



**POLICY TITLE: Privacy Policy**  
**PROCEDURE NUMBER: AT-QP-203**

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1	14/05/2014	Additions to policy	SW	AB

## Contents

1. Scope.....	3
2. Purpose.....	3
3. What Personal Information do we collect?.....	4
4. When and why we collect Personal Information.....	4
5. Information collected via our website.....	5
6. How is your Personal Information used.....	6
7. To whom we disclose your Personal Information.....	7
8. Cross-border disclosure of Personal Information.....	7
9. Marketing.....	8
10. Accessing and updating your Personal Information.....	8
11. Storage and security of Personal Information held by us.....	8
12. What to do if you have a question, problem or complaint about our use of your Personal Information or this Privacy Policy.....	8
13. Sensitive Information.....	9
14. Links to other websites.....	9

## 1. Scope

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ATCO Structures & Logistics Pty Ltd. (ABN 71 083 902 309) and its related entities (referred to as **ATCO**, **we**, **us** or **our**), has implemented this Privacy Policy to provide users of our website and our other services with information about how we collect, hold and use Personal Information you provide to us. If you wish to make any inquiries regarding this Privacy Policy, you should contact the relevant Privacy Officer noted in the table below.

## 2. Purpose

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ATCO abides by the National Privacy Principles ("NPPs") or, as of 12 March 2014, the Australian Privacy Principles ("APPs") under the *Privacy Act 1988* (Cth). This Privacy Policy outlines how we collect, use, disclose and manage the personal information of our clients, suppliers and other third parties. You can obtain information about the NPPs, the APPs and your privacy rights at the website of the Office of the Australian Information Commissioner at [www.oaic.gov.au/privacy-portal/](http://www.oaic.gov.au/privacy-portal/).

**ATCO** - is related to other entities (related entities) as noted in the table below and this Privacy Policy applies if your personal information is dealt with by those related entities. A reference in this Privacy Policy to **ATCO**, **we**, **us** or **our** also refers to our related entities.

COMPANY	PRIVACY OFFICER CONTACT DETAILS	PRIVACY POLICY WEB ADDRESS
ATCO Structures & Logistics Pty Ltd. Australia	<u>ATCO Structures &amp; Logistics Pty Ltd</u> Human Resources Manager 149-151 Magnesium Drive CRESTMED QLD 4132	<a href="http://www.atcosl.com/en-ca/AU/Documents/Privacy.pdf">www.atcosl.com/en-ca/AU/Documents/Privacy.pdf</a>
ATCO Australia, ATCO Australia Services, ATCO Technologies Australia (ATCO I-Tek Australia) ATCO Power Australia	<u>ATCO Australia Privacy Officer</u> Level 12, 2 Mill Street PERTH WA 6000 Phone: +61 8 9320 0200 Fax: +61 8 9320 0208	<a href="http://www.atcoaustralia.com.au/privacy">www.atcoaustralia.com.au/privacy</a>
ATCO Gas Australia Pty Ltd	<u>ATCO Gas Australia Privacy Officer</u> 81 Prinsep Road JANDAKOT WA 6164 Phone: +61 8 9499 5200 Fax: +61 8 9499 5266	<a href="http://www.atcogas.com.au/privacy.aspx">www.atcogas.com.au/privacy.aspx</a>

We may, from time to time, review and update this Privacy Policy, including to take into account new laws, regulations and technology. All Personal Information held by us will be governed by our most recent Privacy Policy, posted on the websites as noted in the above table.

### 3. What Personal Information do we collect?

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3.1. "Personal Information" is information or an opinion, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained. Personal Information collected may include (but is not limited to) the following:

- (a) name, postal, residential address and/or service address
- (b) email address;
- (c) Australian Business Number;
- (d) date of birth;
- (e) contact details including telephone numbers (landline and mobile);
- (f) gender;
- (g) occupation and employment details;
- (h) payment details;
- (i) any feedback that you give us; and
- (j) information that we collect for marketing purposes, such as your areas of interest and other information you provide to us.
- (k) credit and financial information, including assets, income and superannuation details;
- (l) bank account and credit information details;
- (m) tax file number;
- (n) product and service-related information concerning the products and services that we provide to, or receive from, you, [including with respect to the service, maintenance and repair of such products];
- (o) business relationship information, including information related to your agreements, preferences, advisors and decision-makers; and
- (p) customer relationship information such as customer service requests and feed-back and information requested or provided by or from you.

3.2 We may also collect sensitive information about you including information about your health.

3.3 Where relevant we may ask you for other information, for example, qualifications and employment history if you are applying for employment with us.

### 4. When and why we collect Personal Information

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4.1 We collect your Personal Information to allow us to conduct our business functions and to market and sell our products and services.

4.2 We may collect your Personal Information when you:

- (a) provide the information to us;

- (b) visit our website (see paragraph 4.4);
- (c) buy or use our products or services;
- (d) request information about us, our products or our services;
- (e) provide feedback;
- (f) fill in a form on our website; or
- (g) where we are required or authorised by law to do so.

