

Privacy Policy

The last update to this document was 9 April 2020.

Introduction

Propax Pty Ltd ABN 16 101 942 312 trading as Ozpack (**Ozpack, we, us, our**) is committed to complying with applicable privacy laws in relation to the personal information that we collect in the course of running our business. Where applicable privacy laws provide for exceptions or exemptions, we may rely on those exceptions or exemptions in our information handling practices.

Please take a moment to read our Privacy Policy as it explains how we manage personal information. This Privacy Policy (other than section 11) explains how we manage personal information about individuals other than our employees. Section 11 explains the position of our employees.

Key definitions

In this document:

- **"APPs"** means the Australia Privacy Principles set out in the Privacy Act;
- **"personal information"** has the meaning set out in the Privacy Act and (in summary) means information or an opinion about an identified individual or an individual who is reasonably identifiable, whether true or otherwise;
- **"Privacy Act"** means the *Privacy Act 1988* (Cth); and
- **"sensitive information"** has the meaning set out in the Privacy Act, and includes certain specific types of personal information such as health information, and information about a person's racial or ethnic origin, sexual orientation, religious beliefs or affiliations and criminal record;
- **"Website"** means our website located <http://www.ozpackfoods.com/> and any other website we operate.

1. How we collect personal information

We will collect and hold personal information in a fair and lawful manner, and not in an intrusive way. Where it is reasonably practical to do so, we will collect your personal information directly from you. We may collect the personal information you directly give us through some of the following means:

- when you contact us by email, telephone or other means;
- when you make an inquiry or post on our Website or our social media profiles;
- when you place an order for goods or services with us;
- in administering our services and performing contracts with service providers; and
- as otherwise required to manage our business.

In certain cases we may collect personal information from publicly available sources and third parties, such as our suppliers, clients, contractors and business partners. If we collect personal information about you from a third party we will, where appropriate, request that the third party inform you that we are holding such information, how we will use and disclose it, and that you may contact us to gain access to and correct and update the information.

2. Types of personal information we collect

The types of personal information we collect about you depend on the circumstances in which the information is collected. The type of personal information we may collect generally includes your name and contact details such as phone numbers, email address or postal address, but may include other information relevant to our interactions with you. For example:

- If you are a customer or partner, or you apply to become a customer or partner, we may collect additional information such as billing information, credit card details, credit information, information about your financial position and identification information (such as date of birth and drivers licence details). This information may be used to conduct credit checks, as detailed further in section 8 below.
- If you are an individual contractor, we may collect information relevant to your engagement with us including qualifications, length of engagement, résumé, current and former employment details, pay rate and salary, bank details, feedback from supervisors, training records and logs of your usage of our equipment (eg phones, computers and vehicles).

If you download or use any mobile applications we make available, or interact with us online (including via Facebook), we may:

- record details of the device and operating system you use to access the applications; and
- collect information about your geographical location, depending on the permissions granted on your device and by the online service provider (e.g. Facebook).

We only collect sensitive information about you with your consent, or otherwise in accordance with the Privacy Act. For example, we may collect information about injuries or illnesses you suffered on our premises or after consuming our food products, or you may give us information about a medical condition or disability you have. If you do provide sensitive information to us for any reason, you consent to us collecting that information and to us using and disclosing that information for the purpose for which you disclosed it to us and as permitted by the Privacy Act and other relevant laws.

In addition to the types of personal information identified above, we may collect personal information as otherwise permitted or required by law.

Where you do not wish to provide us with your personal information, we may not be able to provide you with requested goods or services.

3. Our purposes for handling personal information

As a general rule, we only process personal information for purposes that would be considered relevant and reasonable in the circumstances. The purposes for which we use and disclose your personal information will depend on the circumstances in which we collect it. Whenever practical, we endeavour to inform you why we are collecting your personal information, how we intend to use that information and to whom we intend to disclose it at the time we collect your personal information.

We may use or disclose your personal information:

- for the purposes for which we collected it (and related purposes which you would reasonably expect);
- for other purposes to which you have consented; and
- as otherwise authorised or required by law.

