



COEX CONTAINER
EXCHANGE

PRIVACY POLICY

(COEX 0016)



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1. PURPOSE

The purpose of this Privacy Policy is to set parameters for Container Exchange (QLD) Limited (**the Company, COEX**) and its Employees as to how individuals' Personal Information will be created, collected, used, maintained and disclosed so that it is appropriately protected and safe from distribution and / or misuse.

The Company is committed to protecting personal privacy and recognises that Employees have a reasonable expectation that the Company will protect and appropriately manage the Personal Information it holds about them.

2. POLICY STATEMENT

The Company is bound by the Australian Privacy Principles (**APPs**) in the Privacy Act. The Company understands the importance of, and is committed to, protecting Personal Information. This Privacy Policy explains how the Company manages Personal Information (that is, information or an opinion about individuals, whether true or not, which identifies individuals or from which their identity is reasonably identifiable), including the Company's obligations and an individual's rights in respect of the Company's dealings with Personal Information.

In the course of its activities, the Company and its Employees will create, collect, use, maintain and disclose people's Personal Information, some of which is Sensitive Information.

Please take a moment to read the Company's Privacy Policy as it describes what happens to Personal Information that is collected via the Company's website at <https://www.containersforchange.com.au/privacy-policy> (the **Website**).

3. DEFINITIONS

This Privacy Policy uses the following defined terms:

CEO means the Chief Executive Officer of the Company.

Employees includes employees (full-time, part-time and casual) contractors, subcontractors, employees of contractors and subcontractors, employees of labour hire companies who are assigned jobs with the Company, consultants, apprentices, work experience students, volunteers, temporary Employees and visitors (as the context may require).

FW Act means *Fair Work Act 2009* (Cth), as amended or replaced from time to time.

Manager means the relevant Manager or supervisor in the employ of the Company.

Notifiable Data Breaches Scheme means the scheme established under the *Privacy Amendment (Notifiable Data Breaches) Act 2017* (Cth).



Notifiable Breach means a breach, which requires formal notification under the Notifiable Data Breaches Scheme in Australia.

Privacy Act means the *Privacy Act 1998* (Cth) including the *Privacy Amendment (Notifiable Data Breaches) Act 2017* (Cth), as amended or replaced from time to time.

4. PERSONAL INFORMATION

Personal Information is information or an opinion that identifies or could be used to reasonably identify an individual. Some examples include name, address, telephone number, date of birth, medical records, bank account details, and opinions (**Personal Information**).

Under this Privacy Policy, Personal Information excludes information related to current or former employment relationships with the Company and Employee records (such as routine employment information of Employees, employment records, payslips and personnel files, and de-identified information). Employees seeking to access such information may request this, and will be entitled to access such information in accordance with the FW Act.

5. SENSITIVE INFORMATION

Sensitive Information is Personal Information that is more sensitive because of the propensity for it to be used to prejudice the owner of this information, and may include, but is not limited to:

- Health (including predictive genetic information);
 - Bank account details;
 - Racial or ethnic origin;
 - Political opinions;
 - Membership of a political association, professional or trade association or trade union;
 - Religious beliefs or affiliations;
 - Philosophical beliefs;
 - Sexual orientation or practices; and / or
 - Criminal record.
- (**Sensitive Information**)

It is important that Personal Information, including Sensitive Information is protected in accordance with the trust vested in the Company by those that the information belongs to. The Company will only collect, use or disclose Personal Information in accordance with the Privacy Act and this Privacy Policy.

6. COLLECTION, USE & DISCLOSURE OF INFORMATION

6.1 Collection of Information

The Company will only collect Personal Information where the information is necessary for one or more of its functions or activities. The Personal Information the Company collects directly about an individual may include, but is not limited to:

- Information provided to the Company when an individual contacts or corresponds with the Company, in writing or electronically (for example, name, date and place of birth, contact details, occupation and education/work history);



- Information provided to the Company when the Company is contacted via telephone or facsimile;
- Information collected via any mobile applications provided by or on behalf of the Company;
- Information collected when administering any of the Company's services;
- Information on prospective Employees;
- Information on client contacts and prospective client contacts including business relationship history;
- Information on supplier contacts;
- Complaint details; and
- Information collected as otherwise required to manage the Company's business

The Company may collect Sensitive Information about an Employee or prospective Employee which may include (but may not be limited to) information for psychometric testing candidates, health information and criminal history / background checks. The Company will not collect Sensitive Information unless the individual has consented, it is required by law or a permitted general situation or health situation exists in relation to the collection of the information.

