



PRIVACY - Australian Privacy Principals (APPs) 2014

The privacy of your personal information is afforded the highest level of importance by 'Hawking' means 'Hawking Electrical Pty Ltd T/A Hawking Electrical' (ABN: 64 074 499 068) and 'Hawking Electrical Energy Solutions Pty Ltd T/A Hawking Solar' (ABN: 77 600 142 854) (Hawking) by its successors assigns or any person acting on behalf of 'Hawking'. We are bound by the Privacy Act 1988 (Cth) regarding the manner in which we handle your personal information and how we respond to your requests to access and correct it. This document sets out our information handling procedures and the rights and obligations that both you and we have in relation to your personal information.

How we collect your information

We primarily collect information about you through correspondence we engage in with you, for example, through application forms, telephone conversations and emails. We also collect information from sources that are publicly available such as websites, journals and phone books. Sometimes, we collect information about our customers from our sales agents and distributors who have direct contact with you on our behalf. We do not make use of cookies on our website to collect personal information about visitors to the site.

Kinds of information that we hold about you

We only hold information about you if it is relevant to providing the goods or services that we provide. Such information generally includes your name, contact details, type of business, payment details, account number, records of correspondence and billing statements. If you are one of our suppliers, we may collect other information about you that we feel is necessary, such as the nature of the goods or services that you supply, quotes that you provide and your direct credit details. If you are a non-profit organisation we have agreed to assist, we may collect information about how you make use of the goods or services that we provide to you.

How we hold your information

Depending on the circumstances, we may hold your information in either hardcopy or electronic form, or both. Our client database is held in electronic format.

How we use your information

We use your personal information:

- to provide you with our goods and services;
- to administer our customer relationship with you;
- for internal purposes such as procedural assessments, risk management, product and service reviews, staff training, accounting and billing; and
- to identify, and inform you of goods and services that may be of interest to you.

If you are one of our suppliers, we may use your information to facilitate our business relationship with you, for example, to assess goods or services that you supply or to review a commercial proposal that you have put to us.

How we disclose your information

Generally, we will only disclose your personal information for a purpose that is related to the product or service that we are providing to you. This may include disclosures to organisations that provide us with professional advice, such as solicitors, accountants and business advisors, and to contractors to whom we out-source certain functions, such as mailing houses, electronic network administrators and debt collection agencies. However, where possible, we take contractual measures, and in all other circumstances, take all reasonable measures, with our contractors to ensure that they comply with the privacy standards set out in the Privacy Act 1988 (Cth). If the information we are disclosing is of a highly sensitive nature, we require our contractors to complete their work in-house and do not permit them to disclose information to sub-contractors. We may also disclose information where it is expressly permitted under the Privacy Act 1988 (Cth), for example, where it is with your consent or where we are legally required to do so, such as under a court order or taxation laws.

How we secure your information

We hold all hardcopy and electronic records of personal information in a secure manner to ensure that they are protected from unauthorised access, modification or disclosure. Our staff follows strict information handling procedures and we only permit those staff whose tasks require use of your information to access it. We delete your personal information once it is no longer needed or required to be kept by law by shredding hardcopy records and deleting electronic records.

Your right to lodge a complaint

If you are not satisfied with how we have handled your personal information, you are entitled to lodge a complaint with the Federal Privacy Commissioner. Information regarding how to lodge a complaint is available from the Commissioner's website at www.privacy.gov.au or by ringing the Commissioner's information line on 1300 363 992. However, before investigating a complaint, the Commissioner is legally required to be satisfied that you have first expressed your concern to us to afford us an opportunity to resolve the complaint directly, unless it is inappropriate for you to do so. You may lodge a complaint with our Privacy Officer either by mail at Hawking, 30 Stevens Street, Nerang, QLD, 4211, or P: (07) 5527 2544 or E: admin@hawking.com.au. We will inform you of who will handle your complaint and you may contact our Privacy Officer to enquire about its stage of progress at any time. We will go to great lengths to ensure that your complaint is resolved to your satisfaction.

Your right of access

You may request access to your personal information at any time by sending a written request to our Privacy. In your request, please state how you would like to obtain access. For example, you may like to inspect our records at our premises or you may prefer to be sent a photocopy or an electronic version of your information. You do not need to provide a reason for your request. Once our Privacy Officer has verified your identity, your request will be forwarded to our information systems manager who will arrange for access to be provided to you in an appropriate manner within 14 days. We may charge a small fee for providing access if it requires a significant amount of time to locate your information or to collate or present it in an appropriate form. If your account is held in conjunction with another individual, we will provide each person named on the account with access to information held about each account holder. Our Privacy Officer will follow up your request to ensure that the level of access with which you have been provided is to your satisfaction.

