



THE MARTOGG GROUP

PRIVACY POLICY

1. Introduction

- 1.1 The Martogg Group is committed to fulfilling its obligations under the *Privacy Act 1988* (Cth), as amended ("**Privacy Act**") and the Australian Privacy Principles ("**APPs**").
- 1.2 This policy sets out the standards, rights and obligations of parties in relation to the handling and maintenance of Personal Information by The Martogg Group, including the collection, storage, use, disclosure, quality and security of Personal Information and access and correction rights of individuals in relation to their Personal Information.
- 1.3 The Martogg Group will take such steps as are reasonable in the circumstances to implement practices, procedures and systems relating to The Martogg Group's functions and activities to comply with the APPs.
- 1.4 A person who collects Personal Information on behalf of The Martogg Group must comply with this policy and the requirements of the Privacy Act.

2. Scope

- 2.1 This policy applies to the collection, storage, use and disclosure by The Martogg Group (or a person acting on behalf of The Martogg Group) of records containing individuals' Personal Information.
- 2.2 This policy does not apply to the collection, storage, use and disclosure of Personal Information where:
 - (a) The Personal Information is an Employee Record; and
 - (b) the collection, storage, use and/or disclosure of the Employee Record relates to The Martogg Group's employment relationship with the employee.

3. Definitions

- 3.1 **Employee Record** means a record of Personal Information relating to the employment of an employee of The Martogg Group.
- 3.2 **Personal Information** means information or an opinion about an identified individual, or an individual who is reasonably identifiable:
 - (a) whether the information or opinion is true or not; and
 - (b) whether the information or opinion is recorded in a material form or not.
- 3.3 **Sensitive Information** has the meaning set out in the Privacy Act and includes:
 - (a) Personal Information about an individual'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; and
 - (b) health information about an individual.



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3.3 **The Martogg Group** means the following entities that collectively form the Group:

- (a) Kantfield Pty Ltd t/a Martogg & Company ABN: 68 006 073 418
- (b) Engineering Compounds & Resins Pty Ltd t/a Encor ABN: 34 005 612 322
- (c) General Polymers (Aust.) Pty Ltd t/a General Polymers ABN: 36 064 184 327
- (d) M.E. Hogg Australia Pty Ltd t/a Gentrade ABN: 99 114 219 082
- (e) Marmel Holdings Pty Ltd t/a Martogg Engineering Services ABN: 34 007 389 111
- (f) Enborne Pty Ltd ABN: 54 005 632 726
- (g) Dimmar Properties Pty Ltd ABN: 39 737 530 645

4. Collection of Personal Information

- 4.1 The kinds of Personal Information typically collected by The Martogg Group include names, job titles and contact details of individuals and, in the case of applicants for employment, qualifications, work experience, competencies and inherently relevant health information.
- 4.2 The Martogg Group may collect Personal Information from a variety of sources, including from individuals, recruitment agencies, contractors and business partners. The Martogg Group may collect Personal Information when an individual requests or acquires a product or service from The Martogg Group, provides a product or service to The Martogg Group, completes a survey or questionnaire, or when they communicate with The Martogg Group by e-mail, telephone or in writing (for example if they contact customer service to place an order or make a complaint or provide feedback).
- 4.3 The Martogg Group will hold Personal Information in documentary and/or electronic form under generally accepted standards of technological and operational security.
- 4.4 The Martogg Group will:
 - (a) Only collect Personal Information if the information is reasonably necessary for one or more of the functions or activities of The Martogg Group. Typically, this will include for the purposes of:
 - (i) Screening and assessing applicants for employment;
 - (ii) making contact with individuals and organisations The Martogg Group deals with or wants to deal with;
 - (iii) processing credit applications of and marketing, promoting and providing products and services to customers;
 - (iv) selecting and doing business with suppliers and other industry participants; and
 - (v) appointing and doing business with contractors.
 - (b) If the Personal Information is Sensitive Information, only collect such information if the individual consents to the collection of the information or if the following applies:



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- (i) The collection of the information is required by or authorised by or under an Australian law or a court/tribunal order; or
 - (ii) A permitted general situation (as defined in s16A of the Privacy Act) or permitted health situation (as defined in s16B of the Privacy Act) exists in relation to the collection of the information.
- (c) Only collect Personal Information by reasonable and fair means, without intimidation or deceptions or unreasonable intrusion.
- (d) Collect Personal Information about an individual only from the individual unless it is unreasonable or impracticable to do so.
- (e) If unsolicited Personal Information is received, determine within a reasonable time if The Martogg Group could have collected the information as set out in (a) to (d) above and, if not and if the information is not otherwise contained in a record owned or deemed by regulation to be owned by the Commonwealth, The Martogg Group will as soon as practicable either:
- (i) Destroy the information if it is lawful and reasonable to do so; or
 - (ii) ensure that the information is de-identified.
- (f) At or before the time or, if that is not practicable, as soon as practicable after receiving Personal Information about an individual, take steps that are reasonable in the circumstances (if any) to notify the individual or ensure the individual is aware of:
- (i) The identity and contact details of The Martogg Group;
 - (ii) if the Personal Information has been collected from someone other than the individual or if the individual is unaware that the Personal Information has been collected, the fact that The Martogg Group has collected or so collects the information and the circumstances of that collection;
 - (iii) if the collection of the Personal Information is required or authorised by or under an Australian law, or a court/tribunal order, the details of such authority;
 - (iv) the purpose for which The Martogg Group collects the information;
 - (v) the main consequences (if any) for the individual if all or some of the Personal Information is not collected;
 - (vi) the type/s of any other person, entity or body to which The Martogg Group usually discloses Personal Information of the kind collected;
 - (vii) how the individual may access and seek correction of Personal Information or lodge a complaint about The Martogg Group's breach of the APPs and how The Martogg Group will respond; and
 - (viii) whether The Martogg Group is likely to disclose the Personal Information to overseas recipients and, if so and if practicable, the countries in which such recipients are likely to be located.



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5. Use and disclosure of Personal Information

5.1 Other than for Personal Information for the purpose of direct marketing or for government related identifiers (both of which are specifically discussed below), The Martogg Group will not use or disclose Personal Information about an individual for a purpose (the secondary purpose) other than the primary purpose of collection unless:

- (a) the individual has consented to the use or disclosure; or
- (b) both of the following apply:
 - (i) the secondary purpose is related to the primary purpose of collection and, if the Personal Information is Sensitive Information, directly related to the primary purpose of collection; and
 - (ii) the individual would reasonably expect The Martogg Group to use or disclose the information for the secondary purpose; or
- (c) the use or disclosure is required or authorised by or under an Australian law or a court/tribunal order; or
- (d) a permitted general situation (as defined in s16A of the Privacy Act) or a permitted health situation (as defined in s16B of the Privacy Act) exists; or
- (e) The Martogg Group reasonably believes that the use or disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body (in which case, The Martogg Group will make a written note of the use or disclosure); or
- (f) the use or disclosure is not inconsistent with the requirements of the Privacy Act.

Overseas recipient

5.2 If and when The Martogg Group ever discloses Personal Information of an individual to a third party that is overseas, without the individual's knowledge and consent, The Martogg Group will take such steps that are reasonable in the circumstances and required by the Act to ensure that the overseas recipient does not breach the relevant APPs or this policy.

Government related identifier

5.3 A government related identifier is an identifier of an individual that is assigned by a Federal, State or Territory government agency, authority or contracted service provider (pursuant to the contract).



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- 5.4 The Martogg Group will only adopt a government related identifier to identify an individual if that adoption is required or authorised by or under an Australian law or allowed under regulations. The Martogg Group will not disclose a government related identifier unless:
- (a) it is reasonably necessary to verify the identity of an individual for The Martogg Group's activities or functions; or
 - (b) it is reasonably necessary to fulfil The Martogg Group's obligations to an agency or State or Territory authority; or
 - (c) it is required or authorised by or under an Australian law or a court/tribunal order; or
 - (d) relevant permitted general situations exist in accordance with the Privacy Act; or
 - (e) The Martogg Group reasonably believes it is reasonably necessary for enforcement related activities by, or on behalf of, an enforcement body; or
 - (f) it is otherwise allowed under the regulations.

