



ICT Australia Pty Ltd and ICT Financial Services Pty Ltd

Privacy Statement

July 2006

As part of a large global telesolutions company, ICT Australia Pty Ltd and ICT Financial Services Pty Ltd (collectively referred to as “ICT”) are committed to the protection of personal privacy. Our privacy policy on how we manage any personal information we hold, respects the confidentiality of this information.

Privacy provisions in the *Privacy Act 1988* affecting private sector organisations came into effect on 21 December 2001. The Amendment includes 10 National Privacy Principles (“NPP’s”), which govern the collection, use, storage and disclosure of personal and sensitive information. ICT has developed its own set of privacy principles, which embody the spirit of the NPP’s. A copy of the NPP’s can be obtained by contacting our Privacy Officer.

This policy sets out the principles that ICT has adopted in order to protect information about individuals. It ensures that ICT complies with its legal obligations under the Privacy Act.

What is Personal Information?

Personal Information is any information about a person, that identifies that person or by which that person’s identity can reasonably be ascertained.

Principle 1 Collection

ICT will only collect Personal Information that is necessary for one or more of its legitimate business functions or activities.

We will collect Personal Information by lawful and fair means, and not in an unreasonably intrusive way.

ICT Financial Services Pty Ltd is the holder of an Australian Financial Services Licence and is subject to certain legislative and regulatory requirements which necessitate it obtaining and holding detailed information which personally identifies an individual and/or contains information or an opinion about that individual.

Where it is reasonable and practicable to so, we collect Personal Information directly from individuals. When we collect information we will explain why we are collecting it, who we give it to and how we will use or disclose it.

Generally, collection of your Personal Information will be effected either over the telephone, by email, SMS or other electronic communication devices. From time to time additional and/or updated Personal Information may be collected through one or more of those methods.

We may collate information about individuals, which is received from others, including public sources, with the information we have obtained directly from the individual. If we do get information from someone else we will make sure the individual knows we have done so (unless the individual has already authorised that person to give us the information). We will take steps to make sure it is accurate.

Principle 2 Use and Disclosure

ICT will use and disclose Personal Information for the primary purpose for which it was provided to us.

We may also use or disclose it for a secondary purpose if that purpose is:

- 1) related to the primary purpose,
- 2) the individual has given consent, or
- 3) if the individual who is the subject of the information would reasonably expect the information to be used for such a purpose.

We may also use and disclose Personal Information without consent when:

- a) we reasonably believe that the use or disclosure is necessary to prevent or lessen a serious threat to an individual's life or health,
- b) the disclosure is required or specifically authorised by law,
- c) we believe that the use is reasonably necessary for law enforcement, public revenue protection, prevention and remedying of seriously improper conduct, or preparation for, or conduct of, court or tribunal proceedings, either by or on behalf of an enforcement activity,
- d) the Third Party is an agent or contractor of ICT who is required to keep the information confidential and to use it only for the purpose for which it was disclosed.

ICT Financial Services Pty Ltd is required under the Corporations Act to make certain information available for inspection by the Australian Securities and Investments Commission on request to ensure ongoing compliance with licensing and regulatory requirements. This may involve the disclosure of your Personal Information.

Sharing Information

We may share Personal Information with other members of the ICT Group including entities who are located outside Australia. Where information is transferred outside Australia we will do so in accordance with the Privacy Principle on transborder data flow.

The Privacy Act allows information (other than sensitive information, which must not be shared without express consent) to be shared between related companies provided we have taken reasonable steps to tell the individual that we may do this. This means that ICT and its related bodies and business partners may deal with information as if they were one organisation. If an individual opts-out of direct marketing communication, that decision will be respected by all the companies in the ICT Group.

Principle 3 Data Quality

ICT will take reasonable steps to make sure that the Personal Information it collects, uses or discloses is complete, accurate and up to date.

Principle 4 Data Security

ICT will take reasonable steps to protect the Personal Information it holds from misuse and loss and from unauthorised access, modification or disclosure.

At all times the Personal Information we have collected is treated as confidential and any sensitive information is treated as highly confidential and stored securely.

