

PRIVACY POLICY

November 2022

Confidential:

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This document shall not be reproduced without the prior consent of 1st Energy Pty Ltd.

ALL INFORMATION CONTAINED IN THIS DOCUMENT MUST BE KEPT IN CONFIDENCE.

None of the information is to be shared with any person outside of 1st Energy Pty Ltd, unless clearly authorised.

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2. INTRODUCTION

1st Energy is an authorised electricity and gas retailer. As a business there may be circumstances where we collect personal information about our customers and employees.

1st Energy is committed to complying with the Australian Privacy Principles as set out in the Privacy Act 1988 in relation to all personal information it collects.

- This Policy sets out how we:
- Collect, store, and use personal information,
- The circumstances in which we might disclose personal information to third parties,
- How you can access your personal information, and
- What you can do if you're unhappy with 1st Energy's treatment of your personal information.

We may make changes to the Privacy Policy from time to time without notice, via the uploading of an updated version of the Privacy Policy on [1stEnergy.com.au](https://www.1stenergy.com.au).

3. WHO IS 1ST ENERGY?

In this Policy, "1st Energy" refers to all activities of the 1st Energy group of companies.

4. WHO DOES THE 1ST ENERGY PRIVACY POLICY APPLY TO?

This Policy applies to any individuals in respect of whom 1st Energy currently holds, or may in the future collect, personal information.

5. WHAT INFORMATION DOES THE 1ST ENERGY PRIVACY POLICY APPLY TO?

This Policy applies to personal information. "Personal information" is information or an opinion about an identified individual or an individual who is reasonably identifiable, whether true or not, and whether recorded in a material form or not.

In this Policy there are also references to "sensitive information". "Sensitive information" is information or an opinion about a person's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, criminal record, or health, genetic or biometric information. Sensitive information is a subset of personal information.

6. WHAT INFORMATION IS NOT PERSONAL INFORMATION?

Information where 1st Energy has removed any reference to a person, so that the person cannot be reasonably identifiable from the information, is not personal information.

1st Energy may use this information for its own purposes and commercial gain. For example, the fact that x users aged 30-35 have accessed a 1st Energy website is not personal information.

7. HOW AND WHEN DOES 1ST ENERGY COLLECT PERSONAL INFORMATION?

For customers and potential customers, we aim to only collect information that is necessary to provide you with any service you have requested, being the sale and supply of electricity and/or gas or related services.

For employees and potential employees, we aim to only collect information that is necessary to provide you with employment and assess your suitability for employment with us.

We collect information in a variety of ways, including:

- When you request the supply of electricity and/or gas or other related goods and services and to assist us with supplying your premises and administering customer accounts,
- When you request a quote or product information from us and to us assist us in providing you that information,
- When you contact us for information,
- When you apply for a job with us,
- Engaging suppliers, contractors, and other personnel,
- Responding to questions regarding our products and our business,
- Interacting with people via our websites,
- Conducting trade promotions and competitions; and
- Security video surveillance at 1st Energy sites.

The kinds of personal information we collect includes names, addresses and other contact details, information to identify our customers, information to contact our customers, concession details of customers, information relating to customers gas or electricity meters, information collected from bills uploaded by users of our bill analysis tool service, information required for credit reports, details about a person's work experience and other qualifications, date of birth, driver's license details, bank account details, photographs and video footage.

Where reasonable and practicable, we will collect personal information directly from the person and inform the person that this is being done.

However, in some circumstances, it is necessary for us to collect personal information through third party service providers or agents from a source of publicly available information (e.g. a telephone book) or from an employer (e.g. where a contractor provides personal information about its staff).

At or soon after the time when we collect personal information, we will take reasonable steps to ensure that the person is aware of which energy company has undertaken the collection, the purpose(s) of the collection, the main consequences (if any) if the information is not collected, the types of organisation (if any) to which the information may be disclosed (including those located overseas), any law that required the particular information to be collected, and the fact that this Privacy Policy contains details on access, correction and complaints.

Personal information collected by us is held in a variety of formats, including hard copy format, on our computer systems, cloud services, servers and other IT appliances and hardware required for storage infrastructure.

If we receive personal information that we've not requested (unsolicited information) and we determine that we could not have collected that information under the Australian Privacy Principles if we had requested it, then we will destroy or de-identify the information if it is lawful and reasonable to do so.

Where practicable, you may deal with us anonymously or by pseudonym.

