

# Privacy Policy

We may vary this policy at any time. A reference to this policy in any document refers to this policy as amended from time to time.

## 1. Introduction

We are committed to complying with the privacy laws that apply to you, including (as applicable) the *Privacy Act 1988 (Cth)* (the **Act**), which contains the Australian Privacy Principles (**APPs**), the *Privacy Act 2020 (NZ)*, which contains the New Zealand Information Privacy Principles (**NZIPPs**), and any relevant privacy codes (together, **Privacy Laws**). This Privacy Policy applies in addition to, and does not limit, our rights and obligations under Privacy Laws.

This policy outlines the circumstances surrounding the management of personal information in accordance with applicable Privacy Laws. We are committed to protecting your privacy and using your data carefully. In this policy we outline what personal information we collect, how we collect it, why we collect it and what we do with it.

## 2. Who does this policy apply to?

This policy applies to all Opal's dealings with individuals, including:

- customers, suppliers and other third party service providers of Opal; and
- Opal personnel including employees, directors and officers (past and present), prospective employees, secondees and any person engaged or contracted under a contract for services (**Personnel**).

This policy does not form part of any Personnel's contract of employment.

## 3. Who we are?

References in this policy to "**Opal**", or "**we**", "**us**" and "**our**" are to Paper Australia Pty Ltd (ABN 63 061 583 533) and its subsidiaries, including Opal Packaging Australia Pty Ltd (ABN 77 636 682 883), Opal Commercial Services Pty Ltd (ABN 56 637 020 467), Paper Products Marketing Pty Ltd (ABN 78 069 837 592) and Opal Packaging New Zealand Limited (NZBN 9429047752900).

## 4. What is personal information?

In this Privacy Policy 'personal information' means any information or an opinion about an identified individual, or an individual who is reasonably identifiable, regardless of whether the information or opinion is true or not or is recorded in a material form or not (i.e. digitally or in hard copy).

## 5. What personal information do we collect?

The kinds of personal information we collect depends on the circumstances in which the information is collected. We may collect information including:

- information that identifies you (for example, name, address, contact details, job title, job function, phone number, birth date, language preferences);
- if you are a customer or supplier, information about your financial position (creditworthiness) where you are applying for commercial credit or providing a guarantee;
- information about you that is required or authorised by law;
- where you are an authorised user of our platforms, the username, password, IP address, actions you have taken in the applications on the platform, such as record creation, changes, input, responses, analysis and approvals etc; and
- your opinions about our products, services or staff.



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## 5. What personal information do we collect? continued

If you are one of our Personnel, we may also collect the following information:

- nationality, marital status, gender, age, residency or visa status, dependants and emergency contact details;
- driver's licence and passport details, tax file number, employment history, references, educational qualifications, criminal history, professional certificates and licenses;
- performance review details and disciplinary information;
- financial account information;
- social media platform username; and
- video footage of you within the Opal workplace.

## 6. How do we collect your personal information?

Whenever it is reasonable and practical to do so, we will only collect personal information directly from you.

We will take reasonable steps to inform you before, or at the time we collect personal information or, if this is not practicable, as soon as practicable after collection, that we have obtained your personal information, unless it is obvious from the circumstances of the collection (for example, exchanging business cards at a trade function).

We may collect your personal information from:

- purchasers or potential purchasers of our products (for example, in the ordinary course of dealings, in relation to credit applications and sales and marketing activities);
- our suppliers, including individual contractors (for example, when establishing records and systems to enable payment for goods or services);
- forms or data entry fields on our websites, or through passive collection by cookies and other data collection technologies (where linked to your personal information); and
- other individuals who may come into contact with Opal.

If you are one of our Personnel we may also collect your personal information from:

- recruitment agencies and referees;
- third parties providing background check services;
- Inland Revenue (for Personnel located in New Zealand);
- social media;
- publicly available records such as court records, Australian Securities & Investments Commission, New Zealand Companies Office or personal insolvency records;
- video surveillance equipment installed within the Opal workplace; and
- tracking and tracing software at Opal sites in connection with maintaining the safety of all visitors and contractors, including with respect to an occurrence of COVID-19, or otherwise in connection with your visit to an Opal site.

## 7. Credit Information

We may obtain information that has a bearing on:

- your eligibility to be provided with credit;
- your history in relation to credit; or
- your capacity to repay credit,

(all, 'credit information') directly from you or from a Credit Reporting Body in connection with an application for commercial credit or provision of a guarantee relating to such an application.



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## 7. Credit Information continued

We will only do so where you have consented to the disclosure of that information.

Where we obtain such credit information, we will only use that information for credit application and credit guarantee purposes; or internal management purposes directly related to the provision or management of any credit by us or for debt collection purposes. Please refer to section 18 which provides detail on how credit information may be used by a Credit Reporting Body.

We will take such steps (if any) as are reasonable in the circumstances to ensure that the credit information we collect is accurate, up-to-date and complete. When we no longer need it for the purpose for which it was collected, we will take such steps as are reasonable in the circumstances to destroy the information or to ensure that the information is de-identified.

