

## 1. Policy Statement

TagEnergy Australia (and its Related Entities and Related Bodies Corporate, as defined under the *Corporations Act 2001* (Cth)) (**TEA**) is committed to protecting the privacy of personal information obtained through its operations as a developer, constructor and operator of renewable power generation and storage facilities. AS an organisation with greater than \$3m annual turnover, TEA is bound by the *Privacy Act 1988* (Cth) (**Privacy Act**), including the Australian Privacy Principles (**APPs**), and any relevant privacy code registered under the Privacy Act.

The purpose of this policy is to generally inform TEA's stakeholders of:

- how and when we collect personal information and personal data;
- how we use and disclose personal information and personal data;
- how we keep personal information and personal data secure, accurate and up-to-date;
- how an individual can access and correct their personal information and data; and
- how we will facilitate or resolve a privacy complaint.

## 2. Policy Context

The 13 Australian Privacy Principles (APP) apply to personal information, that is, information or an opinion (whether true or not) relating to an identified individual or which can be used to reasonably identify that individual.

The Privacy Act and APPs can be found at <https://www.oaic.gov.au/privacy/the-privacy-act>

The APPs are summarised here:

**APP 1 — Open and transparent management of personal information** Ensures that APP entities manage personal information in an open and transparent way. This includes having a clearly expressed and up to date APP privacy policy.

**APP 2 — Anonymity and pseudonymity** Requires APP entities to give individuals the option of not identifying themselves, or of using a pseudonym. Limited exceptions apply.

**APP 3 — Collection of solicited personal information** Outlines when an APP entity can collect personal information that is solicited. It applies higher standards to the collection of 'sensitive' information.

**APP 4 — Dealing with unsolicited personal information** Outlines how APP entities must deal with unsolicited personal information.

**APP 5 — Notification of the collection of personal information** Outlines when and in what circumstances an APP entity that collects personal information must notify an individual of certain matters.

**APP 6 — Use or disclosure of personal information** Outlines the circumstances in which an APP entity may use or disclose personal information that it holds.

**APP 7 — Direct marketing** An organisation may only use or disclose personal information for direct marketing purposes if certain conditions are met.

**APP 8 — Cross-border disclosure of personal information** Outlines the steps an APP entity must take to protect personal information before it is disclosed overseas.

**APP 9 — Adoption, use or disclosure of government related identifiers** Outlines the limited circumstances when an organisation may adopt a government related identifier of an individual as its own identifier, or use or disclose a government related identifier of an individual.

**APP 10 — Quality of personal information** An APP entity must take reasonable steps to ensure the personal information it collects is accurate, up to date and complete. An entity must also take reasonable steps to ensure the personal information it uses or discloses is accurate, up to date, complete and relevant, having regard to the purpose of the use or disclosure.

**APP 11 — Security of personal information** An APP entity must take reasonable steps to protect personal information it holds from misuse, interference and loss, and from unauthorised access, modification or disclosure. An entity has obligations to destroy or de-identify personal information in certain circumstances.

**APP 12 — Access to personal information** Outlines an APP entity's obligations when an individual requests to be given access to personal information held about them by the entity. This includes a requirement to provide access unless a specific exception applies.

**APP 13 — Correction of personal information** Outlines an APP entity's obligations in relation to correcting the personal information it holds about individuals.

### **3. The purposes for collecting your personal information**

TEA collects personal information for the following purposes:

1. recruitment of new employees;
2. human resources administration;
3. 'Know Your Customer' ('KyC') requirements for borrowing of capital from lenders;
4. corporate directorships disclosure requirements;
5. contact details of advisors, suppliers, customers, business associates and other counterparties ('Business Contacts');
6. facilitating our internal business processes;
7. complying with our legal obligations and dealing with enquiries and complaints;
8. in certain circumstances, the law may permit or require us to use or disclose personal information for other purposes.

### **4. The kinds of personal information we collect and hold**

TEA also collects personal information that is reasonably necessary for, or directly related to those purposes.

The specific types of personal information TEA may collect and hold includes the following:

- name; title;
- company name;
- residency; date of birth;
- nationality, country of residence;
- job title and employer;
- Tax File Number;
- Employee record information;
- CV, resume or application-related behaviour;
- contact details such as address, email address, phone number(s);
- superannuation account details;
- bank account and credit or debit card details;
- education, qualifications, memberships and other accreditations; and
- online interactions with our website, publications, alerts and social media activity;

TEA does not collect any personal information other than information reasonably necessary for, or directly relating to, the usual course of business of TEA.

## 5. How we collect personal information

TEA only collects information by lawful and fair means, without the use of deceptive, intrusive or intimidating methods.

As much as possible TEA only collects personal information that has been directly provided to us voluntarily by our employees, potential employees, public inquires via our webpages, Business Contacts or is otherwise available in the public domain.

Information may have been provided verbally or in writing (including by email).

TEA may from time to time collect personal information from alternative sources. Some examples of these alternative collection events are:

- when we collect personal information about you from third parties;
- personal information collected from your business card;
- when we collected personal information about you from a referee provided by you on an application made with us;
- when we collect personal information about you when you register to attend or attend an event; or
- when we collect personal information about you from publicly available sources including but not limited to, court judgments, directorship and bankruptcy searches, Australia Post, White Pages directory, and social media platforms (such as LinkedIn, Facebook, Twitter, Google, Instagram etc.).

