



THE MARTOGG GROUP PRIVACY POLICY

1.1 Introduction

Martogg & Company is bound by the Australian Privacy Principles ('APP') set out in the *Privacy Act 1988* (Cth) ('Privacy Act'). We are committed to fulfilling our obligations under the APP.

This policy sets out the standards, rights and obligations of parties in relation to the handling and maintenance of Personal Information by Martogg & Company, 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.

Martogg & Company will take such steps as are reasonable in the circumstances to implement practices, procedures and systems relating to Martogg & Company's functions and activities to comply with the APPs.

1.2 Why and How We Collect Personal Information

'Personal Information' is information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

Martogg & Company may collect Personal Information when an individual or business requests or acquires a product or service, provides a product or service to the company, completes a survey or questionnaire, or communicates with the company by e-mail, telephone or in writing (e.g. if they contact customer service to place an order, make a complaint or provide feedback).

Martogg & Company will only collect Personal Information if the information is reasonably necessary for one or more of the functions or activities of the company, including but not limited to the following purposes:

- (a) To conduct our business and manage the internal accounting and administration requirements of our business;
- (b) To ensure that our clients' needs are both acknowledged and met;
- (c) To comply with our legal obligations;
- (d) To help us manage and enhance our services;
- (e) To screen and assess applicants for employment;
- (f) To make contact with individuals and organisations that the company deals with or wants to deal with;
- (g) To process credit applications of and marketing, promoting and providing products and services to customers;



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- (h) To select and do business with suppliers and other industry participants;
and
- (i) To appoint and do business with contractors.

The Personal Information we collect and hold may include names and contact details, job titles, age, financial details and other information that is relevant to the services we provide, or necessary to carry out an individual's instructions. In the case of applicants for employment, Personal Information may also include qualifications, work experience, competencies and inherently relevant health information.

We collect Personal Information by gathering, acquiring or obtaining Personal Information from the individual directly. In some instances it may be unreasonable or impracticable to obtain Personal Information from the individual directly, in such circumstances Personal Information may be provided to us by third parties (e.g. recruitment agencies, contractors or business partners) so that we may provide advice and services.

We will try to collect information from an individual directly wherever possible. Where we collect information from someone else, we will, where possible, obtain this with the individual's consent.

If we collect Personal Information about an individual, whether or not from a third party, if it is reasonable to do so we will ensure that the individual is aware of such collection and the circumstances surrounding such collection.

An individual is under no obligation to give us Personal Information about the individual or anyone else. However, if the individual does not provide the information we request, it may affect our ability to provide and/or administer our services.

1.3 Use and Disclosure of Personal Information

When Martogg & Company refers to '**use**' of Personal Information, it means the use within the Martogg & Company for the purposes outlined above. When Martogg & Company refers to '**disclose**', it means providing the information to persons outside of Martogg & Company.

We use Personal Information for the primary purposes for which it is collected (as set out above), for reasonably expected secondary purposes which are related to the primary purposes, and in other circumstances authorised by the Privacy Act and the APPs.

For example, we may use Personal Information to:

- (a) Provide an individual with a specific service;
- (b) Administer and manage the services we provide;



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- (c) Provide information about other services that may be of benefit to the individual; or
- (d) Comply with any requirements under an Australian law or a court/tribunal order.

Martogg & Company will not use or disclose to third parties any Personal Information obtained from an individual unless:

- (e) It relates to the primary purpose of collection and where it would be expected of us;
- (f) The individual has consented to the use or disclosure;
- (g) We have reason to suspect unlawful activity;
- (h) It is required or authorised by law;
- (i) We propose to sell the Martogg & Company business, in which case we may disclose the individual's information to potential purchasers for the purpose of them conducting due diligence investigations. Any such disclosure will be made in confidence and it will be a condition of that disclosure that no Personal Information will be used or disclosed by them. In the event that a sale of our business takes place, we may transfer the individual's Personal Information to the purchaser of the business. The individual will be advised of any such transfer;
- (j) As part of our regulatory or statutory obligations, it is required for government agencies, including the Australian Taxation Office, and other enforcement bodies;
- (k) It is to our service providers (as is strictly necessary) to enable them to provide services to us, for example, auditors, legal and financial consultants;
- (l) It is to financial product providers, for example insurance companies and fund managers, in order to carry out the individual's instructions; or
- (m) The use or disclosure is not inconsistent with the requirements of the Privacy Act.

