recommendations, promotions, and offers we display to you, both online and offline;
- d. Processing your transactions, including communicating with you about order confirmation, shipping, and receipts;
- e. Providing information on products/services we think you may be interested in, including special offers and promotions from us, our advertisers, and third-party partners;
- f. Responding to your requests for information;
- g. Verifying your identity, including without limitation, for purposes of product reviews and fraud prevention;
- h. Investigating and preventing fraud, illegal activities, and activities that violate our policies, and resolving technical issues reported about the Hallmark Australia Properties;
- i. Operating the Hallmark Australia Properties;
- j. Improving our products, services, and marketing endeavors;
- k. For internal business purposes;
- l. Contacting you regarding your use of the services and, in our discretion, changes to our policies;
- m. Complying with the law and protecting the safety, rights, property, or security of Hallmark, the Hallmark Australia Properties, consumers, and the general public;
- n. Upon notice to you at the time of collection or use of a feature, or otherwise with your consent.

Personalized Product Services. You may be able to personalize the products you purchase from us. For instance, you may be able to add your own photo, video, handwritten note or other content (“Customer Content”) in connection with your purchase. You are fully responsible for your Customer Content, which must comply with all laws and any applicable terms of use or other terms. We have the right, but not the obligation, to monitor Customer Content and to refuse to include any Customer Content that we believe violates law or our policies. Hallmark Australia may permit you to store your Customer Content as drafts or for re-use. By providing any Customer Content, you agree that Hallmark Australia may analyze such content to assist us in enhancing our products and services, getting to know you better, and to better market to you the Hallmark Australia products and services we think you will most be interested in.

### How We Share Your Information

We may aggregate, de-identify, and/or anonymize any information such that such information is no longer linked to your personal information. We may share this non-personal information with third parties for any purpose, for advertising, research and marketing purposes.

Personal information submitted to Hallmark Australia is kept confidential unless disclosed in accordance with your express consent or legal requirements. In any event, any personal information provided on any Hallmark Australia platform by a user is voluntary. Please note that revoking your consent may result in not being able to access or utilize certain Hallmark Australia features, programs, or services.

Personal information provided by Hallmark Australia users will not be sold, shared, or rented to outside organizations unless in accordance with your consent, except as otherwise set out herein. Hallmark Australia reserves the right to contact any user at any time to forward information, respond to questions, or provide notification of any changes to our services or our policies.

We may share the information we have collected about you, including Personal Information and Usage Information, as disclosed at the time you provide us with information or your consent, and as described in this Privacy Policy, including:

**At Your Request and When You Post Content Publicly.** We may share information when you direct us to do so. For example, you may be presented with an opportunity to receive marketing offers from a third party, or you may choose to write a product review, share a wish list, send a message, or engage with a social media service or third party application or feature, through which information about you is shared. Please note that we are not responsible for the privacy practices of third parties. If you later decide that you no longer want to receive communications from a third party, you will need to contact that third party directly.

In addition, we or a third party social networking or review platform, may offer features, such as message boards and other public areas, where you can choose to interact with others and/or submit content or post it publicly. Content that you post may be viewed, collected, and used by others, and the protections of this Privacy Policy will not apply.

**Affiliated Third Parties.** We may share your information with Hallmark Cards, Incorporated (United States), and its and our affiliates and subsidiaries for business, analytical, and operational purposes.

**Service Providers.** We may use third party service providers to perform certain services on our behalf, or to assist us in providing our services to you. Examples of such disclosures include using a payment processor, customer service provider, email marketing provider, delivery services, data analysis provider, and other administrative services. To the extent that any personal information is provided to these third party service providers, Hallmark Australia requires that the provider be bound by obligations consistent with this Policy and that such providers only collect, use, or disclose users' personal information for the purposes of providing Hallmark Australia the services described above. Hallmark Australia's principal service provider for ecommerce services for the hallmark.com.au website is Shopify Inc.