The Company will only collect Personal Information in a way that is fair, lawful and non-intrusive.

6.2 Use and Disclosure of Information

The Company will only use or disclose an individual's Personal Information for the purpose for which it was collected or in circumstances related to public interest such as law enforcement and public health.

The Company will only use and disclose an individual's Personal Information for a secondary purpose that is relevant or related to the primary purpose for which it is collected it, and where an individual would reasonably expect the Company to use or disclose their Personal Information for the secondary purpose.

The Company will collect, hold, use and disclose Personal Information to:

- Offer and provide individuals with the Company's goods and services;
- Manage and administer those goods and services, including account keeping procedures;
- Communicate with individuals, including (but not limited to), emailing tax invoices, dispatch and tracking information, returns and exchange authorisations;
- Comply with the Company's legal and regulatory obligations; and
- Otherwise to manage the Company's business.

The Company will not use or disclose Personal Information for any other purpose unless the Company has obtained consent for use or disclosure. The Company will endeavour to obtain an individual's consent for disclosure of his / her information by way of writing. If necessary, verbal consent will be accepted, and a file note or database record will be taken.

The Company may disclose Personal Information between its organisations or to third parties such as the Company's suppliers, organisations that provide the Company with technical and support services, or its professional advisors, where permitted by the Privacy Act. If the Company discloses information to a third party, the Company will generally require that the third party protect Personal Information to the same extent that the Company does.

6.3 Use of Information for Promotions and Advertising

The Company may use or disclose a person's Personal Information for direct company marketing in specified circumstances. An individual may be contacted via email or other means in order to provide them



with updated information about the Company, details of new services, updates and invites to seminars and / or events.

If an individual would prefer not to receive such information, he / she may opt out at anytime by contacting the Company in writing advising accordingly.

6.4 Cookies

A cookie is a small text file stored in your computer's memory or on your hard disk 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 our website. This information will help to better adapt our 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 your browser's manual.

7. PROCESS

7.1 Access and Correction

An individual may apply to access his / her Personal Information held by the Company upon written request. The Company may refuse access where the Privacy Act allows it to do so, which includes (but is not limited to) where:

- Giving access would pose a threat to the life of any individual; or
- Giving access would have an unreasonable impact on the privacy of other individuals; or
- The request for access is frivolous or vexatious; or
- Denying access is required or authorised by or under law or court / tribunal order.

Where providing access would reveal evaluative information generated within the Company, in connection with a commercially sensitive decision-making process, the individual requesting the information may be provided an explanation for the commercially sensitive decision rather than direct access to the information.

If an individual is able to establish that the information is not accurate, complete or up-to-date, the Company will take reasonable steps to correct the information so that it is accurate, complete and up-to-date. If the Company refuses access, the Company will provide the individual with a written notice stating the Company's reasons for refusing access. The Company may seek to recover from the individual reasonable costs incurred for providing the individual with access to any of the Personal Information about the individual held by the Company.

Where an individual and the Company disagree about whether the information is accurate, complete and up-to-date, and the individual asks the Company to associate with the information a statement claiming that the information is not accurate, complete or up-to-date, the Company will take reasonable steps to do so.

As at the date of this Privacy Policy, the Company is not likely to disclose Personal Information to overseas recipients. If in future the Company proposes to disclose Personal Information overseas, the Company will do so in compliance with the requirements of the Privacy Act. The Company will, where practicable, advise individuals of the countries in which any overseas recipients are likely to be located. If an individual does



not consent to the Company disclosing their information to overseas recipients, please let the Company know.

All inquiries regarding access or correction in accordance with this Privacy Policy must be communicated to the CEO in writing.

7.2 Storage

The Company may store personal files in hard copy or electronically in its information technology systems, which may include third party Australian-based cloud servers.

