

## PURPOSE

The purpose of this policy is to ensure that the Energy Queensland Group companies (Energy Queensland Limited, its subsidiaries and related bodies corporate) meet their commitment to customers and other individuals in relation to the protection of their personal information and their privacy obligations under the Australian Privacy Principles (APPs) in the *Privacy Act 1988* (Cth), the *Information Privacy Act 2009* (Qld) and the *Public Records Act 2002* (Qld).

This policy has been developed to guide Energy Queensland Group during the initial phases of its operation and is expected to be reviewed as Energy Queensland Group's operations mature.

## POLICY STATEMENT

The Energy Queensland Group will effectively manage the collection, storage, use and disclosure of personal information for the purpose of our business activities in accordance with the APPs contained in the *Privacy Act 1988* (Cth) and our record keeping obligations under the *Public Records Act 2002* (Qld).

The Energy Queensland Group will also process requests to access and amend personal information in accordance with Schedule 1, Part 5 of the *Privacy Act 1988* (Cth) and Chapter 3 of the *Information Privacy Act 2009* (Qld). This policy gives effect the commitments set out in Energy Queensland Group's Privacy Statement at Annexure A to this policy and published on our website.

## IMPLEMENTATION

This policy applies across the Energy Queensland Group to its officers, employees and contractors (where applicable) and any other personnel notified that this policy applies to them. This policy is intended to apply to a secondee to the Energy Queensland Group. However, if an equivalent policy of the seconded employee's employer creates an enforceable right, this policy will apply to that employee only to the extent that it can operate consistently with the equivalent policy.

The Energy Queensland Group is required to comply with the *Privacy Act 1988* (Cth). The key obligations that impact day to day business are summarised below. These obligations must always be considered in light of Energy Queensland Group's Privacy Statement set out at Annexure A to this policy which expresses the Energy Queensland Group's commitment to its customers and other individuals. This policy and the Privacy Statement are high level summaries of Energy Queensland Limited's key privacy obligations.

### Collection of personal information

Personal information should only be collected:

- if it is necessary for one or more of Energy Queensland Group's business activities or functions;
- by lawful and fair means; and
- from the relevant individual, if reasonable and practicable to do so.

The Privacy Statement describes types of personal information that may be collected by Energy Queensland Group.

### Use and Disclosure

Personal information must only be used and disclosed:

- for the primary purpose for which it was collected or a related purpose if the individual would reasonably expect their information to be used or disclosed for such a related purpose; or
- if the person has consented to such use or disclosure; or
- in limited circumstances in relation to (i) direct marketing – individuals have a choice to opt-out of receiving direct marketing materials. If the individual does not wish to receive this information, they are advised to contact us to advise that they do wish to opt out of receiving our marketing material; (ii) the health and safety of individuals and the public; (iii) to assist law enforcement agencies; (iv) to assist in locating missing persons; (v) to assist in the establishment, exercise or defence of a legal or equitable claim; or
- where it is required or authorised by or under an Australian law or a court / tribunal order; or
- where there is reason to suspect an unlawful activity, or misconduct of a serious nature that relates to Energy Queensland Group's functions or activities has been, is being, or may be engaged in, and it is reasonably believed that it is necessary to take appropriate action in relation to the matter.

## Cross-border disclosure of personal information

Personal information may only be disclosed to someone in a foreign country where reasonable steps have been taken to ensure that the overseas recipient does not breach the APPs.

There are exceptions, including:

- where the overseas recipient of the information is subject to a law or binding scheme that has the effect of protecting the information in a substantially similar way in which the APPs protect the information, and there are mechanisms that the individuals can access to take action to enforce the law or binding scheme;
- the disclosure is required or authorised by or under an Australian law or a court / tribunal order.

## Protection of personal information

Reasonable steps must be taken to protect personal information from misuse, interference, loss and unauthorised access, modification or disclosure.

Reasonable steps must be taken to destroy or de-identify personal information, unless it is required to be retained as a record in accordance with the *Public Records Act 2002* (Qld). If the information is contained in a record it will be required to be kept for minimum periods set out in the relevant Retention and Disposal Schedules approved by the State Archivist.

## All Employees, Agents, Contractors and Consultants

As privacy matters to everyone, all Energy Queensland Group personnel:

- must comply with this policy and the *Privacy Act 1988* (Cth) at all times.
- must not engage in behaviour, or ignore or allow behaviour by others, that breaches this policy and the *Privacy Act 1988* (Cth).
- must promptly raise issues or suspected breaches of this policy or the *Privacy Act 1988* (Cth) with the Company Secretary.