8. COLLECTION OF SENSITIVE INFORMATION

We will not collect sensitive information unless the person to whom it relates consents to the collection and the information is reasonably necessary for one or more of our functions or activities, except where the collection is required or authorised by law, is necessary to prevent or lessen a serious and imminent threat to the person's (or another person's) life or health or is necessary in relation to legal proceedings (current, anticipated or potential), or another permitted exception in the Privacy Act applies.

9. HOW DOES 1ST ENERGY USE PERSONAL INFORMATION?

The use to which we can put personal information depends on the reason for which it was collected.

We may use personal information for its primary purpose of collection (e.g. the delivery of goods to the person) or for any related secondary purpose that we could reasonably be expected to use the personal information for (e.g. promotional or direct marketing purposes).

10. DIRECT MARKETING

In certain circumstances, we may use personal information for promotional or direct marketing purposes. Express consent obtained for marketing purposes remains valid indefinitely unless you opt- out. We may contact you by any means (including mail, telephone, and electronic communications) to let you know about our services, promotions, and competitions. A person may at any time request we do not continue to use their personal information for sending direct marketing material to that person. Such a request can be made by contacting us either in writing, by email or by telephone at the contact details listed in part 23 of this document. There is no fee for making such a request.

We maintain a Do Not Contact List, which allows you to register your details to prevent us or our agents contacting you for sales and marketing purposes. For more information relating to our Do Not Contact List [click here](#).

Where possible, 1st Energy will aim to contact you via your preferred method of contact.

11. DISCLOSURE OF PERSONAL INFORMATION

We respect the privacy of personal information, and we will take reasonable steps to keep it strictly confidential.

We may disclose your personal information to the following people/companies:

- Service providers that we rely on to provide services to you such as electricity and gas distributors or metering coordinators
- Government agencies or law enforcement bodies where we are required to or authorised to do so by law
- Credit agencies that we engage to provide credit information about you if you apply for services from us
- Companies related to us or who take control of all, or part of our business may require us to share your personal information
- Our contractors, suppliers, agents, related entities, and partners who assist us to provide products and services and to administer, manage and improve our business, including companies that provide products and services based on smart meter data and companies who manage the distribution of energy
- Organisations with whom we have commercial arrangements including debt buyers, corporate finance and banking providers, auditors and lawyers and government and regulatory authorities (as required or authorised by law)

We may disclose your personal information where it is:

- necessary to protect or enforce our legal rights or interests or to defend any claims;
- necessary to prevent or lessen a serious threat to a person's health or safety;
- required or authorised by law; or
- permitted by another exception in the Privacy Act

12. INTERNATIONAL DISCLOSURE

An individual 1st Energy company may disclose personal information to a related 1st Energy company in Australia or overseas, subject to the provisions of the Privacy Act. In such circumstances, the related company will only use the personal information for the same purposes that the disclosing 1st Energy company is authorised to use the personal information for.

In accordance with the principles set out in this Policy, as part of its normal course of business we transfer personal information to our companies and third parties located in a range of countries in which we or our contractors operate.

13. INFORMATION SECURITY

We will take all reasonable steps to ensure that all personal information held by us is secure from any unauthorised access or disclosure. However, 1st Energy does not guarantee that personal information cannot be accessed by an unauthorised person (e.g. a hacker) or that unauthorised disclosures will not occur.

We will take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed for the purposes for which we're authorised to use it.

14. ACCESSING PERSONAL INFORMATION

You may request to access personal information that we hold about you by contacting us.

We will grant a person access to their personal information as soon as possible, subject to the circumstances of the request.

A request to access personal information will be rejected if:

- The request is frivolous or vexatious,
- Providing access would have an unreasonable impact on the privacy of another person,
- Providing access would pose a serious and imminent threat to the life or health of any person,
- Providing access would prejudice 1st Energy's legal rights, or
- There are other legal grounds to deny the request.

We may charge a fee for reasonable costs incurred in giving access to an individual's personal information. The fee (if any) will be disclosed prior to it being levied.

15. CORRECTING PERSONAL INFORMATION

We will take reasonable steps to ensure the accuracy and completeness of the personal information we hold. However, if you believe that any personal information that we hold about you is inaccurate or out of date, then you should contact us.

16. COMPLAINTS

If a person wishes to complain about a breach by us or our Privacy Policy, the Australian Privacy Principles, or the Credit Reporting Privacy Code, a complaint may be lodged in writing by post or by email to the address set out in "Contact 1st Energy" below.