We may also collect Personal Information about you via third parties (i.e. other organisations). However we will only collect your Personal Information in this way if it is unreasonable or impractical to collect this information directly from you or if we are otherwise permitted to do so.

4.3. Where permitted or required by law, we may collect personal information about you without your consent.

4.4. We hold personal information in hard copy and electronic files.

## 5. Information collected via our website

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5.1 We will not collect any Personal Information about users of our website except when they knowingly provide it (for example, when you fill out an online form) or as otherwise described below.

### *Click Stream Data*

5.2 When you visit and browse our website, our website host may collect information for statistical, reporting and maintenance purposes.

5.3 Subject to paragraph 7.2, the information collected by our website host is used to administer and improve the performance of our website and will not be used to identify you. The information may include:

- (a) the number of users visiting our website and the number of pages viewed;
- (b) the date, time and duration of a visit;
- (c) the IP address of your computer; and
- (d) the path taken through our website.

### *Cookies*

5.4 Cookies are small text files that are transferred to a user's computer hard drive by a website for the purpose of storing information about a user's identity, browser type or website visiting patterns. Cookies may be used on our website to monitor web traffic, for example the time of visit, pages visited and some system information about the type of computer being used. We use this information to enhance the content and services offered on our website.

5.5 Cookies are sometimes also used to collect information about what pages you visit and the type of software you are using. If you access our website or click-through an email we send you, a cookie may be downloaded onto your computer's hard drive.

5.6 Cookies may also be used for other purposes on our website but in each case none of the information collected can be used to personally identify you.

5.7 You can configure your browser to accept all cookies, reject all cookies, or notify you when a cookie is sent. Each browser is different, so check the "Help" menu of your browser to learn how to change your cookie preferences.

- 5.8 If you disable the use of cookies on your web browser or remove or reject specific cookies from our website or linked sites then you may not be able to gain access to all of the content and facilities in those websites.

## 6. How is your Personal Information used?

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- 6.1 We use the Personal Information we collect about you for our business functions and activities, which may include the following:
- (a) to communicate with you and provide you with information, products or services you have requested;
  - (b) assist customers by providing them with information and support;
  - (c) personalise and customise your experiences with our website;
  - (d) to manage and administer any account you may hold with us;
  - (e) to promote and market our products and services to you or provide you with information that we believe may be of interest to you;
  - (f) to personalise and customise your experiences on our website;
  - (g) to help us research the needs of our customers and to market our products and services with a better understanding of your needs and the needs of customers generally;
  - (h) to conduct research for the purposes of improving existing products or services or creating new products or services;
  - (i) to process any job application submitted by you;
  - (j) to allow us to provide advertising material to you regarding us, our clients, and other business partners;
  - (k) share your Personal Information with our related entities, business partners and selected third parties;
  - (l) to respond to any queries or complaints you may have;
  - (m) to respond to any reports or communications you make to us;
  - (n) to protect us against error, fraud, theft and damage to our goods and property;
  - (o) to enable us to undertake our environmental, health and safety activities including incident planning, response and investigation; and
  - (p) to enable us to comply with applicable laws or regulatory requirements (for example we may collect personal information to satisfy the obligations imposed on us by various regulatory bodies or agencies to follow procedures mandated by such bodies or agencies in respect of our business and the provision of our products and services).
- 6.2 You consent to us using your Personal Information in the above ways.
- 6.3 We may collect and use your Personal Information for other purposes not listed above. If we do so, we will make it known to you at the time we collect or use your Personal Information.
- 6.4 We do not otherwise disclose your Personal Information without your permission, unless the disclosure is:
- (a) in accordance with this Privacy Policy or any agreement you enter into with us;
  - (b) required or authorised by law, including without limitation the Australian Privacy Principles under the *Privacy Act 1988 (Cth)*; or
  - (c) made with your consent.
- 6.5 If you choose not to provide your Personal Information to us for the purposes set out in this Privacy Policy, we may not be able to undertake certain activities for you such as providing you with requested information, products or services.

