



PRIVACY POLICY

Mendi Group ('Mendi') is committed to ensuring the privacy and confidentiality of your personal information. This Privacy Policy applies to personal information collected by us. We are bound by the *Privacy Act 1988* (Cth), which governs the way private sector organisations collect, use, keep secure and disclose personal information.

In this Privacy Policy, the expressions "Mendi", "we", "us" and "our" are a reference to Mendi Group ABN 74 064 722 327 and its Related Bodies Corporate and Related Entities.

By using our Services and by using and continuing to use our Website you agree to the terms of this Privacy Policy and consent to us collecting, maintaining, using and disclosing your personal information in the way described in this Privacy Policy.

If you have any concerns or complaints about the manner in which your personal information has been collected, used or disclosed by us, or if you believe that we have failed to comply with our obligations contained in the *Privacy Act* we have put in place an effective mechanism and procedure for you to contact us so that we can attempt to resolve the issue or complaint.

We can be e-mailed at info@mendi.com.au write to us at PO Box 5162, Townsville Qld 4810 and our Corporate Services Manager will then attempt to resolve the issue.

We recommend that you keep this information for future reference.

1. Definitions

1.1 In this Privacy Policy:

- (a) **"Other Relevant Legislation"** means: -
 - (i) *Information Privacy Act 2009* (QLD)
 - (ii) *Freedom of Information Act 1982* (Cth)
- (b) **"Personal Information"** has the same meaning as given under section 6 of the *Privacy Act* and means information or an opinion, whether true or not, and whether recorded in a material form or not, about an individual whose identity is reasonably identifiable, from the information or opinion.
- (c) **"Primary Purpose"** means Personal or Sensitive Information about an individual that was collected for a particular purpose. Any use or disclosure of the information for another purpose is known as the **"Secondary Purpose"**;
- (d) **"Related Body Corporate"** or **"Related Bodies Corporate"** has the same meaning as under the Corporations Act 2001 (Cth);
- (e) **"Related Entity"** or **"Related Entities"** has the same meaning as under the Corporations Act 2001 (Cth);
- (f) **"Services"** means the services provided by us to you;

- (g) "**Sensitive Information**" has the same meaning as under section 6 of the *Privacy Act* and includes information or an opinion about an individual's racial or ethnic origin and sexual orientation and practices;
- (h) "**Website**" means www.mendi.com.au or any other website we may establish or operate from time to time;
- (i) The meaning of any general language is not restricted by any accompanying example, and the words 'includes', 'including', 'such as', 'for example' or similar words are not words of limitation.

2. Collection of your personal information and sensitive information

2.1 Mendi only collects personal information that is necessary for us to provide the Services to you and for internal business and administrative purposes. The type of information we may collect from you includes (but is not limited to) the following:

- (a) your contact information such as full name (first and last), e-mail address, current postal address, delivery address (if different to postal address) and phone numbers;
- (b) details relating to your employment (if applicable) or your previous employment, including referee and emergency contact details, applications for employment and supporting documents, employment contracts and other records relating to terms and conditions of employment, records relating to salary, employment benefits and leave, medical certificates, fitness for work declaration, taxation details, banking information necessary to pay salary and wages, superannuation contributions, information related to training and development, information related to work performance, fingerprints, facial recognition biometrics;
- (c) your date of birth;
- (d) proof of your date of birth (including, but not limited to, driver's licence, passport, birth certificate);
- (e) your employment status;
- (f) details relating to complaints;
- (g) current and prior education details;
- (h) information regarding language preference and proficiency;
- (i) your financial information (such as credit card or bank account numbers);
- (j) any additional information required to provide you with our Services;
- (k) your opinions, statements and endorsements collected personally or via surveys and questionnaires; and
- (l) if you are requesting products or services from us or we are purchasing goods or services from you, any relevant payment or billing information (including but not limited to bank account details, direct debit, credit card details, billing address, repayment information and invoice details).