In rare circumstances, and only where it is permitted under the Privacy Act 1988 (Cth), we may not be able to provide you with access to your information; for example, where it will have an unreasonable impact upon the privacy of others, where it relates to legal proceedings between us through which the information would not otherwise be available, where it would be prejudicial to negotiations we are holding with you, where we are required by law to withhold the information or where it would reveal information relating to our commercially sensitive decision making processes. If we are unable to provide you with access, we will state why this is so and consider whether the use of an intermediary would be appropriate to provide you with an explanation of your personal information.

You may correct your information

If your personal information is out-of-date or incorrect, you may inform us of this and we will correct it for you. In the unlikely event that we disagree about the accuracy of the information and are unable to change it, you may provide us with a statement indicating that you dispute its accuracy and we will associate the statement with your information in such a manner that it will be brought to the attention of each person who uses the information.

Promotional information

We would like to send you promotional information about goods and services that we believe may be of interest to you, however, we understand that you may not wish to receive such material. If so, please inform our Privacy Officer of this in writing by mail or email at Hawking and we'll ensure that your name is removed from our mailing list.

Transfer of your information overseas

We will only transfer your personal information overseas if the transfer is to you, or to one of your authorised representatives, or it is with your express consent. We will not send your information outside of Australia in any other circumstances.

We may need to change our privacy policy from time to time

Due to changing business circumstances, we may need to change our privacy policy from time to time. If we do, we will endeavour to ensure that your overall level of privacy protection is not diminished and will publish the changes on our website. Any actions that we have taken before the change will continue to be regulated by the privacy policy that existed before the changes were made.

CREDIT REPORTING POLICY

This Credit Reporting Policy applies specifically to credit related personal and business information which is credit information, credit eligibility information or credit reporting body derived information about an individual or business ("Credit Related Information") and sets out how Hawking, by its successors assigns or any person acting on behalf of: Hawking, and with the authority of Hawking manages that information. Hawking is bound by the *Privacy Act 1988 (Cth)* ("Act") and the Credit Reporting Privacy Code ("Code") to the extent applicable in relation to that Credit Related Information.

This Credit Reporting Policy applies in addition to our Privacy Policy which applies to other personal information.

Your acceptance of this Credit Reporting Policy

By completing a Trade Credit Agreement or entering into contracts with us or otherwise providing us with your Credit Related Information, you agree to the terms of this Credit Reporting Policy. Depending on the matter in which you communicate with Hawking, further privacy information may apply in addition to the matters discussed in this Credit Reporting Policy.

From time to time Hawking may update this Credit Reporting Policy. When changes are made, we will revise the date of the last update listed at the end of this Policy. We encourage you to check our website regularly for any updates to our Credit Reporting Policy.

What kinds of Credit Related Information do we collect and hold?

Hawking collects and holds various kinds of credit related information including:

- Identification information (including an individual's name, age, address);
- Statements that information requests have been made by credit providers, mortgage insurers or trade insurers;
- Default information;
- Credit proceedings information;
- Personal insolvency information;
- Publicly available information that relates to individuals' activities in Australia and their credit worthiness;
- Opinions of other credit providers;
- Opinions of credit reporting bodies including credit ratings, scores and valuations about credit worthiness;
- Individuals' credit application history;
- Any other information relevant to the purposes for which we collect Credit Related Information.

How do we collect and hold your Credit Related Information

Hawking will collect your Credit Related Information primarily from you or from someone representing or assisting you. However, where it is unreasonable or impracticable to collect it directly from you, we will collect information about you from third parties. Third parties we may collect your Credit Related Information from include our agents, credit reporting bodies and any other person we consider necessary to carry out our functions.

Hawking maintains appropriate security, data collection, storage and processing practices to ensure such steps as are reasonable in the circumstances are taken to protect your Credit Related Information from misuse, interference, loss, unauthorised access, modification or disclosure. Where this information is no longer required, Hawking will take reasonable steps to destroy or re-identify the information.

Why do we collect, hold, use and disclose your Credit Related Information?

Hawking collects, holds, uses and discloses Credit Related Information as reasonably necessary for our business purposes and as permitted by law. These purposes are varied and may include:

- Assessing whether to provide you or your business with credit or to accept you as a guarantor;
 - Making credit worthiness evaluations to be used in Hawking's decision making processes;
 - Managing credit provided by Hawking;
 - Participating in the credit reporting system and providing information to credit reporting bodies as allowed by Part IIIA of the Act and the Code;
 - Assisting other credit providers;
 - Undertaking debt recovery and enforcement activities;
 - Dealing with complaints, dispute resolution and complying with legal and regulatory requirements including the *Personal Property Securities Act 2009 (Cth)*, the *Corporations Act 2001 (Cth)*, the *Taxation Administration Act 1953 (Cth)*, the *Income Tax Assessment Acts 1936 and 1997 (Cth)* and other taxation laws.
- If Credit Related Information is not collected by us it may prevent us from engaging in certain activities with you and your business including entering into deferred payment arrangements, trade credit agreements, or our other business related activities where we consider obtaining that information is necessary.

