



**APEX ENERGY**  
NETWORKS

# Apex Energy Holdings Pty Ltd

## Privacy Policy

**Version 1.1:** 18 March 2019

### **1. GENERAL**

- 1.1. Apex Energy Holdings Pty Ltd (ABN 21 619 954 906) ('**us, we, or the Company**') respect the privacy of visitors to our websites ('**Sites**'), our customers and other individuals who interact with us.
- 1.2. We have created this privacy policy to explain how we collect, store, use and disclose personal information.
- 1.3. Access to our privacy policy is free. If you would like us to post you a copy of our privacy policy, or have any questions about it or its contents, please email us at [info@apexenergy.com.au](mailto:info@apexenergy.com.au).
- 1.4. The *Privacy Act 1988* (Cth) (Privacy Act) includes thirteen (13) Australian Privacy Principles ('**APPs**'). The APPs regulate the way many companies collect, use, hold and disclose personal information.
- 1.5. We have decided to adopt an approach that is consistent with the Privacy Act, the APPs and the APP guidelines.

- 1.6. Our practices and internal policies are consistent with this privacy policy and our staff are required to ensure compliance as a condition of their employment. In any third-party contracts, we enter into there is a duty to maintain personal information in accordance with this privacy policy and in a manner consistent with the Privacy Act.
- 1.7. From time to time we will update this privacy policy. If we do so we will update the version number. Any changes to this privacy policy will be consistent with our legal obligations.

## 2. HOW AND WHY WE COLLECT PERSONAL INFORMATION

- 2.1. The Company collects personal information in a number of ways. The most common ways we collect personal information include:

- 2.1.1. **From application forms (online or hard copy or completed via telephone):** when individuals provide details to be supplied by us, or subscribe to marketing or communications lists, for the purpose of providing news, information, offers and other services in accordance with terms and conditions of any promotion or service.
- 2.1.2. **From order forms (online or hard copy or via telephone):** when goods and services are ordered: for the purpose of fulfilling the order and delivering the goods, and to maintain our relationship with the individual concerned.
- 2.1.3. **From telephone, email, written and in-person enquires:** for the purposes of responding to enquires.
- 2.1.4. **In person:** such as when we come and speak to you about our services or your personal circumstances including energy usage and needs for the purposes of providing services.
- 2.1.5. **Business cards:** when you enter into transactions with us or otherwise interact with us in a business context including from your business card.
- 2.1.6. **From online or hard copy surveys:** for the purpose of reviewing and analysing the results and following up on results.
- 2.1.7. **Any messages or comments submitted to us via the Site:** which may include personal information such as your name, email address and telephone number.
- 2.1.8. **From public registers including social networks such as LinkedIn:** if you have made this information available, for the purpose of obtaining your contact details.
- 2.1.9. **From Sites through automatic processes such as cookies:** Cookies are used to better understand users and improve the layout and functionality of our Sites by collecting information such as date, time and duration of visits and which pages are most commonly accessed. This tracking is conducted in such a way as to ensure the anonymity of visitors to Sites. While cookies may

identify the computer, it should not identify the individual. With most internet browsers, users can erase cookies from their computer's hard drive, block all cookies or receive a warning before a cookie is stored. However, some parts of this Site may not function fully for users to that disallow cookies.

- 2.2. Our Sites may collect other information that may or may not be personal information. For each visitor to the Site, our server automatically recognises and stores the individual's "IP address" (eg. the domain name or Internet protocol address), the type of Internet browser being used, the address of the site that "referred" the individual to our website and clickstream data. If this information cannot be used or combined with other data to identify you, it will not be personal information.
- 2.3. We generally collect personal information for the purpose of providing you with any goods or services that you request. We also collect personal information to update our Sites, to improve the services or goods that we provide, and to develop our business.

### **3. WHAT PERSONAL INFORMATION IS COLLECTED?**

- 3.1. We aim to only collect personal information that is necessary to fulfil the purpose for which you have disclosed it, or as required by law.
- 3.2. You will typically be asked to provide contact information (such as your name, telephone number, postal address and email address). You may also be asked for demographic information (such as your age and gender) and/or profile data.
- 3.3. In some instances, we may need to ask you for additional information necessary to provide you with the goods or services you have requested. When we ask you for further information in addition to that you provide to us initially, we will tell you why we are collecting that information.
- 3.4. We aim to only collect information that is absolutely necessary to provide you with any service you have requested. If you would prefer to remain anonymous, we are happy to still deal with you provided that we don't need to know who you are. Instances where this may be possible include where you are providing us with anonymous feedback that does not require a response.
- 3.5. We do not collect sensitive personal information.

#### **4. ELECTRONIC COMMUNICATIONS**

- 4.1. In some instances, where you have provided consent, or consent is deemed to have been provided or conferred (in compliance with the APPs) we may use your personal information for the purpose of sending you marketing communications including by electronic means such as email, SMS, MMS for an unlimited period. You may opt-out of receiving such messages at any time provided such messages are sent by us. We will give you the opportunity to opt-out within the message that we send to you. You may also opt-out by contacting us (using the details provided below).