If TEA collect details about you from someone else, we will whenever reasonably possible, make you aware that we have done this and why, unless special circumstances apply, including as described in this clause below. In general, we will not tell you when we collect personal information about you in the following circumstances:

- where information is collected from any personal referee you have listed on any application form (including any employment application) with TEA;
- where information is collected for publicly available sources including but not limited to, *Freedom of Information Act 1982* (Cth), searches, court judgements, directorship and bankruptcy searches, social media platforms (such as Facebook, Twitter, Google, Instagram etc.); or
- as otherwise required or authorised by law.

### ***Unsolicited information***

In the event TEA collects personal information from you, or a third party, in circumstances where we have not requested or solicited that information (known as unsolicited information), and it is determined by TEA (in its absolute discretion) that the personal information is not required, we will destroy the information or ensure that the information is de-identified.

In the event that the unsolicited personal information collected is in relation to potential future employment with TEA, such as your CV, resume or candidacy related information, and it is determined by TEA (in its absolute discretion) that it may consider you for potential future employment, TEA may keep the personal information on its human resource records.

## 6. How we use your personal information

### ***Sensitive information***

Our policy is that we **do not** request, collect, record or in anyway note sensitive information.

Sensitive information is a subset of personal information. It means information or opinion about an individual's racial or ethnic origin, political opinions, membership of a political organisation, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, criminal record, health information about an individual, genetic information, biometric information that is to be used for the purpose of automated biometric verification or biometric identification or biometric templates.

## 7. Disclosure of Personal Information

TEA will ordinarily make the following disclosures of your personal information where it is necessary to support the usual business of TEA:

- third party service providers utilised in connection with any administrative matters;
- service providers (including IT service providers and consultants) who assist TEA;
- related entities and related bodies corporate of TEA;
- third parties in connection with the sale of any part of TEA's business;
- our contractors and agents;
- superannuation details to a fund administrator;
- Tax File Number Declaration to the Australian Taxation Office;
- where TEA is required by law to provide personal information so that TEA complies with court orders, subpoenas or other legislation that requires us to provide personal information (for example, a garnishee order).
- your superannuation company; and
- the Australian Taxation Office.

We may also use or disclose your personal information and in doing so we are not required to seek your additional consent:

- if we reasonably believe that the use or disclosure is necessary to lessen or prevent a serious or imminent threat to an individual's life, health or safety or to lessen or prevent a threat to public health or safety;
- if we have reason to suspect that unlawful activity has been, or is being, engaged in; or
- if it is required or authorised by law.

Should it be necessary for TEA to forward personal information to third parties, we will make every effort to ensure that the confidentiality of the information is protected.

In the event we propose to disclose such personal information other than for the reasons set out in this policy, we will first notify you or seek your consent prior to such disclosure.

If you have received communications from us and you no longer wish to receive those sorts of communications, you should contact us via the details set out in this document and we will ensure the relevant communications cease.

### ***Overseas disclosures***

The nature of our international business may on occasion require that personal information be disclosed to overseas recipients in order to conduct the usual business of TEA.

This disclosure is principally to employees of TEA's parent company TagEnergy SA located in Portugal, however may include employees located in outer countries from time to time.

We may :

1. Disclose your personal information or conduct interviews or meetings with employees of Related Parties of TEA located outside Australia for the purposes of evaluation of potential employment or business engagements, and
2. Use overseas IT services (including software, platforms and infrastructure), such as data storage facilities or other IT infrastructure. In such cases, we may own or control such overseas infrastructure or we may have entered into contractual arrangements with third party service providers to assist TEA.

By submitting your personal information to TEA, you expressly agree and consent to the disclosure, transfer, storing or processing of your personal information outside of Australia as described above. In providing this consent, you understand and acknowledge that countries outside Australia do not always have the same privacy protection obligations as Australia in relation to personal information.

The *Privacy Act 1988* requires us to take such steps as are reasonable in the circumstances to ensure that any recipients of your personal information outside of Australia do not breach the privacy principles contained within the *Privacy Act 1988*. By providing your consent, under the *Privacy Act 1988*, TEA is not required to take such steps as may be reasonable in the circumstances. However, despite this, we acknowledge the importance of protecting personal information and have taken reasonable steps to ensure that your information is used by third parties securely and in accordance with the terms of this Privacy Policy.

If you do not agree to the disclosure of your personal information outside Australia by TEA, you should (after being informed of the cross border disclosure) tell TEA that you do not consent. To do this, either elect not to submit the personal information to TEA after being reasonably informed in a collection notification, or please contact us via the details set out in this document.

## 8. Direct Marketing Communications

You give your express and informed consent to us using your personal information set out in Section 3 where that information relates to the provision of services to you or marketing activities to provide you with information and to tell you about our products, services or events or any other direct marketing activity (including third party products, services, and events) which we consider may be of interest to you, whether by post, email, SMS, messaging applications and telephone (**Direct Marketing Communications**).