- 2.2 Mendi only collects personal information which is reasonably necessary for us to provide the Services to you. We will collect personal information directly from you unless it is unreasonable or impractical to do so. We may also collect personal information from your representatives, through our Website or other electronic communication channels, when sent to us via email or other communication from third parties, when required by law to do so, from publicly available sources of information, or when you enter into a competition or promotion or participate in a survey, from our suppliers or partners and from private vendors. We are not responsible for the conduct of third parties with respect to the handling of your personal information including any violations by third parties of its own privacy policy or applicable law/s.
- 2.3 Mendi may collect Sensitive Information from you which is reasonably necessary for us to provide the Services to you and for internal businesses and administrative purposes. We will obtain written consent from you prior to collecting your sensitive information, unless a permitted general situation exists under the Privacy Act. Mendi will provide notification at the point of collection of both sensitive information and personal information, as to the purpose for collection, and what the information will be used for.
- 2.4 The type of sensitive information we may collect from you or record about you is dependent on the Services provided to you by us and will be limited to those purposes reasonably necessary for our functions or activities. We do not use sensitive information to send you Direct Marketing Communications (as defined in paragraph 6 below) without your express consent.
- 2.5 Depending upon the reason for requiring the information, some of the information we ask you to provide may be identified as mandatory or voluntary. If you do not provide the mandatory data or any other information we require in order for us to provide our Services to you, we may be unable to effectively provide our Services to you.
- 2.6 If you use our website, we may utilise "cookies" which enable us to monitor traffic patterns, help us facilitate any promotions, surveys or advertising materials that we provide and to serve you more efficiently if you revisit Mendi's Website. We may also use "cookies" as a tracking technology within promotional materials that we provide to you. Third parties may help us to track activity within our Website and may also use "cookies" as a tracking technology. A cookie does not identify you personally but may identify your internet service provider or computer. You can set your browser to notify you when you receive a cookie and this will provide you with an opportunity to either accept or reject it in each instance.
- 2.7 We may gather your IP address as part of our business activities and to assist with any operational difficulties or support issues with our Services. This information does not identify you personally.

3. How we may use and disclose your personal and sensitive information

- 3.1 We will only use or disclose your Personal Information and Sensitive Information for the primary purposes for which it was collected, unless one of the following applies:-
- (a) the secondary purpose is related (or for sensitive information, directly related) the primary purpose for which you have given Mendi the information and you reasonably expect, or we have told you, that your information is usually disclosed for another purpose or to other individuals, organisations or agencies;
 - (b) you have given your consent for us to use the information for another purpose;
 - (c) the use or disclosure of the information is required or authorised by or under an Australian law or a court/tribunal order;

- (d) where it is unreasonable or impracticable to obtain consent to the use or disclosure, and we reasonably believe the use or disclosure is necessary to lessen or prevent a serious threat to the life, health or safety of any individual, or to public health or safety.
 - (e) where we reasonably believe that the use or disclosure is reasonably necessary for enforcement related activities conducted by, or on behalf of, an enforcement body.
- 3.2 We will only use or disclose your personal information for the primary purposes for which it was collected or as consented to and/or as set out below.
- 3.3 You consent to us using and disclosing your personal information to facilitate a purpose in connection with:
- (a) conducting research;
 - (b) human resources management;
 - (c) if required, the verification of your identity and the verification of your date of birth;
 - (d) the provision of our Services to you, including sharing information with companies acting as our agents to provide our Services;
 - (e) to communicate with you in order to provide you with our Services through various mediums such as email, SMS, social media, search engines and webpages;
 - (f) to facilitate the administration and management of our Services;
 - (g) the improvement, development and delivery of our Services (including to contact you about improvements and asking you to participate in surveys about our Services);
 - (h) the maintenance, development and analysis of our Services, business systems and infrastructure;
 - (i) marketing and promotional activities by us and our related bodies (including direct marketing by direct mail, telemarketing, email, SMS and MMS messages) such as our customer loyalty programs, promotional offers and newsletters;
 - (j) to provide customer service functions, including handling enquiries and complaints;
 - (k) to offer you updates, or other content or products or Services that may be of interest to you;
 - (l) our compliance with applicable laws (including bankruptcy laws) and legal obligations, in response to a law enforcement agency's request, or where we have reason to believe that disclosing your personal information is necessary to identify, contact or commence legal action against a third party who may be causing injury or interference with our rights, property, Services or business ;
 - (m) the sale, and matters in connection with a potential sale, of our business or company to a third party, including mergers and transfers of the business or part thereof to a third party; and
 - (n) any other matters reasonably necessary to continue to provide our Services to you.

