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## 20 PRIVACY POLICY

The Privacy Act (Cth) 1998 ("Privacy Act") and the Australian Privacy Principles ("APP") are intended to establish a comprehensive national scheme for the collection, holding, use, correction, disclosure and transfer of personal information by organisations in the private sector. This gives individuals the right to know what information an organisation holds about them and a right to correct that information if it is wrong.

This policy is to ensure Comcater Pty Ltd complies with the Privacy Act and the APP.

### 20.1 RESPONSIBILITY AND AUTHORITY

#### All Managers and Staff

1. Ensure compliance with the policy

#### Privacy Compliance Officer

1. Receives complaints from an individual regarding an alleged breach of privacy by Comcater Pty Ltd.
2. Investigates and resolves the complaint internally through mediation with the individual.
3. Comcater Pty Ltd's Privacy Compliance Officer is Comcater's CFO.

### 20.2 COLLECTION OF INFORMATION

For the purpose of this Privacy Policy, "Personal Information" is information or an opinion about a person, whether true or not, which identifies that person or from which that person's identity can reasonably be ascertained. Personal information will only be collected to the extent necessary by lawful and fair means and not in an unreasonably intrusive way for one or more of Comcater Pty Ltd's functions or activities. All Personal Information that is collected will be stored on our electronic server, internal computers and in hard copy files.

The type of Personal Information collected by us may differ depending on whether we are dealing with a client, supplier, employee or independent contractor. The type of Personal Information we may collect includes (but is not limited to) name, date of birth, address, mobile and telephone numbers, facsimile number and email address. If applicable, we may also require details of a customer's ABN and/or ACN, financial information including bank account and credit card details, profit and loss statements, balance sheets, a person's employer details and their occupation.

Where practical, we collect Personal Information directly from the parties involved. There may be circumstances in which we collect Personal Information about a person from publically available sources and from third parties, including from financial institutions and credit reporting agencies when a person applies for credit.

We will collect Personal Information in a number of ways including:

- When a person provides us with this information by telephone or by completing an on-line enquiry through our websites, application forms, customer service satisfaction surveys, contracts or any other document provided by you to us;
- from third parties such as credit reporting agencies, insurance companies or a person's personal representative;
- from publicly available sources of information; and
- from our own records.

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Through our websites we can obtain Personal Information a person sends such information in an email or when completing an on-line enquiry. When a person looks at our websites, we may make a record of that visit. The following information may be logged for statistical purposes:

- the internet protocol address;
- the date and time of a visit to our site;
- the pages that a person has accessed or downloaded; and
- the type of browser was being used.

Tracking technologies such as cookies may be used on our website to recognise a user's browser each time that user visits our websites. Cookies are pieces of information that a website transfers to a computer's hard disk for record keeping purposes. Most web browsers are set to accept tracking technologies such as cookies. These tracking technologies do not purposefully identify the user. If a person does not wish receive any cookies you may set your browser to refuse them. However, your use of our websites may be affected.

Please note that our website does not provide systems for secure transmission of Personal Information across the Internet except where otherwise indicated. Visitors to our website should be aware that there are inherent risks in transferring Personal Information over the Internet and that we accept no responsibility for Personal Information provided in unsecured websites.

### 20.3 USE OF INFORMATION

We collect and use Personal Information for purposes that relate to:

- providing customers with our products and services;
- managing and administering the provision of our products and services;
- providing quality assurance for our products and services;
- responding to enquiries and feedback regarding our business, our products and our services;
- monitoring performance of our business and our employees and subcontractors;
- marketing, promotional and educational activities;
- enforcing the terms and conditions of engagement with customers; and
- the management of our database.

We will not use or disclose a person's Personal Information for any other purpose unless that person has consented to that use or disclosure.

Personal Information may be shared between Comcater Pty Ltd and its related entities. If a person does not wish to receive marketing information they can opt out by contacting our Privacy Officer.

Normally we will not disclose Personal Information to third parties unless:

- a Person has previously consented or agreed to such disclosure;
- it is necessary to provide a person with the goods and services requested and such disclosure is made on a confidential basis;
- it is required by law or required for co-operation with any government authority; and
- it is necessary for any of the purposes mentioned above.

We will not sell, rent or trade a person's Personal Information without their prior consent where that consent is required by law. However, by trading and communicating with us, a person consents to our use and disclosure of their Personal Information incidental to a sale of our business to a third party or where we outsource duties including database management to an external service provider for the purpose of rendering the required services.