If you have provided, inferred or implied consent (e.g. not opting out where an opt-out opportunity has been provided to you) or if it is within your reasonable expectation that we send you Direct Marketing Communications given the transaction or communication you have had with us, then we may also use your personal information for the purpose of sending you Direct Marketing Communications which we consider may be of interest to you.

If at any time you do not wish to receive any further Direct Communication, you may ask us not to send those to you or disclose your information to other organisations for that purpose by using the "unsubscribe" facility in the Direct Marketing Communications.

## 9. How we store your personal information

Once we collect your personal information, we will either hold it securely and store it on infrastructure owned or controlled by us or with a third party service provider who have taken reasonable steps to ensure they comply with the Privacy Act.

TEA will take all reasonable steps to protect against the loss, misuse and/or alteration of the information under its control, and that the information it holds is accurate, complete and up to date including through appropriate physical and electronic security strategies.

Only authorised TEA personnel are provided access to personal information, and these employees are required to treat this information as confidential. We may need to maintain records for a significant period of time. However, when we consider information is no longer needed, we will destroy or permanently de-identify these records.

Our policy is that all electronic records are only stored within Australia whenever this is commercially feasible. However, on occasion, a limited number of specialist software applications may involve the storage of personal data at an overseas location where a suitable alternative is not available.

TEA will only store data with an external provider if a technical assessment of a service provider's security protocols is considered to meet or exceed the level of security that TEA could apply if the electronic data were to be stored in TEA's own in-house systems and where we are satisfied that TEA is able to meet its commitments under Australian Privacy Legislation.

## **10. Accuracy of personal information**

TEA will take all reasonable steps to make sure that any personal information collected, used or disclosed is accurate, complete and up to date. As the accuracy of personal information largely depends on the information that you provide to us, we request that you advise us of any errors in or updates require to your personal information. If you believe that the information we hold about you is inaccurate or out of date, they may contact our Privacy Officer and we will update the relevant information accordingly.

## **11. Access to personal information**

Under the Australian Privacy Principles, you have the right to request access to any personal information that we may hold about you and to advise us if the information should be corrected. The Australian Privacy Principles set out the circumstances when we can refuse those requests. If we do refuse your request, we will provide you with a written notice that sets out the reasons (unless it would be unreasonable to provide them to you).

Subject to our right to refuse access, TEA will provide you with a report that lists any personal information that we may hold about you.

Our policy is to provide written acknowledgement of our receipt of any request for access to personal information or a request for correction of personal information within 7 days of the request being received. We will then provide a written response within 30 days of our receipt of the request.

If you would prefer to submit a privacy request using a pseudonym or otherwise keep your identity secret, TEA will do its best to support that request if it is feasible to do so under the circumstances.

## **12. Complaints**

We have put in place an effective mechanism and procedure to resolve privacy complaints and enquiries.

We will ensure that all complaints and enquiries are dealt with in a reasonably appropriate timeframe so that any decision (if any decision is required to be made) is made expeditiously and in a manner that does not compromise the integrity or quality of any such decision (in respect of a complaint).

If you wish to make an enquiry about anything related to TEA, including your personal information at TEA, or make a complaint because you believe that we may have breached the

Australian Privacy Principles or a privacy code that applies to us, please email our nominated Privacy Officer at [privacy@tag-en.com](mailto:privacy@tag-en.com) or telephone 0409 008 805. You may also write to us at Level 5, 20 Bond St Sydney 2000.

You may choose to make any such complaints anonymously or via a pseudonym, including using the functionality of our website complaints area that allows this to occur.

In order to resolve a complaint, to the extent you have chosen to be identified and we are not prohibited by law from doing so, we :

- will liaise with you to identify and define the nature and cause of the complaint;
- may request that you provide the details of the complaint in writing;
- will keep you informed of the time within which we will respond to your complaint; and
- will inform you of the legislative basis (if any) of our decision in resolving such complaint.

We will respond to each request within a reasonable time. We will also maintain a record of your complaint in a Register of Complaints.

If a party has lodged a complaint with TEA and is not satisfied with our response, they may contact the Office of the Australian Information Commissioner.

## 14. Consent, modifications and updates

This policy is a compliance document prescribed by law rather than a legal contract between two or more persons. However, certain contracts may incorporate all, or part, of this policy into the terms of that contract. In such instances, TEA may incorporate the terms of this policy such that:

- certain sections or paragraphs in this policy are incorporated into that contract, but in such a way that they do not give rise to contractual obligations onto TEA, but do create contractual obligations on the other party to the contract; and
- the consents provided in this policy become contractual terms provided by the other party to the contract.

By using our website, engaging us, where you have been provided with a copy of our policy or had a copy of our policy reasonably available to you, you acknowledge and agree that you:

- give the consents given by you in this policy; and
- have been informed of all of the matters in this policy.

We reserve the right to modify our policy as our business needs require. We will take reasonable steps to notify you of such changes (whether by direct communication or by posting a notice on our website). If you do not agree to our continued use of your personal information due to the changes in our policy, please cease providing us with your personal information and contact us.

--- END POLICY ---