In general we collect, use and disclose your personal information so that we can do business together and for purposes connected with our business operations. For example, we may we collect, hold, use and disclose your personal information:

- to confirm your identity;

- to offer and provide any other goods or services to you, or to receive goods or services from you;
- to provide you with information and documentation regarding goods and services you have ordered from us, including tax invoices, dispatch and tracking information, returns and exchange authorisations;
- to obtain your feedback about your level of satisfaction with our goods and services;
- to operate, develop and improve our Website and mobile applications;
- to protect the security and integrity of our Website and mobile applications;
- to comply with our legal and regulatory obligations;
- to address any issues or complaints that we or you have regarding our relationship; and
- to contact you regarding the above, directly or through our service providers and agencies, including via electronic messaging such as SMS and email, by mail, by phone or in any other lawful manner.

4. Who we disclose your personal information to

We may disclose your personal information to third parties in connection with the purposes described in section 3 of this Privacy Policy. This may include disclosing your personal information to the following types of third parties:

- our suppliers, contractors and organisations that provide us with technical and support services;
- our accountants, insurers, lawyers, auditors and other professional advisers;
- any third parties to whom you have directed or permitted us to disclose your personal information (e.g. referees);
- our related entities (who may use and disclose the information in the same manner we can); and
- in the unlikely event that we or our assets may be acquired or considered for acquisition by a third party, that third party and its advisors.

We may also disclose your personal information in accordance with any consent you give or where disclosure is authorised, compelled or permitted by law.

If we disclose information to a third party, we generally require that the third party protect your information to the same extent that we do.

If you post information to on our social media profiles, you acknowledge that such information may be available to be viewed by the public. You should use discretion in deciding what information you post on such platforms.

5. Protection of personal information

We store personal information as secure physical records, electronically on our offsite server located in Australia, or in cloud storage systems which may be based overseas.

We use a range of security measures to protect the personal information we hold, including by implementing IT security tools to protect our electronic databases.

We will destroy or de-identify personal information once it is no longer needed for a valid purpose or required to be kept by law.

6. Direct marketing

Like most businesses, marketing is important to our continued success. We therefore like to stay in touch with customers and let them know about new offers and opportunities. We may provide you with information about products, services and promotions either from us, or from third parties which may be of interest to you, where:

- you have consented to us doing so; or
- it is otherwise permitted by law.

You may opt out at any time if you no longer wish to receive direct marketing messages from us. You can make this request by contacting our Privacy Officer.

7. Our Website

If you use our Website, we may store a small text file known as a 'cookie' in the memory or disk or your computer or device for a pre-defined period of time. We use cookies to identify specific machines in order to collect aggregate information on how visitors are experiencing the Website. This information helps to better adapt the Website to suit personal requirements. While cookies allow a computer to be identified, they do not permit any reference to a specific individual. For information on cookie settings of your internet browser, please refer to the browser's help files.

We may use third party vendors to show our ads on sites on the Internet and serve these ads based on a user's prior visits to our Website. We may also use analytics data supplied by these vendors to inform and optimise our ad campaigns based on your prior visits to our Website.

Our Website may contain links to other websites operated by third parties. We make no representations or warranties in relation to privacy practices of any third party website and we are not responsible for the privacy policies or the content of any third party website. Third party websites are responsible for informing you about their own privacy practices and procedures.

8. Credit checks

Normally our customers and partners are companies. However, from time to time we may need to collect some information about their employees, officers and directors in order to provide our goods and services.

If you apply for credit from us (for example, when you apply to become a customer or partner), we may collect, hold, use and disclose certain information about you, your company's directors or shareholders, and any person who is to guarantee the credit, including:

- name, previous names and aliases, current and previous addresses, driver's licence number, date of birth and employer;
- the fact that you have applied to us for credit and the credit limit sought or approved;
- repayment history, including the amount of any payments due to us which are overdue for at least sixty days, and when steps have been taken by us to recover those overdue payments;
- where an overdue payment has been previously reported, advice that the payment is no longer overdue;
- default information, including cheques or credit card payments which have been dishonoured;
- court judgments or bankruptcy orders made against you;
- if, in our opinion, you have committed a serious credit infringement;
- when we cease to provide products or services to you;

- information about your credit worthiness and activities in Australia that we can obtain from publicly available sources; and
- other credit information that we are able to derive from the above information.

We may collect this information from, or disclose it to, credit reporting bodies (**CRBs**). When applying for credit, you authorise us to share such information with CRBs for the purposes of:

- establishing or confirm your identity;
- seeking credit reports (including consumer credit reports);
- assessing your credit worthiness;
- processing your credit applications; and
- managing any credit you have with us (including to collect debts, enforce any credit agreement and enforce any guarantee).