## REFERENCES

*Privacy Act 1988 (Cth)*  
*Information Privacy Act 2009 (Qld)*  
*Right to Information Act 2009 (Qld)*  
*Public Records Act 2002 (Qld)*

## DEFINITIONS

<b>AAPs</b>	The Australian Privacy Principles set out in the <i>Privacy Act 1988 (Cth)</i> .
<b>Personal information</b>	Means information or an opinion about an identified individual, or an individual who is reasonably identifiable:  (a) whether the information or opinion is true or not; and (b) whether the information or opinion is recorded in a material form or not.
<b>This policy</b>	This policy and any related documents.

## ENFORCEMENT

A breach of this policy may also constitute a breach of the *Privacy Act 1988 (Cth)*, the *Information Privacy Act 2009 (Qld)* or the *Public Records Act 2002 (Qld)* and incur penalties under those Acts.

Any breaches or potential or suspected breaches should be reported to your line manager and the Privacy Breach Response Team.

## VARIATION

This policy is not intended to detract from, or add to, any rights held by a person covered by this policy under a contract of employment or enterprise agreement. Subject to any consultation obligations, Energy Queensland Group may vary, add to, withdraw, or replace this policy, at its discretion, at any time.

## CATEGORY

Governance

## PRIVACY STATEMENT (APP 5 Statement)

Our commitment to your privacy

Energy Queensland came together as a Group in June 2016 to create a community-focused energy business ready for the future. We are committed to protecting the privacy of your personal information.

This Privacy Statement explains how we collect, hold, use and disclose your personal information. It applies to Energy Queensland Limited and its related companies (**Energy Queensland Group, we, us, or our**).

The *Information Privacy Act 2009* (Qld) and the *Right to Information Act 2009* (Qld) also apply to the Energy Queensland Group. Under Chapter 3 of the *Information Privacy Act 2009* (Qld), you may request details of your personal information we hold about you by submitting an Information Privacy Application. The application form is available on the right to information page on our website. To protect your privacy, we need to see your identification in person or, if you apply by post, fax or email, you will need to provide a certified copy of an identification document before we can process your request (required by the *Information Privacy Regulation 2009* (Qld)).

### What is personal information?

Personal information is any information that identifies you or by which your identity can be reasonably determined. The information will still be personal information whether it is true or not and whether or not we have kept a record of it.

Personal information may include for example information such as your name, date of birth, gender, contact details, occupation and financial information.

### The kinds of personal information we collect

We only collect and hold personal information so that we can provide you with the services and products that you have requested, and to carry out one or more of our activities. The types of information we may collect about you include:

- identity information, such as your name, postal or email address, telephone numbers, and date of birth;
- billing and credit information, such as credit history check and payment history;
- information about your dealings with us, how you use the products and services, and technical information about your products and services;
- details of your meter, including location, type and consumption data;
- property access information for the supply of our services – for example, to supply electricity, we may need information about any dogs on the premises;
- other information we consider necessary to provide our services to you.

**Sensitive information** is personal information that includes information about things like your health, genetic or other confidential information (such as a person's criminal record, personal preferences or beliefs). We will only collect sensitive information from you with your consent and where we reasonably need to do so, to provide you with products or services or carry out our activities. For example, if you apply for our Energex prioritycare Program or Ergon Energy Life Support Program, with your consent, we will collect some of your health information from you.

## How we collect personal information

We usually collect personal information directly from you unless this is unreasonable or impracticable. For example, we may collect information directly from you when you complete a form, use our website or contact us (including in writing, electronically or by telephone).

We use only lawful and fair means to collect your personal information and take reasonable steps to provide specific Privacy Notices at the time we collect your personal information. We will try to give you the Privacy Notice at that time, but sometimes we may need to provide it to you soon afterwards.

We may provide the relevant Privacy Notice to you verbally, in a confirmation email to you, on the relevant form, in the terms that apply to your service or product, or by referring you to our website.

We will assume that, unless you tell us otherwise, you consent to us collecting the information that you provide to us (either directly or indirectly) for use and disclosure by us according to this Privacy Statement.

We understand that you may not want to provide us with certain information, but we may need this information so that we can provide products and services to you.

## How we use and disclose personal information

We collect your personal information to allow us to provide you with our products and services. This includes using your information to:

- provide you information about products and services;
- consider your request for products and services, including your eligibility – for example, for financial assistance payments;
- verify your identity;
- process your application and provide you with products and services;
- check your previous payment history with us and undertake a credit check;
- connect and disconnect services;
- improve and develop existing and new products and services (including by conducting customer and market research);
- administer the products and services we provide you – including to take answer your queries and complaints, charge and bill;
- recover debt (this may include disclosure to external debt collectors and listing with credit reporting body - Please refer to our Credit Information Policy for information on our management of your credit information);
- maintain our records and internal reports;
- if you are applying for employment with us, to assess your suitability;
- maintain our relationship with you;
- respond to your enquiry or request for information (note that a request for information may be limited by the *Right to Information Act 2009* (Qld));
- conduct marketing, promotions, competitions and surveys, and for community engagement matters;

- ensure safety and compliance at our sites and for life support and safety purposes;
- provide information about customers affected by power outages to government agencies;
- comply with our legal obligations, including under the *Work Health and Safety Act 2012* (Qld).