- 3.4 We may also use or disclose your personal information and in doing so we are not required to seek your additional consent:
- (a) when it is disclosed or used for a purpose directly related to the primary purposes of collection detailed above and you would reasonably expect your personal information to be used or disclosed for such a purpose;
 - (b) if it is required or authorised by law.
- 3.5 In the event we propose to use or disclose such personal information other than for reasons in 3.2 and 3.3 above, we will first seek your consent prior to such disclosure or use.
- 3.6 If you have received communications from us and you no longer wish to receive those sorts of communications, you should contact our privacy officer who will then attempt to resolve the issue and we will ensure the relevant communication ceases. Any other use or disclosure we make of your personal information will only be as required by law or as permitted by the *Privacy Act 1988* or by this privacy policy or otherwise with your consent.

4. The types of organisations to which we may disclose your personal information

- 4.1 We may disclose your personal information to organisations outside of Mendi for a purpose directly related to the primary purpose of collection detailed in this Privacy Policy. Examples of organisations and/or parties that your personal information may be provided to for a purpose directly related to the primary purposes of collection detailed in this Privacy Policy include:
- (a) Entities who assist is in providing our services
 - (b) Where we are required or authorised to do so by law
- 4.2 Your personal information is disclosed to these organisations and/or parties only in relation to the Services we provide to you or for a purpose permitted by this privacy policy however we are not responsible for the conduct of third parties with respect to the handling of your personal information.

5. Direct Marketing

- 5.1 You expressly consent to us using your personal information, including any email address you give to us, 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) (Direct Marketing Communications) which we consider may be of interest to you.
- 5.2 Without limitation to clause 5.1, if it is within your reasonable expectations 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.
- 5.3 If at any time you do not wish to receive any further Direct Marketing Communications from us, you may ask us not to send you any further information about products and Services and not to disclose your information to other organisations for that purpose. You may do this at any time by using the “unsubscribe” facility included in the email or by contacting our Privacy Officer.

6. Cross Border Disclosure

- 6.1 Any personal information provided to us may be transferred to, and stored at, a destination outside Australia, including Canada, Chile, China, Hong Kong, countries within the European Union, India, Japan, Malaysia, New Zealand, Philippines, Russia, Singapore, South Africa, South Korea, Sri Lanka, Taiwan and the United States of America, where we may utilise overseas data and website hosting facilities or where we have entered into contractual arrangements with third party service providers to assist us with providing our Services to you. Personal information may also be processed by staff or by other third parties operating outside Australia who work for us or for any suppliers, agents, partners or related companies of Mendi.
- 6.2 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*, we are not required to take such steps as may be reasonable in the circumstances.
- 6.3 By submitting your personal information to Mendi, you expressly agree and consent to the disclosure, transfer, storing or processing of your personal information outside of Australia. 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 and you may not be able to seek redress in the overseas jurisdiction.
- 6.4 If you do not agree to the transfer of your personal information outside Australia, please contact our Privacy Officer.