We may also disclose this information:

- to debt collection agencies; and
- to any person as reasonably necessary for the purposes of that person taking an assignment of your debt.

The CRB we primarily use is Equifax Australia Information Services and Solutions Pty Limited, whose privacy policy and contact details are set out at www.equifax.com.au/privacy. Equifax's privacy policy will govern its use, collection, disclosure and management of your personal information (including credit information).

You can ask a CRB not to use or disclose credit information it holds about you for a period of 21 days (called a 'ban period') without your consent if you believe on reasonable grounds that you have been or are likely to be a victim of fraud, including identity fraud. You agree to us accessing your personal information (including credit-related information) held with a CRB, even if there is a ban period in place, for the purposes of assessing an application for credit or to collect overdue payments.

By law, CRBs may use the credit-related personal information they hold to respond to requests from us or other credit providers to 'pre-screen' you for direct marketing. You can ask a CRB not to do this.

Our collection, handling, use and disclosure of credit-related information is subject to the *Privacy (Credit Reporting) Code 2014 (CR Code)* as in force from time to time.

9. Accessing and correcting your personal information

You may contact our Privacy Officer (see section 13) to request access to the personal information that we hold about you and/or to make corrections to that information, at any time. On the rare occasions when we refuse access, we will provide you with a written notice stating our reasons for refusing access. We may seek to recover from you reasonable costs incurred for providing you with access to the personal information we hold about you.

We are not obliged to correct any of your personal information if we do not agree that it requires correction and may refuse to do so. If we refuse a correction request, we will provide you with a written notice stating our reasons for refusing.

We will respond to all requests for access to or correction of personal information within a reasonable time.

10. Overseas transfers of personal information

Some of the third parties to whom we disclose certain personal information (but not credit-related information) may be located outside Australia. The countries in which such third party recipients are

located depend on the circumstances. In the ordinary course of business we commonly disclose personal information to recipients located in the United States.

We may also engage overseas recipients to provide services to us, such as cloud-based storage solutions. The use of overseas service providers to store personal information will not always involve a disclosure of personal information to that overseas provider.

By providing your personal information to us, you consent to us disclosing your personal information to any such overseas recipients for purposes necessary or useful in the course of operating our business and agree that APP 8.1 will not apply to such disclosures. For the avoidance of doubt, in the event that an overseas recipient breaches the Australian Privacy Principles, that entity will not be bound by, and you will not be able to seek redress under, the Privacy Act.

11. Employees

We collect personal information relating to prospective employees from third parties, such as recruitment agencies, previous employers and referees, in addition to information provided by the applicant. This may include contact details, qualifications, education history, employment history and feedback from past supervisors and referees. We may use this information to assess the application and consider making a job offer.

We collect personal information in relation to new and current employees during the course of their employment. In addition to information collected about prospective employees, we may collect:

- date of birth;
- gender;
- identification information, including copies of identity documents;
- tax file number;
- pay rate and salary information;
- bank account and superannuation details;
- feedback from supervisors;
- training records;
- medical information, such as details of illnesses, disabilities and workplace injuries; and
- logs of your usage of our equipment (eg phones, computers and vehicles).

Under the Privacy Act, personal information about a current or former employee may be held, used or disclosed in any way that is directly connected to the employment relationship. We handle employee information in accordance with legal requirements and our applicable policies in force from time to time.

12. Resolving personal information concerns

If you have any questions, concerns or complaints about this Privacy Policy, how we handle your personal information, or any suspected or actual breach of the Privacy Act or CR Code, please contact our Privacy Officer (see section 13). When contacting us please provide as much detail as possible in relation to your question, concern or complaint.

We take all complaints seriously and will respond to your complaint within a reasonable period. We request that you cooperate with us during this process and provide us with any relevant information that we may need.

If you are dissatisfied with the handling of your complaint, you may contact the Office of the Australian Information Commissioner:

Office of the Australian Information Commissioner

GPO Box 5218, Sydney NSW 2001
Telephone: 1300 363 992
Email: enquiries@oaic.gov.au

13. Contact details of Privacy Officer

The contact details for our Privacy Officer are as follows:

Postal address: Level 16, 644 Chapel Street, South Yarra Victoria 3141
Email: katherine.clark@kinrise.com.au

14. Changes

We reserve the right to change the terms of this Privacy Policy from time to time, without notice to you. An up-to-date copy of our Privacy Policy is available on our Website.