

1. Your rights in relation to privacy

ETEL Transformers Pty Ltd ACN 140 029 456 (**ETEL**) understands the importance of protecting the privacy of an individual's personal information. This policy sets out how ETEL aims to protect the privacy of your personal information, your rights in relation to your personal information managed by ETEL and the way ETEL collects, holds, uses and discloses your personal information.

In handling your personal information (including credit-related personal information), ETEL will comply with the *Privacy Act 1988* (Cth) (**Privacy Act**) and with the 13 Australian Privacy Principles in the Privacy Act.

To the extent ETEL handles your credit-related personal information, ETEL will also comply with the Credit Reporting Code.

This policy may be updated from time to time.

2. What kinds of personal information does ETEL collect?

Personal information is information or an opinion about an identified, or reasonably identifiable, individual. During the provision of its products and services, ETEL may collect your personal information.

Generally, the kinds of personal information ETEL collects are:

- contact and identification information such as your name, address, telephone number, email address and date of birth;
- where you are acting on behalf of another entity (whether as an employee, director or other representative), details of that entity and your relationship with it;
- any other relevant information in relation to your credit application or the credit application of an entity you represent (including where you are the director and/or guarantor of an entity that has applied for a credit account with us), which may include:
 - credit-related personal information, including:
 - identification information;
 - consumer credit liability information which includes information about your credit providers and credit accounts, including the dates on which the accounts are opened and closed, their limits, and their terms and conditions (or any changes to their terms and conditions);
 - whether you have or have not met any monthly repayment obligations;
 - whether you have defaulted on a payment (i.e. a payment that is at least 60 days overdue and over \$150 in value);
 - whether you have paid any amount previously reported as being in default;
 - that another entity has sought credit-related personal information about you from a credit reporting body;
 - information about the types of credit, and the amounts of credit, you have sought from a credit provider;
 - information about court proceedings related to credit provided to you or for which you have applied;
 - personal insolvency information and other publicly available information relating to your credit worthiness;
 - a credit provider's reasonable belief that you have committed a serious credit infringement;
 - any other information lawfully obtainable within the Australian credit reporting system;

- credit eligibility information which is credit-related information about you that ETEL obtains from a credit reporting body, such as Illion, the details of which are set out in paragraph 5, together with information ETEL derives from such information based on its own analysis. ETEL generally receives from credit reporting bodies, credit-related personal information including, but not limited to, the information set out above;
- other personal information and sensitive information including health information:
 - where you consent to the collection of such information and if relevant to the provision of our products or services; or
 - where you are applying for an employment position with ETEL and it is relevant to the recruitment process through which you must progress following your application to ETEL (for example, background checks, including financial background checks, and criminal record information, information about your education and work history, qualifications and skills, and the opinions of others about your work performance); or
 - where you are applying for an employment position with ETEL, and it is relevant to ETEL's assessment of whether you are able to perform the inherent requirements of the particular role; and

In some circumstances ETEL may also hold other personal information provided by you.

3. How does ETEL collect personal information?

Generally, ETEL collects your personal information (including credit-related personal information) directly from you. For example, ETEL may collect your personal information through the completion of a manual or online form, such as ETEL's Credit Application form, an interaction or exchange in person or by way of telephone, facsimile, email, post or through the use of ETEL's website.

There may be occasions when ETEL collects your personal information (including credit-related personal information) from other sources such as from:

- an information services provider;
- a publicly maintained record or other publicly available sources of information including social media and similar websites;
- a credit reporting body or other credit providers to assist us in determining whether we will provide a credit account to you or to an entity you represent or for which you are a director or guarantor;
- if for recruitment purposes, an external recruitment or background screening services provider; and
- other sources such as you providing us with feedback or make a complaint.

Generally, ETEL will only collect your personal information from sources other than you if it is unreasonable or impracticable to collect your personal information from you or with your authorisation.

4. Why does ETEL need your personal information?

ETEL collects, holds, uses and discloses your personal information (including credit-related personal information) where it is reasonably necessary for the purposes of:

- identification purposes;
- providing and facilitating the provision of its products and services to you or an entity you represent;
- assessing a credit application for commercial credit or any other applications for an account;

- making decisions regarding whether to provide, or continue to provide, you or an entity you represent or for which you are a director or guarantor with credit;
- assessing whether to accept you as a guarantor of commercial credit;
- collecting or seeking to collect payments that are overdue in relation to credit provided to you or an entity of which you represent or are a director or guarantor;
- accounting, billing and other internal administrative purposes;
- assessing your application for employment with ETEL or otherwise for the purpose of engaging you as a contractor or consultant;
- directly related internal management purposes; and
- quality control investigations, systems management and improvement and training; and
- any other legal requirements.

ETEL may also use your personal information (including credit-related personal information) for purposes related to the above purposes and for which you would reasonably expect ETEL to do so in the circumstances, or where you have consented or the use is otherwise in accordance with law.

Where personal information (including credit-related personal information) is used or disclosed, ETEL takes steps reasonable in the circumstances to ensure it is relevant to the purpose for which it is to be used or disclosed. You are under no obligation to provide your personal information to ETEL. However, without certain information from you, ETEL may not be able to provide its products and/or services to you or an entity for which you represent or are a director or guarantor or may not be able to assess or approve any application that you, or the entity you represent or guarantee, make for a commercial account with ETEL or other credit from ETEL.