**Energex Limited** and **Ergon Energy Corporation Limited** may, in addition, collect, hold, use and disclose your personal information to:

- supply you with electricity, including connections, disconnections, life support and other service requests or changes from you or your electricity retailer;
- respond to any safety or emergency issues such as power lines down;
- attend to network related requirements including maintenance, vegetation management, street lighting, meter readings and any other request you may have made to us or your electricity retailer;
- notify your electricity retailer of issues concerning your electricity service;
- address any query, feedback or complaint that you may raise with us or your electricity retailer;
- recover costs for damage to network assets.

**Direct Marketing** - We may use your information to contact you about new offers, products and services. You have a choice to opt-out of receiving direct marketing materials. If you do not wish to receive this information, please contact us to advise that you do wish to opt out of receiving our marketing material.

## Third parties

We may share your personal information with third parties where:

- required by law (for example, to the Australian Tax Office);
- as authorised by law (for example, to protect our interests or where we have a duty to make such disclosure);
- you have given us your consent;
- the disclosure is to:
  - a related body corporate or joint venture of the Energy Queensland Group;
  - our employees or contractors, agents, and external advisers, such as lawyers, auditors, accountants and financiers; and
  - organisations who provide services to us in connection with our business, such as mailing operations, credit-reporting, billing and debt recovery functions and information technology services;
  - our business and government partners and other businesses or government agencies or departments we work with.

We take reasonable steps to ensure these organisations have to comply with confidentiality and privacy obligations concerning the protection of personal information.

## How we protect the security of personal information

We use a range of security mechanisms and procedures to protect your personal information and will take all reasonable measures to ensure that your personal information is stored securely both in electronic and physical forms.

We also take reasonable steps to securely destroy or de-identify personal information where we no longer need it for the purpose for which we collected it, unless we are required to keep the record under the *Public Records Act 2002* (Qld). We may need to keep the information for minimum periods set out in the relevant *Retention and Disposal Schedules (General Retention & Disposal Schedule and Energy Sector Retention & Disposal Schedule QDAN 618)* approved by the State Archivist.

## How personal information can be accessed and corrected

We take reasonable steps to ensure that the personal information that we collect and hold is accurate, complete, relevant, not misleading, timely and secure. We recommend that you promptly advise us:

- if there is any change to any of the details you have given us; and
- if it comes to your attention that we hold information about you that is not correct, accurate, complete, up-to-date or relevant,

so that we can continue to provide the products and services you require. You can contact us for more information about how to do this.

We will allow access or use all reasonable efforts to correct the information that we hold about you unless we consider that the law permits or requires us to withhold the information or not make the correction. We will do this within a reasonable time. We may first require proof of your identity.

There is no charge for requesting access to, or correction of, personal information.

If we cannot provide you with access to your personal information, or cannot correct it if requested, we will provide a written notice of our reasons for refusal.

## Anonymity

You can ask to deal with us anonymously or using a pseudonym. We will generally allow this where lawful and practicable (for example, where you wish to make an anonymous complaint and we do not need your actual name to investigate that complaint). There may be reasons that we can't allow this (for example, when we are providing a service to you at your residential address).

## Overseas transfer and storage of personal information

We may sometimes disclose your personal information to third parties overseas.

If we use a cloud-based service to store and process personal information, such a service may use a server hosted overseas to store data including your personal information.

## Cookies

Our website may use cookies to collect information about our visitors and to track advertising campaign data and for advertising purposes. A 'cookie' is a small file that is sent to your computer when you visit our website. Cookies may store user preferences and other information. The cookies we use do not store any personal data or collect personally-identifiable information. You can set your browser to refuse cookies or to indicate when a cookie is being sent.

## Complaints

You can make a privacy related complaint by contacting us at our contact page on our website. You may also complain to the OAIC.

## How to contact us

If you have any queries about this Privacy Statement, our Privacy Policy or procedures, or if you think that we have breached our privacy obligations, please contact us at our website.

You can also write to us at:

**Energy Queensland**  
PO Box 1090  
Townsville QLD 4810

If you are not satisfied with the outcome of your complaint, you may refer your complaint to the OAIC by calling 1300 363 992 or by visiting the website at [www.oaic.gov.au](http://www.oaic.gov.au).

## Changes to this Privacy Statement

This Privacy Statement may change from time to time. Please visit our website for the most current version.

You may obtain a copy of our current Privacy Policy from our website or by contacting us at the contact page on our website.

## Disclaimer

This Privacy Statement is subject to our [disclaimer](#). You should read that disclaimer before providing personal information to us.