

FINLAY SCREENING AND CRUSHING SYSTEMS

PRIVACY POLICY

1. INTRODUCTION

- 1.1 Finlay Screening & Crushing Systems Pty Ltd (ACN 059 443 677) and its related bodies corporate (as defined in the Corporations Act 2001 (Cth)) offer a range of services and specialist crushing, screening and processing equipment for the mining, quarrying and waste recycling industries in Australia (our **services**).
- 1.2 In the course of our business in Australia, there are circumstances where we collect personal information. This privacy policy has been developed to ensure that such information is handled appropriately.
- 1.3 We are committed to complying with the *Privacy Act 1988* (Cth) (**Privacy Act**) in relation to all personal information we collect. Our commitment is demonstrated in this policy. The Privacy Act incorporates the Australian Privacy Principles (**APPs**). The APPs set out the way in which personal information must be treated.
- 1.4 This privacy policy also incorporates our policy on managing credit information (see particularly section 8 onwards).

Who does the privacy policy apply to?

- 1.5 This policy applies to any person for whom we currently hold, or may in the future collect, personal information.

What information does the privacy policy apply to?

- 1.6 This policy applies to personal information. In broad terms, 'personal information' is information or opinions relating to a particular individual who can be identified.
- 1.7 Information is not personal information where the information cannot be linked to an identifiable individual.

2. HOW DO WE MANAGE THE PERSONAL INFORMATION WE COLLECT?

- 2.1 We manage the personal information we collect in numerous ways, such as by:
 - (a) implementing procedures for identifying and managing privacy risks at each stage of the information lifecycle, including collection, use, disclosure, storage;
 - (b) implementing security systems for protecting personal information from misuse, interference and loss from unauthorised access, modification or disclosure;
 - (c) providing staff with training on privacy issues;
 - (d) appropriately supervising staff who regularly handle personal information;
 - (e) implementing mechanisms to ensure any agents or contractors who deal with us comply with the APPs;
 - (f) implementing procedures for identifying and reporting privacy breaches and for receiving and responding to complaints;

- (g) appointing a privacy officer within the business to monitor privacy compliance;
- (h) having access to audit trails of information accessed; and
- (i) allowing individuals the option of not identifying themselves, or using a pseudonym, when dealing with us in particular circumstances when it is practicable.

2.2 In limited circumstances, it may be possible for you to use a pseudonym or remain anonymous when dealing with us. If you wish to use a pseudonym or remain anonymous you should notify us when making first enquiries or providing initial instructions. We will use our best endeavours to deal with your request, subject to our ability to provide the services to you without using your name. In most cases, our services will require you to deal with us using your real name.

3. WHAT KINDS OF INFORMATION DO WE COLLECT AND HOLD?

Personal information

3.1 We may collect and hold personal information about you, which may include:

- (a) sensitive information (see below);
- (b) contact information;
- (c) financial information;
- (d) date and place of birth;
- (e) employment arrangements and history;
- (f) educational qualifications;
- (g) tax file numbers;
- (h) credit information;
- (i) banking details; and
- (j) any other personal information required to employ you or perform our services for you.

Sensitive information

3.2 'Sensitive information' is a subset of personal information and includes personal information that may have serious ramifications for the individual concerned if used inappropriately.

3.3 We may collect sensitive information if it is relevant in providing services or employing you. The sensitive information we collect and hold about you may include any of the following:

- (a) health information (for employees); and
- (b) membership of professional or trade associations.

3.4 We will not collect sensitive information without the individual's consent to whom the information relates unless permitted under the Privacy Act.

4. HOW AND WHEN DO WE COLLECT PERSONAL INFORMATION?

4.1 Our usual approach to collecting personal information is to collect it directly from you.

4.2 We may also collect personal information in other ways, which may include:

- (a) from paid search providers;
- (b) through referrals from individuals or other entities;
- (c) through marketing and business development events;
- (d) from third party providers and suppliers; and
- (e) from direct marketing.

5. HOW DO WE HOLD PERSONAL INFORMATION?

5.1 Our usual approach to holding personal information includes:

- (a) physically, at our premises (securely); and
- (b) electronically on our secure server.

5.2 We secure the personal information we hold in numerous ways, including:

- (a) using security cards and /or access codes to access areas that contain personal information;
- (b) using secure servers to store personal information;
- (c) using unique usernames, passwords and other protections on systems that can access personal information; and
- (d) holding certain sensitive documents securely.

6. WHY DO WE COLLECT, HOLD, USE OR DISCLOSE PERSONAL INFORMATION?

6.1 We take reasonable steps to use and disclose personal information for the primary purpose for which we collect it. The primary purpose for which information is collected varies, depending on the particular services being provided, but is generally to provide you or your business with our services.

6.2 In the case of potential employees, the primary purpose the information is collected is to assess the individual's suitability for employment.

6.3 Personal information may also be used or disclosed by us for secondary purposes that are within your reasonable expectations and that are related to the primary purpose of collection.

6.4 For example, we may collect and use your personal information:

- (a) to provide you with updates and alerts that are relevant to you or your business;
- (b) for warranty, product improvement and customer support purposes;
- (c) to enable our supplier Terex Corporation and us to register a customer in Terex Corporation's system and to enable the customer's fleet management system, and to use the information gained from telematics to capture machine data, warranty and spare part issues and related information (explained in clause 7.1 in more detail); and
- (d) to invite you to events.

6.5 We may disclose personal information to:

- (a) other service providers or referral partners in order to provide services to you, or to assist our functions or activities (such as debt collection agencies or law firms);

- (b) our third-party technology providers such as our data storage providers and email filter providers or email marketing providers;
- (c) manufacturers of the equipment we supply to you (such as to Terex Corporation when we sell equipment to a customer that has telematics in it);
- (d) government bodies; and
- (e) our debt financiers.