How do we use and disclose your Credit Related Information? Disclosure of Credit Related Information to Credit Reporting Bodies

Hawking may disclose Credit Related Information to credit reporting bodies where the Act and the Code permits us to do so. For example, we may disclose Credit Related Information when seeking credit reports from credit reporting bodies, or if you or your business fail to meet payment obligations in relation to commercial credit provided by us we may be entitled to disclose Credit Related Information to a credit reporting body. In addition, a credit reporting body may include the information in reports provided to other credit providers to assist them to assess your credit worthiness.

We are likely to disclose Credit Related Information we collect to the following credit reporting bodies:

- Veda www.veda.com.au - Postal Address: Po Box 966, North Sydney NSW 2059 - Customer Service: 1300 921 621
- Dun & Bradstreet www.dnb.com.au - Address: 24/201 Elizabeth St, Sydney NSW 2001 - Phone:(02) 8270 2800

Some of your rights in relation to Credit Reporting Bodies

A credit reporting body may use your Credit Related Information to assist a credit provider to market to you by pre-screening you for direct marketing by the credit provider. If you do not want a credit reporting body to use your Credit Related Information for the purpose of pre-screening, you have the right under the Act to contact them and request that they exclude you.

If you reasonably believe you have been or are likely to be a victim of fraud, you may contact a credit reporting body to request that they do not use or disclose your Credit Related Information. The credit reporting body will explain to you in detail the effects of this.

Disclosure of Credit Related Information to other Recipients

Hawking may, as permitted by law, disclose your Credit Related Information to third parties including our related companies, agents or other third parties for the internal management purposes that are directly related to the provision or management of credit we provide. Some of these third parties may not be located in Australia and may not have an Australian link.

The companies in which these recipients may be located will vary from time to time, but may include New Zealand, the United Kingdom and other European countries, the United States of America and any other countries where Hawking or its related entities have a presence or engages third parties. We may disclose Credit Related Information to a debt collection agency, or where you have expressly consented to that disclosure, to another credit provider or guarantor, or as otherwise allowed by the Act.

How can you access or correct your Credit Related Information? Accessing your Credit Related Information

To access the Credit Related Information we hold about you, please send a written request to our Privacy Officer. Hawking will try to grant you access to the Credit Related Information within thirty (30) days of a request but in some circumstances it may take longer. There is no charge associated with making an access request but an administration charge may apply for providing access in accordance with your request.

Under the Act we may refuse to give access to the Credit Related Information where, for example, giving access would disclose commercially sensitive information or information relating to existing or anticipated legal proceedings. If we refuse to provide you with access to Credit Related Information held about you by us, then we will provide written reasons for the refusal and advise you of available avenues of redress.

Correcting your Credit Related Information

If you believe that any Credit Related Information held by us about you is inaccurate, out of date, incomplete, irrelevant or misleading, please request its correction free of charge by contacting our Privacy Officer. Hawking will try to resolve correction requests within thirty (30) days of your making a request but in some circumstances it may take longer. If we need more time to resolve your request we will notify you as to the delay, the reasons for it and seek your written agreement to a longer period.

If your request for correction is successful, we will provide written notice of the correction to you, and where practicable and not prohibited by law, to certain other people to whom we provided the pre-correction information (other than identification information) to such as relevant credit reporting bodies and to any other third party as required under the Act. If we refuse your request for correction, we will provide written reasons for the refusal and advise you of available avenues of redress.

You have the right under the Act and under the Code to obtain your Credit Related Information from a credit reporting body free of charge if the access request relates to a decision to correct information about you. That right may be exercised by contacting the relevant credit reporting body.

How can you complain about a breach of the Act?

If you believe an act or practice of Hawking has engaged in a breach of the Act or the Code, you can lodge a complaint free of charge by contacting our Privacy Officer. We will endeavour to contact you to confirm receipt within seven days of us having received your complaint. Hawking will try to resolve the complaint within thirty (30) days of receiving the complaint. If we need more time to resolve your request we will notify you as to the delay, the reasons for it and seek your written agreement to a longer period. Depending on the nature of the complaint, it may be necessary for us to consult with third parties, including credit reporting bodies or other credit providers, in order to investigate and resolve your complaint.

If you are unhappy with our resolution of your complaint or with the way Hawking has handled your complaint, you may refer the matter to our external dispute resolution scheme (the Credit Ombudsman Scheme Limited) or to the Office of the Australian Information Commissioner (see www.oaic.gov.au for further details).

How do you contact us?

If you have any questions about this Credit Reporting Policy or our handling of your information please contact our Privacy Officer at:

Hawking, 30 Stevens Street, Nerang, QLD, 4211, or P: (07) 5527 2544 or E: admin@hawking.com.au

This Privacy Policy was last updated by Hawking on 02 / Dec / 2015.