Your rights to access that information are set out below (see section 16). Otherwise, the provisions of this policy as they relate to personal information will generally also apply to credit information (see section 18).

## 8. Why do we collect, use and disclose your information?

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 information:

- for the purposes for which we collected it (and related purposes which would be reasonably expected by you);
- for other purposes to which you have consented; and
- as otherwise authorised or required by regulatory or legal obligations.

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. Some of these purposes are:

- for statistical or research purposes and reporting;
- to manage our relationship with you and improve our communication;
- to create, renew and manage your account on our platforms or portals and enable access to those accounts;
- to address any issues or complaints that we or you have regarding our relationship;
- to contact you regarding Opal dealings, including via electronic messaging such as SMS and email, by mail, by phone or in any other lawful manner;
- to provide goods or services to you and to receive goods or services from you;
- to communicate with you (including in relation to your use of our customer portals, obtain your input on new features, functionality and content and to provide information about updates to our solutions);
- if you are a customer seeking credit arrangements with us, to assess your creditworthiness and, for this purpose, to exchange your information with Credit Reporting Bodies;
- to administer surveys, competitions or other promotional activities or events conducted, sponsored or managed by us or our business partners;
- to allow us to analyse your use on our websites to evaluate and improve our performance and to provide a better customer experience on the sites (e.g. remembering your log-in details);
- apply your device-specific interests for both mobile applications and mobile websites, to create a non-permanent unique ID within our platforms for the purpose of storing and communicating interests within our internal platforms, to communicate and share your interests to our advertising and data partners to honour your interests according to the preferences you have set;



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### 8. Why do we collect, use and disclose your information? continued

- to deliver the resources and information you have requested online;
- to verify your identity, address and age or eligibility to participate in a marketing activity such as a competition or promotion; and
- to register your interests on the Personal Property Securities Register.

If you are one of our Personnel or a prospective employee, we may also collect, use and disclose your personal information:

- to consider you for a job with us (whether as an employee or contractor) or in the context of other relationships with us;
- to off board you from Opal, including deactivation of your access to our system and other related obligations with respect to the end of your employment/contract with Opal;
- for security purposes, including to ensure that you are complying with Opal's policies and procedures;
- to include you on Opal's intranet and email address system in such a way as may be accessed by all persons in Opal (to the extent that this would be reasonable); and
- for reasons generally arising from an employment relationship with you, including assessing performance or conducting disciplinary matters.

### 9. Cookies

We may use "cookies" and similar technology on our websites and in other technology applications. The use of such technologies is an industry standard, and helps to monitor the effectiveness of advertising and how visitors use our websites/applications. We may use such technologies to generate statistics, measure your activity, improve the usefulness of our websites/applications and to enhance the "customer" experience.

If you prefer not to receive cookies you can adjust your Internet browser to refuse cookies or to warn you when cookies are being used. However, our websites may not function properly or optimally if cookies have been turned off.

### 10. Direct Marketing

Subject to the requirements under the *Spam Act 2003* and *Do Not Call Register Act 2006* (or, if you are in New Zealand, the *Unsolicited Electronic Messages Act 2007* (NZ) and the New Zealand Marketing Association's voluntary Do Not Call Register and Do Not Mail Registers), we will not use your personal information for the purpose of direct marketing without your express or inferred consent and only where we have provided a simple means by which you may request not to receive direct marketing communications from us and you have not made such a request.

### 11. What happens if you don't provide personal information?

You are not required to provide any personal information to us but if you choose not to it might affect our ability to do business with you (e.g. provide you with goods).

In most circumstances it will be necessary for us to identify you in order to successfully do business with you. However, to the extent lawful and practicable, we will provide you with the option of not identifying yourself or of using a pseudonym when dealing with us. In the case of unsolicited information, this will generally be destroyed or de-identified unless we could have validly solicited the information and kept it. We will not adopt or use a government related identifier (e.g. TFN, Medicare number) of an individual unless we are permitted to do so by law.

Personnel will be informed about any consequences that could occur should you decide not to supply information that we have requested.



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### 12. Who do we disclose personal information to?

We may disclose your personal information to third parties in connection with the purposes described in section 8 of this Privacy Policy.

Where we disclose your personal information to third parties we will use reasonable commercial efforts to ensure that such third parties only use your personal information as reasonably required for the purpose we disclosed it to them and in a manner consistent with applicable Privacy Laws.

This may include disclosing your personal information to the following types of third parties:

- our Personnel, business partners and related bodies corporate to the extent reasonably required;
- our contractors and other third parties that provide goods and services to us (including website and data hosting providers, Credit Reporting Bodies (please refer to section 18 for further detail) and other suppliers);
- our accountants, insurers, lawyers, auditors and other professional advisers and agents;
- payment system operators;
- any third parties to whom you have directed or permitted us to disclose your personal information;
- 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;
- third parties that require the information for law enforcement or to prevent a serious threat to public safety;
- otherwise as permitted or required by law; and
- if you are one of our Personnel, our contractors and other third party service providers (including recruitment agencies, HR related service providers (such as outsourced payroll processing and providers of background check services), website and data hosting providers, and other suppliers).