6.6 Otherwise, we will only disclose personal information to third parties if permitted by the Privacy Act.

7. WILL WE DISCLOSE PERSONAL INFORMATION OUTSIDE AUSTRALIA?

- 7.1 When you buy or your business buys goods from us which have telematics in them, we will disclose your name and email address to Terex Corporation, which is based in and has servers located in the United States of America. Telematics is a remote monitoring and fleet management system that combines a machines' inbuilt CANbus control system with satellite positioning and telematics software. This disclosure is to enable Terex Corporation to register a customer profile for you and to enable your business's fleet management system. Terex Corporation will then collect information from the telematics system relating to the usage, performance, location and reliability of the equipment (such as fuel consumption, up/down times, operation, defects, parts replacement, movement and location) and will share this information with Finlay and any third party that administers the telematics system. Terex and Finlay will use the information gained from telematics to capture information for warranty, product improvement and customer support purposes.
- 7.2 Where we disclose your personal information to entities overseas such as Terex Corporation, we take reasonable steps to ensure that those parties will handle the personal information in accordance with the Australian Privacy Principles. We are not required to take such steps if we believe that the overseas recipient is already subject to a law that has the effect of protecting personal information in a substantially similar way to the relevant law in Australia, or with your consent.
- 7.3 Terex Corporation's privacy policy is available on its website (<https://www.terex.com/en/privacy-policy>).
- 7.4 Otherwise, we do not disclose personal information outside of Australia.

8. HOW DO WE MANAGE YOUR CREDIT INFORMATION?

What kinds of credit information may we collect?

- 8.1 In the course of providing services to you, we may collect and hold the following kinds of credit information:
- (a) your identification information;
 - (b) information about any credit that has been provided to you;
 - (c) your repayment history;
 - (d) information about your overdue payments;
 - (e) if terms and conditions of your credit arrangements are varied;
 - (f) if any court proceedings are initiated against you in relation to your credit activities;
 - (g) information about any bankruptcy or debt agreements involving you;

- (h) any publicly available information about your credit worthiness; and
- (i) any information about you where you may have fraudulently or otherwise committed a serious credit infringement.

8.2 In some circumstances, we may collect credit information and personal information from credit reporting bodies (e.g. Veda and Dun & Bradstreet). The kinds of information we collect may include any of those kinds of information outlined in sections 3.1 and 8.1 of this policy.

How and when do we collect credit information?

8.3 In most cases, we will only collect credit information about you if you disclose it to us and it is relevant in providing you with the accounting or financial service.

8.4 Other sources we may collect credit information from include:

- (a) credit reporting bodies;
- (b) other individuals and entities via referrals; and
- (c) your suppliers and creditors.

How do we store and hold the credit information?

8.5 We store and hold credit information in the same manner as outlined in section 5 of this policy.

Why do we collect the credit information?

8.6 Our usual purpose for collecting, holding, using and disclosing credit information about you is to enable us to provide you with our services.

8.7 We may also collect the credit information:

- (a) to process payments;
- (b) to assess eligibility for credit;
- (c) for other purposes incidental to our services as equipment suppliers.

Overseas disclosure of the credit information

8.8 We will not disclose your credit information to entities without an Australian link unless you expressly request us to.

How can I access my credit information, correct errors or make a complaint?

8.9 You can access and correct your credit information, or complain about a breach of your privacy in the same manner as set out in section 9 of this policy.

9. HOW DO YOU MAKE COMPLAINTS AND ACCESS AND CORRECT YOUR PERSONAL INFORMATION OR CREDIT INFORMATION?

9.1 It is important that the information we hold about you is up-to-date. You should contact us if your personal information changes.

Access to information and correcting personal information

9.1 You may request access to the personal information held by us or ask us for your personal information to be corrected by using the contact details in this section.

- 9.2 We will grant you access to your personal information as soon as possible, subject to the request circumstances.
- 9.3 In keeping with our commitment to protect the privacy of personal information, we may not disclose personal information to you without proof of identity.
- 9.4 We may deny access to personal information if:
- (a) the request is unreasonable;
 - (b) providing access would have an unreasonable impact on the privacy of another person;
 - (c) providing access would pose a serious and imminent threat to the life or health of any person;
 - (d) providing access would compromise our professional obligations; or
 - (e) there are other legal grounds to deny the request.
- 9.5 We may charge a fee for reasonable costs incurred in responding to an access request. The fee (if any) will be disclosed prior to it being levied.
- 9.6 If the personal information we hold is not accurate, complete and up-to-date, we will take reasonable steps to correct it so that it is accurate, complete and up-to-date, where it is appropriate to do so.

Complaints

- 9.7 If you wish to complain about an interference with your privacy, then you must follow the following process:
- (a) The complaint must be firstly made to us in writing, using the contact details in this section. We will have a reasonable time to respond to the complaint.
 - (b) In the unlikely event the privacy issue cannot be resolved, you may take your complaint to the Office of the Australian Information Commissioner.

Who to contact

- 9.8 A person may make a complaint or request to access or correct personal information about them held by us. Such a request must be made in writing to the following address:

Privacy Officer: Garth Bygate

Postal Address: PO Box 289 Burpengary, Qld, 4505

Telephone number: 07 3888 1777

Email address: gbygate@finlay.com.au

10. CHANGES TO THE POLICY

- 10.1 We may update, modify or remove this policy at any time without prior notice. Any changes to the privacy policy will be published on our website.
- 10.2 This policy is effective April 2021. If you have any comments on the policy, please contact the privacy officer with the contact details in section 9 of this policy.