

## 1. Purpose

Flinders Port Holdings Pty Ltd and its associated and related entities (**'Group'**) is committed to the appropriate collection, holding, use and disclosure of your personal information in accordance with the *Privacy Act 1988* (Cth) and associated Australian Privacy Principles. We have also taken steps to ensure that, if you tell us you are located in the European Union (**EU**), we will seek to give you the protections available to you under the *General Data Protection Regulation (GDPR)*. Together, we refer to these two pieces of legislation as **"Privacy Law"**.

We are a port infrastructure provider and a diversified marine, stevedoring and logistics group that provides services within Australia that facilitate the movement of port related cargo across the supply chain (**'Services'**).

In order to deliver those Services safely, securely and effectively, including to carry out effective administration, run and improve our websites, comply with legal requirements and manage business relationships, we collect, use and disclose personal information. For these purposes, personal information is information or an opinion about an identified individual, or an individual who is reasonably identifiable.

By your use of our website and our Services, you consent to the processing of your personal information in accordance with this policy and as otherwise permitted under the Privacy Laws (as applicable).

## 2. Types of personal information we may collect

The types of personal information we collect and hold, and our use of that information, depends on our dealings with you. In general, the types of personal information we may collect include, but are not limited to:

- your contact details including your name, email address, telephone/fax numbers, business or company name and business and/or residential address;
- your date of birth;
- your driver's licence and/or passport details or other form of identification;
- your employer details;
- your payment and billing information, which we use to bill you for the Services provided and to process your payments;
- details for the purpose of pre-employment assessment including employer, reference checks and any medicals; and
- other information relevant to you that relates to the provision of Services.

We may automatically collect through our websites, such as the website from which visitors came to our website, IP address, browser type, other information relating to the device through which visitors access our websites and information about your visit such as the services you viewed or searched for, the country you are in, what you clicked on and what links you visited to get to or from our websites. Generally, this information is not personally identifiable but occasionally, we may combine this information with the personal information we have collected about our customers or other people we deal with in providing the Services (**'Customers'**).

The Port Adelaide Passenger Terminal facility and surrounding areas are subject to CCTV surveillance for security purposes. Your image, licence plate number, movements and other personal information may be collected by us using this surveillance.

### **3. Purposes of collecting, holding, using, and disclosing personal information**

Personal information collected by us will only be used or disclosed by us for the purpose it was collected or as otherwise set out in this policy. We may from time to time use personal information for another purpose where it would be reasonably expected by you or if allowed by law, including:

- to provide, or offer to provide, Services to Customers, including to generate aggregate reports for Customers about service usage;
- to efficiently and effectively maintain your account and contact details;
- to facilitate payment for goods and services provided to us;
- to effect or enforce a transaction or agreement with a Customer;
- for account keeping, invoicing, debt collection and reference checking;
- to respond to requests or enquiries from Customers, to communicate with Customers and for similar customer-service-related purposes;
- for staff and contractor selection, management and administration;
- as part of the Group's community sponsorship program;
- to analyse and improve our Services or internal operations;
- to provide you with information about new developments or Services we think may be of interest to you;
- where required or authorised by law, for example laws relating to customs, maritime security and safety;
- in the ongoing administration of the shareholder register;
- to comply with our legal obligations; and
- for any other purpose for which you have consented.

We may use the personal information collected by CCTV surveillance at the Port Adelaide Passenger Terminal for security and operational purposes. For example, monitoring emergency situations, conducting investigations, identifying and responding to unlawful activities or inappropriate conduct.

If you do not provide personal information requested by us then we may not be able to provide Services to you or otherwise conduct business with you. If the information you provide us is incorrect or incomplete this may also prevent, limit or otherwise affect our ability to provide Services to you or conduct business with you.

### **4. How we collect personal information**

Solicited personal information will only be collected by lawful and fair means, only if it is reasonably necessary to provide a Service and only from the individual it is about unless this is unreasonable or impracticable. Where your employer or lead contractor is dealing with us it may be your employer or lead contractor who provides us with your personal information. Collection is generally from forms you complete, over the phone, in writing (including by email) and through our websites.