**Sweepstakes, Contests and Promotions.** We may offer sweepstakes, contests, or other promotions (any of which, a "Promotion") that may require registration. By participating in a Promotion, you are agreeing to the provisions, conditions, or official rules that govern the Promotion, which may contain specific requirements of you (including, except where prohibited by law, allowing the sponsor(s) of the Promotion to use your name, voice, likeness, or other indicia of persona in advertising or marketing materials). If you choose to enter a Promotion, personal information may be disclosed to third parties or the public in connection with the administration of such Promotion, including in connection with winner selection, prize fulfillment, as required by law, or as permitted by the Promotion's terms or official rules (such as on a winner's list).

**In Connection with Business Transactions.** We may disclose your information in connection with a corporate transition such as a merger, acquisition, bankruptcy, or sale of all or substantially all of our assets, including during the course of any due diligence process. By providing your personal information, you agree that we may transfer such information to the other entity in such a transaction without your further consent.

**For Administrative and Legal Reasons.** We reserve the right to use or disclose any information as needed to satisfy or fulfill its obligations under any law, regulation, or legal request; to protect the integrity of the Hallmark Australia Properties; to fulfill your requests; to cooperate in a law enforcement investigation, an

investigation on a public safety matter, or an investigation into claims of intellectual property infringement; to protect and defend the legal rights and/or property of Hallmark and any of our corporate parents, subsidiaries, affiliates, and shareholders, or the Hallmark Australia Properties, any of its Users, or any other party; or, in an emergency, to protect the health and safety of Users or the general public.

### Third Party Advertising and Analytics / Opt-Out Rights

Hallmark Australia works with third party business partners, including online advertising companies, ad agencies, and analytics providers to serve Hallmark ads online, to serve third party ads through the Hallmark Australia Properties, and to provide us with information regarding the use of the Hallmark Australia Properties and the effectiveness of our advertisements. Hallmark Australia allows these companies to place tracking technologies like cookies and web tags on our Hallmark Australia Properties, and they may otherwise collect or have access to Usage Information and other information about you. Some of these parties may collect personal information over time when you visit the Hallmark Australia Properties or other online websites and services. We may share information, typically information that has been aggregated or de-identified, Usage Information, and location information with third party advertising companies, analytics providers, and other third parties, including for the purpose of serving you more relevant ads on and off the Hallmark Australia Properties.

We may use a variety of companies to serve our advertisements. Some of these companies participate in the “Your Online Choices” program at [www.youronlinechoices.com/ie/your-ad-choices](http://www.youronlinechoices.com/ie/your-ad-choices), where you can set your options by company.

You also may be able to opt-out from interest-based advertising on your mobile device through your mobile device settings. Some mobile devices contain settings that allow you to disable tracking advertising and/or analytics. In addition, the digital advertising industry has provided the ability for mobile users to register their intent not to receive targeted advertising. See <https://youradchoices.com> for more information.

We use Google Analytics, which uses cookies and similar technologies to collect and analyze information about the use of the Hallmark Australia Properties and report on activities and trends. This service may also collect information about the use of other websites, apps, and online services. You can learn about Google’s practices by going to <https://policies.google.com/technologies/partner-sites>, and opt out of them by downloading the Google Analytics opt-out browser add-on, available at <https://tools.google.com/dlpage/gaoptout>.

Please note that opting out through these mechanisms does not opt you out of being served advertising, and that you will continue to receive generic ads while online.

### Your Choices About the Information We Collect

We may provide you with the option to update your information or to opt out of marketing communications through the profile and/or preferences section of your account. In addition, you may opt-out of marketing communications as set forth below.

**Email.** You may unsubscribe from marketing emails we send you through the opt-out mechanism included in each such email. Note, however, that we reserve the right to send you certain communications relating

to your use of our Services, notices of changes to this Privacy Policy or other terms, or similar administrative and transactional messages.

**Text Messages.** If you sign up to receive SMS or MMS messages from Hallmark or one of our brands, you may unsubscribe by replying “STOP.”

**Push Notifications.** We may send promotional and non-promotional push notifications or alerts to your mobile device, and may in some cases do so based on your device’s location or physical proximity to a beacon. You can elect to stop receiving those messages at any time by changing the notification settings on your mobile device.