Your complaint will be managed by our privacy officer who will review it and provide you with a response as soon as possible. If you are not satisfied with the way we have dealt with your complaint, you may then complain to the Officer of the Australian Information Commissioner, email: enquiries@oaic.gov.au or visit www.oaic.gov.au.

17. ADDITIONAL INFORMATION REGARDING CREDIT INFORMATION

This Privacy Policy also applies in relation to our collection and use of credit information of individuals, regarding commercial credit provided by us.

The types of credit information that we collect and uses for assessing an application for commercial credit and administering a commercial account include:

- names, addresses and other contact details of accountholders and guarantors (both prospective and current);
- bank account details;
- driver's licence details;
- financial information; and
- information on the assets held by an individual.

Such information is collected from the relevant individual and from credit reporting bodies, as well as from publicly available information.

We use your credit-related information to help us determine whether to provide or continue to provide any products or services to you on credit and to manage our relationship with you as permitted by Part IIIA of the Privacy Act.

We may use or disclose your credit-related information for a range of purposes including to:

- assess any application you make for credit;
- collect payments that you owe us;
- debt collection;
- consider whether to provide credit to you;
- respond to any access or correction requests that you make to us, a credit reporting provider or another credit provider;
- respond to any complaint that you make, whether to us, a regulator, or any provider of a recognised external dispute resolution scheme; and
- comply with the law or an order of a court or tribunal.

If you choose not to provide this information to us, we may not be able to answer your query or provide energy, credit or related products and services to you.

We may disclose your credit information and credit eligibility information to third parties, including:

- some intermediaries;
- our related companies;
- organisations that perform credit assessment, management and debt collection activities on our behalf including National Mercantile;
- current or prospective guarantors or security providers in relation to credit we are providing to you; and
- organisations involved in debt assignment.

We may exchange credit-related information as permitted by the Act and CR Code. The credit reporting bodies may we use include, (but are not limited to):

Commercial Credit Control Pty Ltd

1300 139 043

www.comcredit.com.au

National Mercantile

1300 096 407

www.nationalmercantile.com.au

You can contact the above credit reporting bodies or visit their websites to see their policies on the management of credit-related information.

18. COOKIES POLICY

We use the term “cookies” to refer to cookies and other similar technologies covered by the EU Directive on privacy in electronic communications.

19. WHAT IS A COOKIE?

Cookies are small data files that your browser places on your computer or device. Cookies help your browser navigate a website and the cookies themselves cannot collect any information stored on your computer or your files.

When a server uses a web browser to read cookies they can help a website deliver a more user-friendly service. To protect your privacy, your browser only gives a website access to the cookies it has already sent to you.

20. WHY DO WE USE COOKIES?

We use cookies to learn more about the way you interact with our content and help us to improve your experience when visiting our website.

Cookies remember the type of browser you use and which additional browser software you have installed. They also remember your preferences, such as language and region, which remain as your default settings when you revisit the website. Cookies also allow you to rate pages and fill in comment forms. Some of the cookies we use are session cookies and only last until you close your browser, others are persistent cookies which are stored on your computer for longer.

21. HOW ARE THIRD PARTY COOKIES USED?

For some of the functions within our websites we use third party suppliers, for example, when you visit a page with videos embedded from or links to YouTube. These videos or links (and any other content from third party suppliers) may contain third party cookies and you may wish to consult the policies of these third-party websites for information regarding their use of cookies.

22. HOW DO I REJECT AND DELETE COOKIES?

We will not use cookies to collect personally identifiable information about you. However, should you wish to do so, you can choose to reject or block the cookies set by 1st Energy or the websites of any third-party suppliers by changing your browser settings – see the Help function within your browser for further details.

Please note that most browsers automatically accept cookies so if you do not wish cookies to be used you may need to actively delete or block the cookies.

For information on the use of cookies in mobile phone browsers and for details on how to reject or delete such cookies, please refer to your handset manual.

If you reject the use of cookies, you will still be able to visit our websites but some of the functions may not work correctly.

23. CONTACT 1ST ENERGY

If there are any questions regarding our Privacy Policy or the way that we manage personal information or if there are any concerns about our treatment of personal information, then let us know.



Call us on 1300 426 594,
Monday -Friday
9am to 5pm (AEST)



Visit: 1stenergy.com.au/contactus



Post: Attn: The Privacy Officer 1st Energy,
PO Box 16029, Collins Street West VIC 8007



Email compliance@1stenergy.com.au

24. REVIEW

This policy will be reviewed every two years or more frequently as required. When we change our Privacy Policy, we update it on our website. Visit our website regularly to review our Privacy Policy for changes.