### 13. Do we disclose personal information overseas?

We may disclose your personal information to overseas recipients in New Zealand (if you are based in Australia) or to recipients in Australia (if you are based in New Zealand).

We may also disclose personal information to overseas recipients in a number of other countries, including, Europe, Japan, the Netherlands, France, the United Kingdom and the United States of America for the purposes of:

- data storage, security and processing;
- personnel management; and
- reporting.

We will take such steps as are reasonable to ensure that overseas recipients of your personal information comply with the APPs and NZIPPs (as applicable) in relation to that information.

Where that is not the case, we will expressly advise you, and ask you whether or not you consent to the disclosure of your personal information to an overseas recipient where your personal information may not be covered by the APPs or NZIPPs (as applicable). Such advice will be made before we obtain any such consent and, if consent is not given, disclosure will not be made to that overseas recipient unless we are otherwise permitted to do so on other grounds as set out in APPs, NZIPPs or applicable law.

If you consent to disclosure to an overseas recipient and they handle your personal information in breach of the APPs:

- we will not be accountable under the Act; and
- you will not be able to seek redress under the Act.

If you are based in New Zealand, we may not advise you or ask you for your consent where we transfer your personal information to an overseas recipient that is our service provider (e.g. cloud storage). However, we will remain accountable to you under the *Privacy Act 2020* (NZ).

You should be aware that the overseas recipient may be subject to a foreign law that could compel the disclosure of your personal information to a third party, such as an overseas authority.



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### 14. How do we store and secure personal information

We store personal information on computer databases and/or in hard copy and will take reasonable commercial physical and electronic security measures to protect any records that we hold which contain your personal information. We will de-identify personal information in a secure manner when we no longer need it.

Please notify us immediately if you become aware of any breach of security.

### 15. Accuracy of personal information we hold

We try to maintain your personal information as accurately as reasonably possible.

We encourage you to contact us if the personal information we hold about you is incorrect or to notify us of a change in your personal information. Our contact details are set out in section 17 of this Privacy Policy.

### 16. How can you access and correct personal information we hold about you?

You have the right to request access to, and correction of your personal information.

If you request access to your personal information that we hold about you, or request that we change that personal information, we will respond within a reasonable period of time and, if it is reasonable and practicable to do so, allow access unless we consider that there is a sound reason under the Privacy Laws or other relevant law to withhold the information.

If we are satisfied that the personal information is incorrect, we will take such steps as are reasonable to correct that information. If we refuse to correct your personal information, we will explain our decision to you and advise you of mechanisms available for you to complain about our refusal. In New Zealand, we will ensure you receive a response to your request within 20 working days of receiving the request, as required under the *Privacy Act 2020* (NZ).

### 17. How can you contact us?

If you have any queries about this policy, wish to request access to (or correction of) your personal information, or wish to make a complaint, please contact Opal's Privacy Officer at:

**Opal**

**Level 2 / 109 Burwood Road**

**Hawthorn VIC 3122**

**privacyofficer@opalanz.com**

When contacting us please provide as much detail as possible in relation to your question, comment or complaint.

We will take any privacy complaint seriously and any complaint will be assessed with the aim of resolving any issue in a timely and efficient manner. We request that you cooperate with us during this process and provide us with any relevant information that we may need.

If you are not satisfied with the outcome of our assessment of your complaint, you may wish to contact the Office of the Australian Information Commissioner or the New Zealand Privacy Commissioner.



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### 18. Credit Reporting Bodies

Where we collect your credit information, your personal and credit information may be provided to Credit Reporting Bodies such as illion or Equifax. These Credit Reporting Bodies may use your credit information (including information about default and repayment history) to provide their credit reporting services, and this information may be disclosed to other customers of the Credit Reporting Bodies. For full details, a copy of the Credit Reporting Bodies' privacy policies and credit reporting policies can be obtained from their respective websites or by contacting their offices and requesting a copy.

These Credit Reporting Bodies may also use your credit information to pre-screen your eligibility to receive direct marketing information for products and services from other credit providers such as banks as permitted under legislation. Pre-screening allows the Credit Reporting Body to exclude individuals from a proposed direct marketing campaign by applying the credit provider's eligibility criteria for the product or services against the credit information it holds. If you do not wish illion or Equifax to do this you should contact both organisations and request they not use your credit information for this purpose.

It is important to note:

- if you believe you have been or are likely to be the victim of fraud, you should contact illion and Equifax and request they not use or disclose your credit information. Access can be put on hold for 21 days if you are in Australia, or 10 days if you are in New Zealand, so credit providers cannot access your information during that period; and
- if you believe the information they hold about you is incorrect, you should contact them in writing.

#### Illion

Australia

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#### Equifax Australia Information Services and Solutions Pty Limited

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