Our service providers also respect an individual's privacy.

1.4 Direct Marketing

Martogg & Company will not use or disclose any Personal Information for the purposes of direct marketing, unless the information was collected from the individual, and the individual would reasonably expect Martogg & Company to use or disclose the information for such purpose.

If the individual has consented, we may use Personal Information for direct marketing purposes that would not be reasonably expected of Martogg & Company. In the event that it is impracticable to obtain consent from the individual,



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we may still use or disclose Personal Information for direct marketing purposes not reasonably expected, however, in these instances we will include a prominent statement in each communication that an individual may request not to receive direct marketing communications from Martogg & Company.

An individual may request not to receive direct marketing communications from Martogg & Company at any time, and we will give effect to such request.

1.5 Unsolicited Personal Information

If Martogg & Company receives Personal Information that we did not solicit, we will, within a reasonable period after receiving the information, determine whether or not we could have collected the information under the APP.

If we determine that Martogg & Company could not have collected the Personal Information, and the information is not contained in a Commonwealth record, then we will, as soon as practicable but only if it is lawful and reasonable to do so, destroy the information or ensure that it is de-identified.

1.6 Quality of Personal Information

We will take all reasonable steps to ensure that the Personal Information we collect is accurate, complete and up-to-date. In addition, any Personal Information used or disclosed will be relevant having regard to the purpose of the use or disclosure.

1.7 Protecting Personal Information

We will take all reasonable steps to protect Personal Information from misuse, interference, loss, unauthorised access, modification or disclosure.

Personal information is stored securely whether in an electronic or physical form under generally accepted standards of technological and operational security. The information is stored in secured premises and in electronic databases, which are password protected.

In the event that the individual ceases to be a client of Martogg & Company, any Personal Information that we hold will be held for a period of 7 years in order to comply with legislative and professional requirements. The information will then be disposed of securely.

In the event that Martogg & Company no longer requires the Personal Information for any authorised purpose, having regard to the above legislative requirements, Martogg & Company will take reasonable steps to destroy or de-identify the Personal Information.



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1.8 Openness

We will maintain, and review, clearly expressed policies on our management of Personal Information and make these readily available.

We will take reasonable steps, on request, to let an individual know the sort of Personal Information we hold, its purpose, and how we collect, use, store, and disclose that information.

At or before the time or, if that is not practicable, as soon as practicable after receiving Personal Information about an individual, Martogg & Company will take reasonable steps in the circumstances (if any) to notify the individual or ensure the individual is aware of:

- (a) the Personal Information collected by Martogg & Company;
- (b) 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 Martogg & Company has collected or so collects the information and the circumstances of that collection;
- (c) 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;
- (d) the purpose for which Martogg & Company collects the information;
- (e) the main consequences (if any) for the individual if all or some of the Personal Information is not collected;
- (f) the type(s) of any other person, entity or body to which Martogg & Company usually discloses Personal Information of the kind collected;
- (g) how the individual may access and seek correction of Personal Information or lodge a complaint about Martogg & Company' breach of the APP and how the company will respond; and
- (h) whether Martogg & Company 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.

1.9 Accessing and Correcting Personal Information

An individual has a right to ask us what sort of Personal Information we have about the individual and how we collect, store and use it.

We will provide the individual with access to Personal Information on request within a reasonable period after the request is made except where it:

- (a) May pose a serious threat to the life, health or safety of any individual, or to public health or public safety;



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- (b) Would have an unreasonable impact on the privacy of other individuals;
- (c) May have an unreasonable impact upon the privacy of others;
- (d) Is frivolous or vexatious;
- (e) Is likely to prejudice the taking of appropriate action in relation to suspected unlawful activity, or misconduct of a serious nature, that relates to Martogg & Company's functions or activities;
- (f) Is likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body;
- (g) Relates to existing or anticipated legal proceedings with the person who is the subject of the information and would not be accessible through discovery;
- (h) May reveal our intentions and prejudice negotiations with the individual;
- (i) May prejudice investigation of any possible unlawful activity; or
- (j) Would be unlawful or denial of access is allowed by law.