We may also collect personal information from third parties such as your representatives or publicly available sources of information. All personal information that we or our related bodies corporate collect, is reasonably necessary for the purposes relating to providing our Services to you.

If you provide us with personal information about another individual, you warrant that you are authorised and hold all of the requisite consents to do so.

Where we receive unsolicited personal information, which could not have been collected if it had been solicited, we will, if it is lawful and reasonable to do so, destroy the information or ensure that the information is de-identified.

## **5. How we disclose personal information**

We may disclose any of the personal information we collect or receive as follows:

- to our employees and Group members for purposes consistent with this policy;
- to our contractors, agents or third-party service providers who provide services or perform functions on our behalf;
- to our professional advisors and agents;
- to payment systems operators such as merchants or third-party payment providers;
- if required by law; and
- to protect or enforce our rights or property.

We do not sell personal information to third parties.

## **6. Employment applications**

Employment applications and resumes collected by us are safely and securely stored and only used for the purposes for which they were collected.

## **7. Security and how we store personal information**

We will take reasonable steps to protect your personal information from misuse, interference and loss and from unauthorised access, modification or disclosure. We hold your personal information in a combination of hard copy and electronic files. Personal information may be stored electronically through third party data centres, which may be located overseas, or in physical storage at our premises or third-party secure storage facilities. We use commercially reasonable physical, technical and administrative measures to protect the security of personal information that we collect or receive, including, where appropriate, password protection, encryption and SSL to protect our websites and the information we collect from loss, misuse, and unauthorised access, disclosure, alteration, and destruction.

If we determine that we no longer require the use of your personal information for the purpose it was collected or for any other purpose permitted under Privacy Laws then, subject to any legal requirements to retain the information, we will take reasonable steps to destroy or de-identify it.

Despite taking appropriate measures to protect personal information used and collected by us, please be aware that no data security measures can guarantee 100% security all of the time. We cannot guarantee the security of any information sent to us via the internet and such transmission is at your own risk.

Our websites may contain links to other third-party websites. You acknowledge that we are not responsible for the privacy practices, operation or the content of such other websites.

## **8. Breach**

Notwithstanding the reasonable steps taken to keep information secure, breaches may occur. In the event of a security incident we have in place procedures to promptly investigate the incident and determine if there has been a breach that would require notification. If it is, we will notify affected parties in accordance with Privacy Laws (as applicable).

## **9. Cookies, web beacons and analytics**

When you interact with our websites, we strive to make your experience easy and meaningful. We, or our third party service providers, may use cookies, web beacons and similar technologies to track

site visitor activity and collect site data. If we identify you with this information, any use or disclosure of that information will be in accordance with this policy.

A cookie is a text file that a website transfers to your computer's hard drive for record-keeping purposes. Cookies help us gather and store information about visitors to our websites and are intended to improve your website browsing experience whilst ordering. Our cookies assign a random, unique number to each visitor's computer. They do not contain information that would personally identify the visitor, although we can associate a cookie with any identifying information that is or has been provided by a visitor while visiting our websites.

We, or our third-party service providers, use cookies that remain on your computer for a specified period of time or until they are deleted (persistent cookies). We may also use cookies that exist only temporarily during an online session – these session cookies allow you to log in to your account and they allow us to identify you temporarily as you move through the website. Most browsers allow users to refuse cookies, but doing so may impede the functionality of some portions of our websites.

Web beacons are tiny graphics with a unique identifier, similar in function to cookies, that are used to track the online movements of visitors. In contrast to cookies, which are stored on your computer's hard drive, Web beacons are embedded invisibly on webpages and may not be disabled or controlled through your browser.

We may also engage third parties, including Google Analytics, to track and analyze activity on our websites on our behalf. To do so, these third parties may place cookies or web beacons to track user activity on our websites. Google will use this information for the purpose of evaluating your, and other users' use of our websites, mobile website, compiling reports for us on website activity and providing other services relating to website activity and internet usage.