#### **5. STORAGE OF PERSONAL INFORMATION**

- 5.1. Any information we collect about you will be kept securely by us unless an event beyond our control disrupts the measures we have in place. We use a range of measures to ensure the security of the data we keep and to prevent unauthorised access, destruction, use, modification or disclosure. We have procedures in place with regards to staff access to personal information and ensure that only those staff who need to know have access to your information.
- 5.2. We will only store personal information for so long as it is required either to fulfil the purpose for which it was collected or to fulfil our obligations at law. We will conduct regular reviews of the personal information we hold and destroy or de-identify information no longer required.

#### **6. DISCLOSURE OF PERSONAL INFORMATION**

- 6.1. Generally, personal information will not be disclosed to individuals or organisations outside of the Company without your prior consent. However, in the circumstances described below, personal information may be disclosed to:
- 6.1.1. **Essential service providers:** There may be other companies that we rely on to provide goods or services to you. We may be required to provide your personal information to these companies to ensure that we can deliver goods or services to you.
- 6.1.2. **Law enforcement or government bodies:** There are exceptions under the Privacy Act with regards to the provision of personal information to law enforcement or government bodies. When a legitimate request is sent to us by a law enforcement or government body we will comply with that request and may provide personal information about you without your consent.
- 6.1.3. **Companies related to us or who take control of part or all of our business:** In providing personal information to us you will need to be aware of the possibility that, in future, another

company may take control of part or all of our business. In that case, your personal information will be provided to that company.

6.2. If we disclose personal information to a third party under outsourcing or contracting arrangements (a service provider), we will take steps to ensure that they have:

6.2.1. Signed a binding agreement;

6.2.2. Handle the personal information in a manner consistent with the APPs (regardless of whether they are a small business, or would otherwise be exempt from the Privacy Act);

6.2.3. Only use the personal information in order to provide specific services or to perform the specific functions required; and

6.2.4. Store the personal information securely, and only for as long as is necessary to provide the required services to perform the required functions.

## **7. ACCESS TO PERSONAL INFORMATION**

7.1. Under the Privacy Act, you have the right to seek access and to update or correct the personal information that we hold about you. If you wish to exercise your right under the Privacy Act to seek access to the personal information held for you, you should make the request in writing (to the address specified below).

7.2. Ordinarily we will not charge for providing access/copies of personal information we hold about you, and will generally respond to access requests of this type within 30 days. If we anticipate there being a fee (for the time we spend locating and compiling the information you have asked for) we will provide you with an estimate before proceeding. If a fee is payable it will be based on an hourly rate plus the cost of photocopying or other out of pocket expenses. For legal and administrative reasons, we may also store records containing personal information in archives. Access to these historical records may result in a charge being incurred (an estimate will be provided to you prior). Due to the nature of archive, requests for access to historical records may take longer to process than with current records.

7.3. You may correct the personal information we hold about you at any time, you should make the request in writing (to the address specified below). We do not charge a fee to correct personal information held.

7.4. On review of your request, if we agree that the personal information held is not accurate, complete and up to date, it will be corrected by the appropriate person. If we do not agree, you will be provided with the reason(s) for the views and the opportunity to make a statement of your view and have it included with the information held.

## **8. COMPLAINTS**

- 8.1. You have a right to complain to us if you are concerned about your privacy, how we have dealt with your personal information or in relation to the Privacy Act.
- 8.2. If you are concerned about how we have dealt with your personal information you should first contact us (using the details set out below). We will endeavour to send you a written response within 10 business days.
- 8.3. If you are not satisfied with the way we have managed or attempted to resolve your complaint you may complain to the Office of the Australian Information Commissioner by calling them on 1300 363 992, via their website at [www.oaic.gov.au](http://www.oaic.gov.au) or by mail to the Office of the Australian Information Commissioner, GPO Box 5218 Sydney NSW 2001.

## **9. LINKS TO THIRD-PARTY WEBSITES**

- 9.1. Our Sites contain links to third party websites for individual's convenience and information. Individuals should be aware that when they access a third-party website, we are not responsible for the privacy practices or policies of that third party and will not be liable for any use or disclosure your personal information by any third party to whom your information is sent. We suggest that you review the privacy policy of each website you visit.

## **10. ACCEPTANCE OF THESE TERMS**

- 10.1. By using the Sites, you signify your acceptance of this privacy policy. If you do not agree with this policy, please do not use our Sites or provide us with your personal information. The Company reserves the right to modify, alter or otherwise update this policy at any time. Should the Company modify, alter or otherwise update this policy, it will prominently post notice(s) of the changes on the Sites covered by this privacy policy.

## **11. CONTACT DETAILS**

**Company Name:** Apex Energy Holdings Pty Ltd.

**Email:** [admin@apexenergy.com.au](mailto:admin@apexenergy.com.au)

**Mailing address:** PO Box 5658, Maroochydore BC, QLD 4558