7. Data quality and security

- 7.1 Mendi uses appropriate technologies and processes such as access control procedures, network firewalls, and physical security to protect Personal Information and Sensitive Information.
- 7.2 Information collected by Mendi will be held in an appropriately secure manner, depending on the information and method of collection, including:
- (a) Online and offline databases;
 - (b) Online file servers;
 - (c) Locked drawers or filing cabinets.
- 7.3 Personal and Sensitive Information is only able to be accessed and used by employees that require the information to provide the Services to you. Access to your information is granted to employees on a 'needs to know' basis. Attempts to access personal or sensitive information by an unauthorised employee or use by an employee of personal or sensitive information for any other purpose than that which it was collected (except in permitted general situations) is forbidden and may result in disciplinary action.
- 7.4 We will take reasonable steps to help ensure your Personal Information is safe. However, that we cannot guarantee the security of all transmissions or personal information, especially where the Internet is involved.
- 7.5 You acknowledge that we are not liable for the safety of your Personal Information where you provide or allow access to such information by parties other than us.
- 7.6 Notwithstanding the above, we will take reasonable steps to:-

- (a) make sure that the Personal Information we collect, use or disclose is accurate, complete and up to date;
- (b) protect your Personal Information from misuse, loss, unauthorised access, modification or disclosure both physically and through computer security methods; and
- (c) destroy or permanently de-identify any information if it is no longer needed for its purpose of collection provided Mendi is not required under an Australian law or court/tribunal or otherwise to retain the information.

7.7 However, the accuracy of personal information depends largely on the information you provide to us, so we recommend that you:

- (a) let us know if there are any errors in your personal information; and
- (b) keep us up-to-date with changes to your personal information (such as your name or address).

8. Access to and correction of your personal information

8.1 You are entitled to have access to any Personal Information and Sensitive Information relating to you which we possess, except in some exceptional circumstances provided by law. You are entitled to edit such information unless we are required by law to retain it or permitted to retain it in accordance with this Privacy Policy. However, we may keep track of past transactions for our accounting and audit requirements. Furthermore, it may be impossible to completely delete your information because some information may remain as backups.

8.2 If you would like to access or correct any records of personal information we have about you, you are able to access or update that information (subject to the above) by contacting our Privacy Officer.

8.3 Mendi may charge a reasonable fee for giving you access to your information.

9. Vehicle cameras

9.1 Mendi uses camera systems in some of its vehicles for the purpose of maintaining the safety and security of its employees, clients, users of our Services, visitors and other road users. The format of this camera and recording system is forward facing camera installed in the vehicle which records, including sound, while the vehicle is in use. In some cases there may be a driver facing camera.

9.2 Mendi will comply with the *Information Privacy Act 2009*, the *Right to Information Act 2009*, APPs and this Privacy Policy in respect of any information collected via its vehicle camera systems.

10. Biometric information

10.1 Mendi captures, collects and stores the biometric data of employees for use in conjunction with time and attendance software which is linked to our payroll system.

10.2 Biometric data of employees will be destroyed upon the termination of the employee's employment with Mendi.

- 10.3 Mendi will comply with the Information *Privacy Act 2009*, the *Right to Information Act 2009*, APPs and this Privacy Policy in respect of any biometric information collected via its biometric identification system.

11. Consent

- 11.1 By using our Website (as may be applicable), engaging us to perform or using our Services or by accepting the terms of one of our terms and conditions which refer to this Privacy Policy, you are agreeing to the terms of this Privacy Policy.
- 11.2 If you do not agree to the terms and conditions of this Privacy Policy, please do not use our Website and contact our Privacy Officer.
- 11.3 We reserve the right to modify our Privacy Policy as our business needs require. We will notify you of such changes (whether by direct communication or by posting a notice on our Website), after which, your continued use of our products, Services or Website or your continued dealings with us shall be deemed to be your agreement to the modified terms. If you do not agree to our continued use of your personal information due to the changes in our privacy policy, please contact our Corporate Services Manager at:

Postal Address: PO Box 5162, Townsville Qld 4810

Telephone: (07) 4774 4175

Email: info@mendi.com.au



Jeffrey Doyle

Managing

Director