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We, and our agents, will only use and disclose Personal Information in accordance with our purposes listed above and as permitted by the APP's and the Privacy Act.

#### 20.4 CONSENT

A person consents to their Personal Information being used in accordance with this Privacy Policy by requesting our services or those of our sub-contractors by making enquiries via telephone or by visiting our websites or participating in an on-line enquiry. We will endeavour not to use or disclose Personal Information in a way which is unreasonable contrary to your expectations. If a person would prefer that we not use their Personal Information in any way set out in this Privacy Policy please contact us. However, users should be aware that if they do not consent to certain uses and disclosures of their Personal Information, we may not be able to provide our products and services to them.

#### 20.5 DATA QUALITY

We rely upon the accuracy of Personal Information to provide our products and services. To assist us with this, a person should contact us immediately if any of their Personal Information ceases to be current.

Similarly, if for any reason a person believes that the information we have about them is not accurate and complete, they can contact us and we will make the appropriate correction. If we believe that the information we have about a person is inaccurate, out-of-date, incomplete, irrelevant or misleading, we will make the appropriate correction. If the Personal Information that we have previously disclosed to another APP Entity is corrected on our records, at that person's request we will notify that other APP Entity of the correction.

We will endeavour to respond to these requests within a reasonable period after the request is made and may, if permitted by law, refuse to change our records. If this occurs, we will provide reasons why this has occurred.

#### 20.6 ACCESS TO PERSONAL INFORMATION

A person may access the Personal Information that we hold about them upon request and on reasonable notice. However there are some circumstances in which we may refuse to provide access or only provide partial access to this information. If the request for access is not granted, we will explain our reasons to you. A nominal fee may apply to enable us to recover the reasonable costs of making such information available to a person.

#### 20.7 DATA SECURITY

Comcater Pty Ltd will take reasonable steps to protect personal information it holds from misuse and loss and from unauthorised access, modification or disclosure.

The Privacy Amendment (Notifiable Data Breaches) Act 2017 (NDB Act) established a Notifiable Data Breaches (NDB) scheme requiring organisations covered by the Act to notify any individuals likely to be at risk of serious harm by a data breach. The Office of the Australian Information Commissioner (OAIC) must also be notified.

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Accordingly, Comcater has in place a Data Breach Response Plan to act quickly in the event of a data breach (or suspected breach) to limit potential harm to person(s) affected.

## 20.8 ANONYMITY

Whenever it is lawful and practicable, individuals will have the option of not identifying themselves when entering into transactions with Comcater Pty Ltd.

## 20.9 TRANSBORDER DATA FLOWS

As the internet is a global environment, using the internet to collect and process Personal Information necessarily involves the transmission of that information worldwide.

Comcater Pty Ltd will not otherwise transfer personal data outside Australia unless:

1. Comcater Pty Ltd reasonably believes that the recipient of the information is subject to a law, binding scheme or contract which effectively upholds principles for fair information handling that are substantially similar to the APPs; or
2. the individual concerned consents to the transfer; or
3. the transfer is necessary for the performance of a contract between the individual concerned and Comcater Pty Ltd, or for the implementation of pre-contractual measures taken in response to the individual's request; or
4. the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the individual concerned between Comcater Pty Ltd and a third party; or
5. the transfer is for the benefit of the individual concerned; and
6. it is not practicable to obtain the consent of the individual to that transfer; and
7. if it were practicable to obtain such consent, the individual would be likely to give it; or
8. Comcater Pty Ltd has taken reasonable steps to ensure that the information which it has transferred will not be held, used or disclosed by the recipient of the information inconsistently with these rules.

## 20.10 PROCEDURE FOR MAKING A COMPLAINT

A person may make a complaint if they feel their personal information has been handled inappropriately in breach of Comcater Pty Ltd's privacy obligations under the Privacy Act.

In the first instance, complaints should be directed to Comcater Pty Ltd's Privacy Officer in writing as follows:

Comcater Pty Ltd  
156 Swann Drive  
Derrimut VIC 3026  
Attention: Privacy Officer  
Email: [Information\\_Technology@comcater.com.au](mailto:Information_Technology@comcater.com.au)

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Comcater Pty Ltd will investigate the complaint and prepare a response to the complainant in writing within a reasonable period of time.

Comcater Pty Ltd may amend and vary this policy from time to time.