We will, prior to providing access, require the individual to provide evidence of their identity.

Where we have declined to provide information on the above grounds, we will provide to the individual written notice that sets out the reasons for the refusal, where it is reasonable to do so, and the mechanisms available to make a complaint about the refusal.

We will take all reasonable steps to ensure that the information is correct, accurate and current.

We will correct Personal Information held if we discover that the information is incorrect, or the individual requests the Martogg & Company to make the change, within a reasonable time of becoming aware of such error or the request being made. If the individual requests, Martogg & Company will take reasonable steps to notify any third party, that Martogg & Company has previously disclosed Personal Information to, that corrections are required to be made to the information. However, Martogg & Company will only comply with such request if such notification is not impracticable or unlawful.

If we are asked to correct Personal Information and we do not agree that it is wrong, we will provide a written explanation of the reasons for our refusal to correct the information, and the mechanisms available to the individual to make a complaint if they are unsatisfied. In these circumstances, we will keep a record of the information regarded as inaccurate or out-of-date.



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1.10 Government Identifiers

We will not use identifiers assigned by the Government, such as a tax file number, Medicare number or pension card number, for our own file recording purposes.

We will not use or disclose a government related identifier of an individual unless the use or disclosure is reasonably necessary for Martogg & Company to verify the identity of the individual for the purposes of Martogg & Company's activities or functions.

1.11 Anonymity and Pseudonymity

Individuals have the option of not identifying themselves, or of using a pseudonym, when dealing with Martogg & Company in relation to a particular matter, unless it is impracticable for Martogg & Company to deal with the individual who has not identified themselves or who has used a pseudonym.

Individuals do not have the option of not identifying themselves, or of using a pseudonym, if Martogg & Company is required or authorised by or under an Australian law, or court/tribunal order, to deal with individuals who have identified themselves.

1.12 International Disclosure of Personal Information

Martogg & Company will not disclose Personal Information to an overseas recipient, unless the individual has consented to the disclosure.

Before disclosing Personal Information to an overseas recipient, Martogg & Company will take such steps that are reasonable in the circumstances, to ensure that the overseas recipient does not breach the APP in relation to the Personal Information, unless we believe the recipient is subject to a law that has the effect of protecting information in a way that is substantially similar to the APP.

1.13 Sensitive Information

'Sensitive Information' includes information relating to an individual's racial or ethnic origin, political opinions, religion, philosophical beliefs, trade union or other professional or trade association membership, sexual preferences, criminal record, and also includes health information about an individual.

Martogg & Company will not collect Sensitive Information about an individual unless the individual consents, and the information is reasonably necessary for one or more of Martogg & Company's functions or activities.

Sensitive Information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless they agree



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otherwise, or where certain other limited circumstances apply (e.g. where required by law).

Martogg & Company will not disclose Personal Information to others for the purpose of allowing them to direct market their products and services.

Martogg & Company will only collect Sensitive Information with an individual's consent unless the collection is required by law or to establish, exercise or defend a legal or equitable claim, or it is necessary to prevent or lessen a serious or imminent threat to the life or health of the person who is the subject of the information.

1.14 Policy Updates

This privacy policy may be reviewed and updated from time to time without Martogg & Company giving notice to take account of new laws, new technologies, operational changes and practices, and the changing business environment.

1.15 Availability of Privacy Policy

If a person or body requests a copy of Martogg & Company's Privacy Policy in a particular form, Martogg & Company must take such steps as are reasonable in the circumstances to give the person or body a copy in that form free of charge. This policy will also be posted on Martogg & Company's website in an appropriate form.

1.16 Complaints

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 – Peter Bladeni:

Phone: 03 9791 5633

Fax: 03 9794 0971

Email: plastics@martogg.com.au

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

If the individual is unsatisfied with our response, the individual is entitled to contact the Office of the Privacy Commissioner.