## **7. To whom we disclose your Personal Information**

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- 7.1 Depending on the nature of your engagement with us, we may disclose your Personal Information to our related entities, to third parties that provide products and services to us or through us, or to other third parties including:
- (a) Australian Securities and Investment Commission (ASIC);
  - (b) WorkCover;
  - (c) the Economic Regulation Authority of Western Australia (ERA);
  - (d) EnergySafety; or
  - (e) relevant external ombudsman, complaints handling or dispute resolution scheme operators).
  - (f) internally to our staff;
  - (g) to any person where necessary or desirable in connection with the provision of our products or services;
  - (h) to our professional advisers such as auditors, accountants and lawyers, insurance companies, property managers, consistent with normal business practices;
  - (i) to credit providers, guarantors or possible guarantors;
  - (j) to third parties we may engage from time to time to assist us in the promotion of our products and services, and who may receive limited personal information for that purpose;
  - (k) to external service providers (on a confidential basis) so they can provide services related to our business to us, for example mailing services and IT services;
  - (l) to a third party in the case of a sale, transfer or assignment of the whole, or part of the business or undertaking of ATCO or any ATCO Group member or the whole or part of the assets of ATCO or any ATCO Group member;
  - (m) where required or authorised by law; and
  - (n) where you consent to the disclosure.
- 7.2 We may also disclose your Personal Information to our website host or software application providers in certain limited circumstances, for example when our website experiences a technical problem or to ensure that it operates in an effective and secure manner.
- 7.3 Unless otherwise specified in this Privacy Policy, we or our website host will not disclose any of your Personal Information to any other organisation unless the disclosure is made with your consent, required by law, or is otherwise permitted by law (including the Australian Privacy Principles).

## **8. Cross-border disclosure of Personal Information**

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- 8.1 Some of the ATCO Group members, our third party contractors and service providers may perform certain services overseas. As a result, your personal information may be transferred or disclosed to a recipient in a foreign country, including in Canada. For examples, we may use a server hosted overseas to store data including your personal information or to send emails to you. We must take reasonable steps, in the circumstances, before personal information is disclosed to an overseas recipient to ensure that the overseas recipient does not breach privacy laws in relation to that information ("the Obligation").
- 8.2 The Obligation does not apply if you consent to the disclosure of your personal information to an overseas recipient.

- 8.3 By supplying personal information to us, you consent to the transfer and disclosure of your personal information to an overseas recipient, and agree that the Obligation does not apply.

## **9. Marketing**

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- 9.1 You consent to us using your Personal Information for sending you information, including promotional material, about us or our products and services, as well as the products and services of our related entities and third parties, now and in the future. You also consent to us sending you such information by means of direct mail, email, SMS and MMS messages. You can contact us using the contact details specified in paragraph 12 if you do not want to receive marketing information from us.

## **10. Accessing and updating your Personal Information**

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- 10.1 You are entitled to access Personal Information that we hold about you. If you request access to your Personal Information, in ordinary circumstances we will give you full access to your Personal Information. However, there may be some legal or administrative reasons to deny access. If we refuse your request to access your Personal Information, we will provide you with reasons for the refusal.
- 10.2 A request for access can be made by contacting our Privacy Officer using the contact details provided on page 1 of this Privacy Policy.
- 10.3 We take all reasonable steps to ensure that any Personal Information we collect and use is accurate, complete and up-to-date. To assist us in this, you need to provide true, accurate, current and complete information about yourself as requested, and properly update the information provided to us to keep it true, accurate, current and complete. Please contact us in any of the ways specified in paragraph 12 if you believe that the Personal Information is inaccurate or incomplete, and we will use all reasonable efforts to correct the information.

## **11. Storage and security of Personal Information held by us**

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- 11.1 We aim to keep your Personal Information secure. Any Personal Information that is collected via our website or which is held on our computer systems is protected by safeguards including physical, technical (firewalls, SSL encryption etc.) and procedural methods.
- 11.2 We do not collect sensitive or financial information about our users via our website.
- 11.3 If we find that we have no further need for your Personal Information we may remove it from our systems and destroy all record of it.

## **12. What to do if you have a question, problem or complaint about our use of your Personal Information or this Privacy Policy**

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- 12.1 If you feel that your privacy has not been respected or that we have conducted ourselves inconsistently with this Privacy Policy, or for any other queries in relation to this Privacy Policy, please contact the relevant Privacy Officer noted in the table on page 1.
- 12.2 We will investigate your queries and complaints within a reasonable period of time (usually within 30 days) and will notify you of the outcome of our investigation.



- 12.3 If you are not satisfied with our response you may request that your query or complaint is referred to be dealt with under our internal complaints handling procedures.
- 12.4 In the event that the matter cannot be resolved, you may also address your query or complaint to the Office of the Australian Information Commissioner:
- (a) by phone: 1300 363 992
  - (b) by email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)
  - (c) in writing: GPO Box 2999, Canberra, ACT 2601 or GPO Box 5218, Sydney, NSW 2001

### **13. Sensitive information**

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- 13.1 Some personal information that ATCO collects may be “sensitive information”. Sensitive information includes: information relating to a person’s racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, trade union or other professional or trade association membership, sexual preferences and criminal record that is also personal information; health information and genetic information about an individual.
- 13.2 Sensitive information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless you agree otherwise, or whether other limited circumstances apply (e.g. where required by law).

### **14. Links to other websites**

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- 14.1 Sometimes the ATCO website may contain a link to third party websites. We are not responsible for the content or material contained in, or obtained through, any third party website or for the privacy practices of the third party website. We suggest that you review the privacy policy of each website that you visit.