We use the data collected by such third parties to help us administer and improve the quality of our websites and to analyse usage of our websites.

## ***10. Transfer of personal information outside Australia***

We may disclose your personal information to organisations in other countries.

The information generated by cookies (including your truncated IP address) is transmitted to and stored by Google, and other third party providers, on servers in the United States.

Other recipients may include:

- anyone that you have consented for us to disclose personal information to;
- our employees or officers;
- external service providers that may assist us in our business providing administration, information technology or other services;
- cloud providers and storage, data processors; and
- any other person or entity required by law.

We take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this policy and the Privacy Laws (as applicable).

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

Subject to exceptions allowed by law, you have the right to access personal information we hold about you. You may contact us (at our contact details provided below) to request access to your personal information.

We may require you to verify your identity and to specify what information you require. We will respond to the request within a reasonable period and give access to the information in the manner requested by you, if it is reasonable and practicable to do so. A fee (which will not be excessive) may be charged for providing access, although no fee is applicable on application.

We may decline a request to access personal information (either in whole or in part) where allowed under the Privacy Laws. In these circumstances, we will give you a written notice that sets out:

- the reasons for the refusal except to the extent that, having regard to the grounds for the refusal, it would be unreasonable to do so; and
- the mechanisms available to complain about the refusal; and
- any other matter prescribed by the regulations.

If you wish to request access you should call our Privacy Officer, whose details are set out at the end of this policy.

## **12. Data quality and correction of personal information**

We will take reasonable steps to ensure that the personal information we collect is accurate, complete and up to date.

If we hold personal information about you and either:

- we are satisfied that, having regard to a purpose for which the information is held, the information is inaccurate, out of date, incomplete, irrelevant or misleading; or
- you request us to correct the information (in which case we will respond within a reasonable period after the request is made, and for no charge);

we will take such steps (if any) as are reasonable in the circumstances to correct that information to ensure that, having regard to the purpose for which it is held, the information is accurate, up to date, complete, relevant and not misleading.

If we correct personal information about you that we previously disclosed to another entity and you request that we notify the other entity of the correction, then we will take such steps (if any) as are reasonable in the circumstances to give that notification unless it is impracticable or unlawful to do so.

If we refuse to correct the personal information as requested by you, we will use reasonable endeavours to provide you with written reasons for the refusal, the mechanisms available to complain about the refusal, and any other matter prescribed by the Privacy Laws.

If we refuse to correct the personal information as requested by you and you request us to associate with the information a statement that the information is inaccurate, out-of-date, incomplete, irrelevant or misleading information (in which case we will respond within a reasonable period after the request is made, and for no charge) we will take such steps as are reasonable in the circumstances to associate the statement in such a way that will make the statement apparent to users of the information.

### **13. EU processing**

If you are located in the EU, GDPR provides for additional rights in relation to your personal information that we process. We take these rights into account when processing your personal information, including erasure, objection, portability, restriction, review and withdrawal.

### **14. Enquiries or complaints**

If you have any questions or complaints, are seeking access to personal information about you that is held by us or seeking the correction of such information, please contact:

*Privacy Officer*

*Flinders Port Holdings Group*

*Level 1, 296 St Vincent Street*

*Port Adelaide SA 5015*

*Phone: (08) 8447 0614*

*Fax: (08) 8447 0606*

*Email: [flindersports@flindersports.com.au](mailto:flindersports@flindersports.com.au)*

If you are not satisfied with our response you are entitled to contact the Australian Information Commissioner, by phoning 1300 363 992 or writing to the Director of Complaints, Office of the Office of the Australian Information Commissioner, GPO Box 5218, Sydney NSW 1042.

### **15. Changes to this Policy**

We may change this policy from time to time. Any updated versions of this policy will be posted on our websites – you should check periodically to review our current policy, which is effective as of the effective date listed above. Your continued use of any of our websites and Group Services constitutes your acceptance and understanding of the policy as in effect at the time of your use.