

PRIVACY POLICY

This Privacy Policy applies to the collection, storage, use and disclosure by Merry Sparks – Art & Design (ABN 78 005 172 824) (**Merry Sparks, I, me, my**) of your (**you, your**) personal information.

Access to merrysparks.com (**Site**) is conditional on your acceptance of the terms of this Privacy Policy. This Privacy Policy forms part of my Terms and Conditions and by using the Site, you confirm that you have read and agree to comply with these Terms and consent to the collection, storage, use and disclosure of your Personal Information in accordance with those Terms. This Privacy Policy applies to information provided to me whether via my Site or by any other means. If you are under the age of 16, you must obtain the consent of your parent or guardian prior to using this Site.

You can withdraw your consent at any time by contacting me at merry@merrysparks.com

At Merry Sparks – Art & Design, I value your privacy and treat any Personal Information (as defined in the *Privacy Act 1988* (Cth)) that you give to me with the utmost care and respect. This Privacy Policy has been developed to comply with the *Privacy Act 1988* (Cth). I have also taken steps to ensure that, if you tell me you are located in the European Union, I will seek to give you the protections available to you under the *General Data Protection Regulation*. Together, I refer to these two pieces of legislation as “**Privacy Law**”. Where lawful and practical, you have the right to remain anonymous or to make use of a pseudonym. However, if you choose to remain anonymous or to use a pseudonym, I may not be able to provide you with access to some or all of my products or services.

The following explains what information I collect and what I use it for.

Collection and Use of Personal Information

What Personal Information do I collect?

I collect information from you when you use my Site, or order my products on my Site. When ordering products or registering on my Site, I may ask you to provide your name, e-mail address, bank or Paypal transaction details, mailing address, phone number and other information which I may reasonably require in order to provide my products and services. By providing Personal Information to me, you warrant that you have all necessary consents and authorisations required to provide that information.

Where reasonable and practical to do so, I collect Personal Information directly from you. I may also collect Personal Information from third parties such as your representatives or publicly available sources of information. All Personal Information that I or my related bodies corporate collect, is reasonably necessary for the purposes relating to providing my services to you. If someone other than you provides me with personal information about you that I did not ask for and I determine that I could have collected this information from you had I asked for it, I will notify you, as soon as practicable.

I may also collect and use non-personal information such as the identity of your Internet browser, the type of operating system you use, your IP address and the domain name of your Internet service provider to optimise the provision of my goods and services to you.

Some Personal Information (e.g. race, ethnicity, health information etc.) is considered sensitive and requires a higher level of protection under the Privacy Law. I do not collect sensitive information unless I have your express consent and the collection is reasonably necessary for me to pursue one or more of my functions or activities, or where the information is required or authorised by law or necessary for the establishment, exercise or defence of a legal claim.

Why do I collect Personal Information and how do I use it?

I use Personal Information about you for the primary purpose of delivering you my services, providing you with information, processing your orders and for related or ancillary purposes, including, without limitation:

1. to process transactions;
2. to personalise your experience and keep you informed of upcoming events and our activities;
3. to improve my Site offerings based on the information and feedback I receive from you;
4. to improve customer service by responding to your customer service requests and support needs;
5. to enable me to comply with any regulatory reporting and legal obligations; and
6. to enable me to transfer the same to any successors and/or assigns of my business.

I may also use Personal Information for other purposes that you would reasonably expect me to use that information, including sending you information about new developments, products, services and special offers by post, telephone or any form of electronic communication. I do this using any email address or other Personal Information you provide to me at any time for this purpose.

Do I share Personal Information with third parties?

I will not disclose information that personally identifies you to any third party, other than as set out in this Privacy Policy.

I may disclose your Personal Information to third party service providers that I engage in order to deliver the services that I provide to you, to assist with delivery, security, banking, payment processing or technology services, but only in relation to providing my services to you. I may also provide personal information to third parties to assist me with customer analytics. I take reasonable steps to ensure that these organisations are bound by privacy obligations in relation to the protection of your Personal Information - these parties are required safeguard your Personal Information and only use it for the purposes it was supplied.

In the event of a security incident involving unauthorised access, use or disclosure of Personal Information where a third party with whom I share Personal Information is involved, I will seek to work cooperatively with them to protect the Personal Information I have shared with them.

I may also disclose your Personal Information where I believe it is required to by law, or necessary to enforce our Terms and Conditions, or to protect ours or others rights, property, or safety. If you provide Personal Information and request it to be published on the Site, you consent for me to make your Personal Information public.

Direct Marketing

I use personal information about you for the primary purpose of providing you with my services.

If you subscribe to any of my e-communications (e.g. newsletters, event updates etc.), I may send you direct updates about my products and services, event invitations and for my marketing purposes (including advising you of other products, services, promotional events, programs and special offers which may be of interest to you). These updates may take the form of emails, SMS, mail or other forms of communication, in accordance with the *Spam Act 2003 (Cth)* and the Privacy Laws.

You can unsubscribe from my electronic marketing and other communications at any time by clicking the 'unsubscribe' button in my electronic communications or by contacting me at merry@merrysparks.com. You acknowledge that it may take several business days for me to remove you from my electronic distribution lists after you opt-out of receiving electronic communications.

From time to time I may use social media tools to target advertisements.