5. To whom does ETEL disclose your personal information?

ETEL discloses your personal information (including credit-related personal information) for the purpose for which ETEL collects it. That is, generally, ETEL will only disclose your personal information for a purpose set out at paragraph 4. This may include disclosing your personal information to:

- parent company ETEL Limited in New Zealand;
- debt collection and recovery service providers;
- guarantors or prospective guarantors of commercial credit with ETEL;
- third parties engaged to perform administrative or other business management functions, including payroll;
- people or entities considering acquiring an interest in ETEL's enterprise or assets;
- ETEL's professional advisors, business partners, contractors, suppliers, consultants and related bodies corporate;
- insurers and insurance providers; and
- regulatory bodies, government agencies and law enforcement bodies in any jurisdiction.

ETEL may also disclose your personal information (including your credit-related personal information) to lenders, credit providers and to various credit reporting bodies, such as Illion.

Illion can be contacted via its website at: <https://www.illion.com.au/contact-us/>

Illion's policy on its management of credit-related personal information can be accessed through its website at: <https://www.illion.com.au/illion-credit-reporting-policy-australia/>

ETEL's disclosures of your personal information (including credit-related personal information) to third parties are on a confidential basis or otherwise in accordance with law. ETEL may also disclose your personal information (including credit-related personal information) with your consent or if disclosure is required or authorised by law.

6. Overseas disclosure

ETEL may disclose personal information (including credit-related personal information) to overseas recipients in order to provide its services and/or products and for administrative or other business management purposes.

This includes the disclosure of personal information (including credit-related personal information) to ETEL's parent company in New Zealand and to other related bodies corporate.

Overseas recipients may have different privacy and data protection standards. However, before disclosing any personal information (including credit-related personal information) to an overseas recipient, ETEL takes steps reasonable in the circumstances to ensure the overseas recipient complies with the Australian Privacy Principles or is bound by a substantially similar privacy scheme unless you consent to the overseas disclosure or it is otherwise required or permitted by law.

If you have any queries or objections to such disclosures, please contact ETEL's Privacy Compliance Officer on the details set out in paragraph 11.

7. Direct marketing

ETEL is not likely to use or disclose your personal information (including credit-related personal information) in order to inform you of other products and services.

8. Security of your personal information

ETEL takes steps reasonable in the circumstances to ensure that the personal information (including credit-related personal information) it holds is protected from misuse, interference and loss and from unauthorised access, modification or disclosure. ETEL holds personal information (including credit-related personal information) in both hard copy and electronic forms in secure databases on secure premises, accessible only by authorised staff.

Credit eligibility information, such as information ETEL receives from Illion or other credit reporting bodies for the purpose of assessing credit worthiness, is stored through equally secure methods.

ETEL will destroy or de-identify personal information in circumstances where it is no longer required, unless ETEL is otherwise required or authorised by law to retain the information.

9. Can you access and correct the personal information that ETEL holds about you?

ETEL takes steps reasonable in the circumstances to ensure personal information (including credit-related personal information) it holds is accurate, up-to-date, complete, relevant and not misleading. You may access and seek correction of your personal information (including credit related personal information) that is collected and held by ETEL.

If at any time you would like to access or correct the personal information (including credit-related personal information) that ETEL holds about you, or you would like more information on ETEL's approach to privacy, please contact ETEL's Operations and Sales Manager on the details set out in paragraph 11 below.

ETEL will grant access to the extent required and take steps reasonable in the circumstances to correct personal information (including credit-related personal information) where necessary and appropriate.

Where necessary to resolve a request for correction of your credit-related personal information, ETEL may also consult with other relevant entities, including but not limited to any relevant credit reporting body. To obtain access to your personal information (including credit-related personal information):

- you will have to provide proof of identity to ensure that personal information is provided only to the correct individuals and that the privacy of others is protected;
- ETEL requests that you be reasonably specific about the information you require; and
- ETEL may charge you a reasonable administration fee, which reflects the cost to ETEL, for providing access in accordance with your request.

Alternatively, if you would like to access personal information held about you by Illion, please contact Illion on the contact details set out in paragraph 5 above.

ETEL will endeavour to respond to your request to access or correct your personal information within 30 days from your request. If ETEL refuses your request to access or correct your personal information, ETEL will provide you with written reasons for the refusal and details of complaint mechanisms available. ETEL will also take steps reasonable in the circumstance to provide you with access in a manner that meets your needs and the needs of ETEL.

10. Cookies

When accessing ETEL's website or the website of ETEL's parent entity, ETEL uses 'cookies' to store a log file which is retained for technical and statistical purposes only. The information collected is not personal information and, to the extent any personal information is collected, it is de-identified prior to being analysed for the technical and statistical purposes. Cookies are a feature of your Internet browser that you can disable at any time. However, if a browser does not accept cookies or if you reject a cookie, some portions of ETEL's online services may not function properly.

11. How to contact us

For further information or enquiries regarding your personal information (including credit-related personal information), please contact ETEL's Operations and Sales Manager (who deals with ETEL's privacy-related queries) at privacy@eteltransformers.com.au.

12. Privacy complaints

Please direct all privacy complaints to ETEL's Operations and Sales Manager. At all times, privacy complaints:

- will be treated seriously;
- will be dealt with promptly;
- will be dealt with in a confidential manner; and
- will not affect your existing obligations or affect the commercial arrangements between you and ETEL.

Specifically, if your complaint relates to credit-related personal information and/or ETEL's failure to comply with its obligations regarding credit-related personal information under the Privacy Act and/or the Credit Reporting Code:

- ETEL will acknowledge your complaint within 7 days of receipt, in writing, and endeavour to resolve it within 30 days, unless ETEL informs you otherwise and seeks your agreement in writing;
- ETEL may consult with relevant third parties, such as a credit reporting body or other credit provider, in order to sufficiently and expeditiously resolve the complaint; and
- if your complaint relates to ETEL's refusal to provide access to, or correct, your credit related personal information, you may complain directly to the Office of the Australian Information Commissioner.