Direct marketing

- 5.5 The Martogg Group will only use or disclose Sensitive Information about an individual for the purpose of direct marketing if the individual has given consent.
- 5.6 The Martogg Group will only use or disclose other Personal Information collected from an individual for the purpose of direct marketing if the individual would reasonably expect The Martogg Group to use or disclose the information for that purpose and The Martogg Group has provided to the individual, and the individual has not exercised, a simple option of electing not to receive direct marketing communications.
- 5.7 If the individual would not reasonably expect the Personal Information to be used for direct marketing or the information was obtained from someone other than the individual, The Martogg Group will only use the information for direct marketing if:
- (a) The individual has given consent, or
 - (b) it is impracticable for The Martogg Group to obtain that consent and, in each direct marketing communication with the individual, The Martogg Group makes it clear that the individual may elect not to receive direct marketing communications and the individual has not so elected.

6. Data quality and integrity

- 6.1 The Martogg Group will take such steps as are reasonable in the circumstances to make sure that the Personal Information it collects, uses or discloses is accurate, complete and up-to-date and relevant to the purpose of use or disclosure.



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7. Data security

- 7.1 The Martogg Group will take reasonable steps to protect the Personal Information it holds from misuse, interference and loss and from unauthorised access, modification or disclosure.
- 7.2 The Martogg Group will take such steps that are reasonable in the circumstances to destroy or de-identify Personal Information (such as a job applicant's resume) if it is no longer needed by The Martogg Group, is not contained in a record owned or deemed by regulation to be owned by the Commonwealth and is not required to be retained by or under an Australian law or court/tribunal order.

8. Access and correction

- 8.1 If The Martogg Group holds Personal Information about an individual, it will, upon request by the individual and subject to the exceptions under the Act, provide the individual with access to the information, in the manner requested by the individual if it is reasonable and practicable to do so, within a reasonable period following the request.
- 8.2 If The Martogg Group holds Personal Information about an individual and The Martogg Group determines that the information, having regard to the purpose for which it is held, is inaccurate, out-of-date, incomplete, irrelevant or misleading, or the individual asks that the information be corrected, The Martogg Group will take such steps (if any) that are reasonable in the circumstances to correct the information so that it is accurate, up-to-date, complete, relevant and not misleading.
- 8.3 If The Martogg Group has corrected information, as set out in 8.2 above, which The Martogg Group has previously disclosed to a third party, and the individual asks for that third party to be notified of the correction, The Martogg Group will take such steps (if any) as are reasonable in the circumstances to notify that third party unless it is impracticable or unlawful to do so.
- 8.4 If The Martogg Group refuses an individual's request for access to (including in the manner requested) or correction of Personal Information, as permitted by the Privacy Act, The Martogg Group will within a reasonable period provide written reasons for such refusal (except to the extent that, having regard to the grounds for the refusal, it would be unreasonable to be expected to do so) and the mechanisms available to complain about the refusal.
- 8.5 If The Martogg Group has refused to correct Personal Information of an individual and the individual requests a statement that the information is inaccurate, out-of-date, incomplete, irrelevant or misleading be associated with the information, The Martogg Group will take such steps as are reasonable in the circumstances to do so in a way that is apparent to users of the information.

9. Anonymity and pseudonymity

- 9.1 Unless The Martogg Group is required or authorised by or under an Australian law or court/tribunal order or it is impracticable for The Martogg Group to do so, The Martogg Group will give individuals the option of not identifying themselves or of using a pseudonym when dealing with The Martogg Group in relation to a particular matter.



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10. Communication and contact

10.1 The Martogg Group will manage Personal Information in an open and transparent way. To this end, this Privacy Policy will be published internally and provided to anyone who asks for it. The policy will also be posted on The Martogg Group website in an appropriate form.

10.2 Any person wishing to make an inquiry, request or comment or lodge a complaint under this policy may do so by phone, email or in writing to:

The Company Secretary:

Phone: 03 9791 5633

Fax: 03 9794 0971

Email: plastics@martogg.com.au

Address: Locked Bag 1445, Dandenong South BC, Victoria 3164.