### Your Rights and Access

Exercising your rights. You may submit access, deletion, and data correction requests to [ausconsumercare@hallmark.com](mailto:ausconsumercare@hallmark.com) or Hallmark Australia ATTN: Consumer Care, PO Box 5000, Ferntree Gully, VIC 3156.

Accuracy. Hallmark Australia, to the best of its ability, will strive to collect and maintain the most accurate personal information available.

Right to Access. You have the right to access personal information that Hallmark Australia processes about you. You can request from us information about:

- (a) the personal information we hold about you;
- (b) the categories of personal information concerned;
- (c) the purposes of the processing;
- (d) details to whom your personal information has been/will be disclosed;
- (e) how long we retain your personal information;
- (f) if we did not collect the information directly from you, information about the source; and
- (g) how to lodge a complaint with the Office of the Australian Information Commissioner (OAIC).

Right to Request the Update and Correction of Inaccuracies. You have the right to request the update and correction of inaccuracies in your personal information in our custody and control, subject to certain exceptions prescribed by law. You may request the updating and correction of inaccuracies in your personal information we have in our custody or control by emailing or writing to us at the contact information set out in Section 15 below. We may request certain personal information for the purposes of verifying the identity of the individual seeking access to their personal information records.

Right to Request Deletion. You have the right to request that we delete your personal information in accordance with applicable laws.

Right to Assistance and Compensation. You can obtain further assistance if needed from the Office of the Australian Information Commissioner (OAIC), [www.oaic.gov.au](http://www.oaic.gov.au), which has powers to investigate and to order corrective measures and compensation in appropriate cases.

### Security and Breach

Hallmark Australia takes commercially reasonable steps designed to secure your personal information; however, no data transmission over the Internet, wireless transmission, or electronic storage of information can be guaranteed to be 100% secure. Hallmark cannot ensure or warrant the security of any information we collect. You use the Hallmark Australia Properties and provide us your information at your own risk. Mail, voice communications, faxes, and data transmissions over the Internet are all susceptible to possible loss, misrouting, interception, and misuse of the information being communicated or transmitted. You can prevent unauthorized access to your account and personal information by selecting and securing your access password properly and limiting access to your computer, device, and browser. You should always log out after accessing your account.

Hallmark Australia will comply with all applicable laws, and in so complying provide Hallmark Australia users with reasonable assistance, with respect to any unauthorized use, access, or disclosure of personal information.

### Retention

Hallmark Australia only retains personal information for as long as it is necessary for the purposes for which it was collected. When personal information is no longer required for these purposes, it is securely destroyed or deleted. For further details on our data retention periods, please contact us. Where you have consented for us to use your details for direct marketing, we will keep this data until you notify us or otherwise withdraw your consent.

### Third Party Content and Links

The Hallmark Australia Properties may contain content that is served by someone else or links to third-party content or websites. Hallmark Australia does not control this content or these sites. The third-party operators and content providers use their own cookies or other tracking technologies, and they may independently collect information from or about you. Hallmark Australia is not responsible for the privacy practices employed by any third party, and we encourage you to review each third party's privacy policy and terms of use prior to providing them with your information.

### Consent to Transfer

As set forth in Section 7 above, we may share your personal information with Hallmark Cards, Incorporated, which is based in the United States. By using the Hallmark Australia Properties or providing us with any information, you fully understand and unambiguously consent to this transfer to, and processing, usage, sharing and storage of your information in the United States and in other jurisdictions, for which the privacy laws may not be as comprehensive as those in the country where you reside and/or are a citizen. As a result, this information may be subject to access requests from governments, courts, or law enforcement in the United States and other countries according to the laws in those jurisdictions.

Your information will also be disclosed to third parties as described in the “How We Share Your Information” section above.

#### [Access, Questions, and Concerns](#)

If you have any questions or comments about this Policy, if you wish to access, update, and/or correct inaccuracies in your personal information, or if you otherwise have a question or complaint about the manner in which we or our service providers treat your personal information, you may contact us at [ausconsumercare@hallmark.com](mailto:ausconsumercare@hallmark.com), or PO Box 5000, Ferntree Gully, VIC 3156.