Facebook - I integrate with a Facebook pixel which collects data about products viewed and purchased, to provide services and target advertisements. To opt out: [Adjust your Facebook ad settings](#).

Google - I integrate with Google products (Analytics, Adwords and Tag Manager) which collects the actions of website visitors, to provide measurement services and target advertisements. To opt out: [Adjust your Google ad settings](#).

How do I protect and store your Personal Information?

I use reasonable endeavours to keep all Personal Information I receive from you confidential and in a secure environment. I use a variety of both physical and electronic security measures to maintain the safety of your Personal Information and protect it against unauthorized access, loss or misuse. This includes:

- restricting physical access to my premises;
- the use of a secure server to store Personal Information;
- all supplied sensitive credit information is transmitted via Secure Socket Layer (SSL) technology and then encrypted into my database
- credit information can only be accessed by authorised individuals with special access rights to my systems, who are required to keep the information confidential.

Unfortunately, security cannot be guaranteed and no data transmission over the Internet can be guaranteed to be totally secure. In the event of a security incident I will promptly investigate the incident and determine if there has been a data breach involving Personal Information, and if so, to assess if it is a breach that would require notification. If it is, I will notify regulators and affected parties in accordance with Privacy Law requirements.

If at any time you reasonably believe there has been an unauthorised use, access or disclosure of your Personal Information, please contact me at merry@merrysparks.com. I only retain your Personal Information for as long as reasonably necessary for the purposes for which it was collected, or where I am required by law to keep it. I take reasonable steps to destroy or de-identify Personal Information which I no longer need.

Using Cookies on my Site

Cookies are small files that websites or service provider may attach to your computer when you visit a website (if you allow). Cookies enable the sites or service provider's systems to recognise your browser to capture and remember certain information. I will ask for your consent before I use Cookies to collect your information.

I use Cookies to understand and save your preferences for future visits to my Site, and to compile data about how people use and access my Site, so that I can improve my Site in the future. The information may also be used to provide you with information I think may interest users of your computer. I may contract with third-party service providers to assist me in better understanding my Site visitors. These service providers are not allowed to use the information collected on my behalf except to help me conduct and improve my customers' experience on my Site.

You can choose to have your computer warn you each time a cookie is being sent, or you can choose to turn off all cookies via your browser settings. Like most websites, if you turn your cookies off, some of my services may not function properly.

Third-party content and websites

Occasionally, I may include or offer third party products or services on our Site. Although my Site may link directly to websites operated by third parties (**Linked Sites**), I do not operate or control these Linked Sites.

You acknowledge that Linked Sites are not operated by me and that these third party product and websites may have separate and independent terms and conditions and privacy policies. I encourage you to always read the applicable terms and privacy policy of any Linked Site before you use it. I am not responsible for the content or practices of the Linked Sites or how they use or collection your Personal Information.

Nonetheless, I seek to protect the integrity of my site – if you have any concerns regarding Linked Sites that appear on my Site, please let me know by contacting merry@merrysparks.com.

Do I share Personal Information overseas?

I may transfer your Personal Information to people outside of Australia where necessary to fulfil the purposes set out in this Privacy Policy. For example, sometimes I need to transfer Personal Information in order for delivery of my products and services to you or to perform a contract I have with a third party service provider for the purpose of delivering my services.

By providing agreement to provide your Personal Information to me in accordance to this Privacy Policy, you consent to me disclosing your Personal Information overseas. I use reasonable endeavours to ensure that any overseas recipient of Personal Information is subject to legislation or contractual obligations similar to the Privacy Laws.

Accuracy and access to your Personal Information

I take all reasonable steps to ensure that your Personal Information held by me is accurate, up-to-date, complete, relevant and not misleading. If you believe that any of your Personal Information is not accurate, up-to-date, complete, relevant and misleading, please contact me

at merry@merrysparks.com and I will take all reasonable steps to correct it within a reasonable time.

If you request access to the Personal Information I hold about you, I will respond to your request within a reasonable period of time and, where reasonable and practicable, give access to the information in the manner you request. Depending on the jurisdiction in which you live, I may charge a reasonable fee for providing that information.

Changes to this Privacy Policy

If Merry Sparks – Art & Design decides to change my Privacy Policy, I will post those changes on this page, and update the Privacy Policy modification date below. I recommend you check this page regularly and take notice of any changes made.

Contact me

If you have any questions regarding this Privacy Policy, or if you are concerned that there has been a breach of the Privacy Laws or this Privacy Policy in relation to Personal Information held by Merry Sparks – Art & Design, please contact me at merry@merrysparks.com or by post at:

*Merry Sparks, Director,
Merry Sparks – Art & Design,
PO Box 1002,
Indooroopilly,
QLD Australia 4068*

If you think I have failed to resolve the complaint satisfactorily, I will provide you with information about the further steps you can take. If you are located in Australia, then you can contact the Office of the Australian Information Commissioner about the way I handle your personal information. The Commissioner can be contacted at:

*GPO Box 5218 Sydney NSW 2001
Phone: 1300 363 992
Email: enquiries@oaic.gov.au or www.oaic.gov.au*

If you are located in the European Union or elsewhere, you may can contact your national privacy supervisory authority.

This policy was last modified in April 2020.