We will destroy or permanently de-identify Personal Information when it is no longer required by ICT for any purpose.

Principle 5 Openness

ICT will be open about how we manage Personal Information. We will have clearly expressed policies that are readily available. These policies will outline the way we manage Personal Information and our demonstrated commitment to Privacy.

In addition, we will take reasonable steps, if asked, to let individuals know the sort of information we hold about them, the purpose for which the information is held and how the information is collected, used, stored and disclosed.

Principle 6 Access and Correction

ICT will provide access and the opportunity to correct information held on an individual, when requested by the individual, unless legal restrictions apply, or exemptions in the NPP's apply.

If we hold Personal Information about an individual and the individual requests access to the information, we will facilitate the access of the information to the individual by sending the details to our business partners (holders of the customer details) within an agreed reasonable timeframe. There may be circumstances where this is not possible, if the request falls under any of the exceptions listed in the NPP 6.1, set out by the Office of the Federal Privacy Commissioner (September 2001) (refer below).

Where providing access would reveal evaluative information generated within ICT connection with a commercially sensitive decision-making process, we will provide the individual with an explanation for the commercially sensitive decision rather than direct access to the information.

If we are not required to provide the individual with access to the information because of any of the exceptions in the NPP 6.1, we will, if reasonable, consider whether the use of mutually agreed intermediaries would allow sufficient access to meet the needs of both parties. We will provide the individual with reasons for denial of access to, or correction of information held, where we are unable to provide information.

ICT will **not** provide an individual with access to their Personal Information if the following exemptions in NPP 6.1 apply:

- (a) providing access would pose a serious threat to the life or health of a person;
- (b) providing access would have an unreasonable impact on the privacy of others;
- (c) the request for access is frivolous or vexatious;
- (d) the information is related to existing or anticipated legal proceedings between us and would not be discoverable in those proceedings;
- (e) providing access would reveal our intentions in relation to negotiations with the individual in such a way as to prejudice those negotiations;
- (f) providing access would be unlawful;
- (g) denying access is required or authorised by or under law; or
- (h) providing access would be likely to prejudice certain operations by or on behalf of an enforcement body or an enforcement body requests that access not be provided on the grounds of national security.

In the event ICT refuses an individual access to their Personal Information, we will provide reasons for making this decision.

ICT may charge administration costs for the retrieval of customer information. However the costs will not be excessive and will not apply to the lodgement of the request itself.

If an individual is able to establish that the information held by ICT is not accurate, complete and up-to-date, we will take reasonable steps to correct the information so that it is accurate, complete and up-to-date.

If the individual and ICT disagree about whether the information is accurate, complete and up-to-date, the individual may request that ICT associate a statement with the disputed information, claiming that the information is not accurate, complete or up-to-date. ICT will take reasonable steps to carry out this request.

Principle 7 Identifiers

ICT may hold unique identifiers assigned by business partners and clients to identify customers when utilising data and returning data to the owner of the information, however we will not adopt as its own identifier of an individual an identifier of the individual that has been assigned by the business partner concerned.

ICT will not use or disclose Commonwealth Government identifiers, unless permitted to do so.

Principle 8 Anonymity

Wherever it is lawful and practicable, individuals will be given the option to deal with ICT anonymously when entering transactions with the company.

Principle 9 Transborder data flows

ICT will only transfer Personal Information overseas, if the individual consents to the transfer, or the transfer of data is compliant with the conditions listed in National Privacy Principle 6, set out by the Office of the Federal Privacy Commissioner (September 2001).

Principle 10 Sensitive Information

ICT may collect sensitive information about an individual., however we will only collect sensitive information, if the individual has given consent, unless one of the exceptions listed in NPP 10, set out by the Office of the Federal Privacy Commissioner (September 2001) apply namely:.

- (a) the collection is required by law; or
- (b) the collection is necessary to prevent or lessen a serious and imminent threat to the life or health of any individual, where the individual whom the information concerns:
 - (i) is physically or legally incapable of giving consent to the collection; or
 - (ii) physically cannot communicate consent to the collection.

Further Information

If you have any further questions about ICT Privacy Statement, please contact the ICT Privacy Officer on (02) 8268-3600.