The Company maintains appropriate physical and electronic measures for its offices and information storage facilities so as to prevent any loss, misuse, unauthorised access, disclosure, or modification of Personal Information. This also applies to the disposal of Personal Information.

The Company further protects Personal Information by restricting access to Personal Information to only those who need access to the Personal Information do their job. Physical, electronic and managerial procedures have been employed to safeguard the security and integrity of Personal Information.

Reasonable steps will be taken to destroy or permanently de-identify Personal Information if it is no longer needed for any purpose for which the information may be used or disclosed, and the Company is not legally required to hold such information.

The following physical and electronic measures will be implemented:

- No Personal Information should be given over the telephone unless it has been established that the person making the request has legitimate grounds to access the information and given proof of identity;
- No Personal Information should be left on voicemail unless requested by the owner of the voicemail on the basis that the voicemail is secure;
- Mail containing Personal Information should be labelled "Private and Confidential: Attention...";
- Facsimile machines if used for transmission of Personal Information should be secure;
- Only authorised individuals should receive Personal Information and are not permitted to forward such information without consent;
- Paper records containing Personal Information should not be copied unless it is essential to do so;
- All paper records should be kept in lockable storage when not in use and should be shredded or burned when no longer required or governed by legislative time limitations;
- The anonymity of client contacts should be maintained during presentations, consultation with other clients, suppliers and other members of the public, research activities and public events; and
- Personal Information should not be left unattended nor should it be discussed in public areas where others may overhear.

Further, Employees and other persons who are directly involved with the activities of the Company are required to consent to applicable confidentiality obligations in writing.

8. COMPLAINTS & BREACHES

8.1 Privacy Complaints

If an individual believes that the Company has not dealt with his / her Personal Information in accordance with the Privacy Act or this Privacy Policy, he / she may make a complaint. A complaint must be made in writing or by email to the Privacy Officer in accordance with the ***Complaint Handling Policy***.



Primary responsibility for investigating and responding to the complaint will rest with the Privacy Officer. The Company's main objective in responding to privacy complaints is to conciliate an outcome which is acceptable to the complainant and which addresses any broader or systemic privacy issues which may arise.

8.2 Privacy Breach Management

The head of the relevant department within the Company must report any potential privacy breaches to the **General Manager Corporate & Community Relations** as soon as practicable after the potential breach has been identified.

Management of a privacy breach will include steps to:

- Contain the breach;
- Evaluate the associated risks (including potential harm to others);
- Consider notifying the affected individuals and the Australian Information Commissioner; and
- Review the privacy breach and determine how to prevent, where reasonable, any further privacy breaches.

The CEO must be informed of serious breaches of this Privacy Policy and any actions arising out of any investigations into a breach as per the **Incident Management Framework**.

For a Notifiable Breach, the Company (to the extent it is required by law) is obligated to inform the Australian Information Commissioner and particular individuals about eligible data breaches in accordance with the ***Personal Information Data Breach Procedure***.

A breach of this Privacy Policy that alleges deliberate misuse, unauthorised access or inappropriate access to Personal Information by an Employee may be grounds for misconduct, and may result in disciplinary action up to and including termination of employment.

If you have any questions, concerns or complaints about this Privacy Policy, or how the Company handles Personal Information, please contact:

General Manager Corporate & Community Relations
Level 2 / 100 Creek St, Brisbane 4000
Telephone: 0447 614 856
Email: Glenda.vinder@containerexchange.com.au

The Company takes all complaints seriously, and will respond to complaints within a reasonable period.

If you are dissatisfied with the handling of a 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



9. Changes

The Company reserves the right to change the terms of this Privacy Policy from time to time, without notice to you. An up-to-date copy of the Company's Privacy Policy is available on its Website.

Written by:	CCIQ, COEX	Date Authorised:	17 April 2019
Authorised by:	CEO	Next Review Date:	17 April 2020

Version Control		
Version	Responsible	Date
DRAFT Version 1	Hayley Pearson	6 September 2018
Final Version 2	CCIQ, COEX	12 February 2019
Board Approved	CEO	17 April 2019