

## Privacy Policy

### Scope of Policy and Source of Obligation

The purpose of this privacy policy is to ensure that in the course of Symphony Infrastructure Partners Pty Ltd's (ACN 660 075 258) activities, and the activities of its related bodies corporate as defined in the *Corporations Act 2001* (Cth) (**we, us or our**), we manage and protect personal information in accordance with the *Privacy Act 1988* (Cth) (**Privacy Act**) and the 13 Australian Privacy Principles (**APPs**).

This policy outlines the circumstances in which we obtain your personal information, how we use that information and how we manage requests to access and/or change that information. This policy applies to us and all our staff and contractors.

### About this Policy

This privacy policy applies to all personal information submitted to or collected from you through the use of our services, our website or social media sites, or where you otherwise contact or interact with us through other forms of communication.

By submitting personal information to us, you accept the terms of this privacy policy, and consent to our use, collection, disclosure and retention of personal information as described in this privacy policy. If you do not agree to any provisions in this privacy policy, you should not disclose any personal information to us.

You are welcome to print or download this privacy policy at any time, which is available on our websites.

Please note that this privacy policy may be updated or revised from time to time without notice and changes will apply immediately. Changes to this privacy policy will be published by posting an updated privacy policy on our websites. Therefore, you should check our websites regularly to ensure you are familiar with any changes to this privacy policy.

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## What is personal information?

The Privacy Act defines 'personal information' as information or an opinion about an identified individual, or an individual who is reasonably identifiable. This is regardless of whether:

- (a) the information or opinion is true or not; and
- (b) the information or opinion is recorded in a material form or not.

## What kind of personal information do we collect and hold?

Depending on the circumstances, we may collect personal information from you in your capacity as a contractor, customer, stakeholder, job applicant or in some other capacity.

In the course of providing services and performing works, we may collect and hold:

- Personal Information including names, date of birth, addresses and other contact details (including phone numbers and email addresses), financial information, and details of the services you have purchased, considered or enquired about, together with any additional information necessary to deliver those services.

As part of our recruitment processes for employees and contractors we may collect and hold:

- Personal Information including names, addresses and other contact details, dates of birth, financial information, citizenship, employment references, qualifications and experience, resumes, diversity information, regulatory accreditation, media, directorships, property ownership and driver's licence information.
- Sensitive Information including government identifiers (such as TFN), nationality, country of birth, professional memberships, family court orders, bankruptcy records and criminal records.
- Health Information (particularly in relation to prospective staff) including medical records, disabilities, immunisation details and psychological reports.

## Sensitive information

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As described above, we may collect and hold personal information that is sensitive information as defined by the Privacy Act. Consent will be obtained prior to the collection and use of sensitive information. If you voluntarily submit sensitive information to us, you consent to our collection of such sensitive information, and we will only use or disclose such information:

- for the purpose for which it was provided, or another directly related purpose; or
- as allowed by law.

We may share sensitive information within the entities in our company group, but only if necessary for us to provide our products or services or to perform our works.

## How do we collect personal information?

The collection of personal information depends on the circumstances in which we are collecting it. If it is reasonable and practical to do so, we will collect personal information directly from you.

We may also collect personal information from third parties (such as our customers in relation to landholder personal information for our projects, third-party administrators, referees for prospective employees) and publicly available sources and data bases (such as land registries and ASIC). However, we will only do so where it is not reasonable and practical to collect the personal information from you directly.

You have the option of not disclosing personal information to us or to use a pseudonym when dealing with us in relation to a particular matter. However, if you choose to withhold any personal information, we may not be able to provide you with part or all of our services.

## Solicited Information

We have, where possible, attempted to standardise the collection of personal information by using specifically designed forms (e.g. our Application Forms). However, given the nature of our operations we often also receive personal information by email, letters, notes, via our website, over the telephone, in face-to-face meetings and through financial transactions.

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## Information collected from our website

We may collect information based on how individuals use our websites. We use “cookies” and other data collection methods to collect information on website activity such as the number of visitors, the number of pages viewed and the internet advertisements which bring visitors to our website. This information is collected to analyse and improve our website, marketing campaigns and to record statistics on web traffic. We do not use this information to personally identify individuals except, in the event of an investigation, where a law enforcement agency may exercise a warrant or other such power to inspect the internet service provider's logs.

If you wish, you can disable your web browser from accepting cookies. If you disable cookies, you will still be able to access our websites but may not be able to access all of our services.

## Unsolicited information

We may be provided with personal information without having sought it through our normal means of collection. This is known as “unsolicited information” and is often collected by:

- Misdirected postal mail – Letters, Notes, Documents
- Misdirected electronic mail – Emails, electronic messages
- Employment applications sent to us that are not in response to an advertised vacancy
- Additional information provided to us which was not requested.

Unsolicited information obtained by us will only be held, used and or disclosed if it is considered as personal information that could have been collected by normal means. If that unsolicited information could not have been collected by normal means, then we will destroy, permanently delete or de-identify the personal information as appropriate.

## How do we use personal information?

We may use the personal information you provide to us for the purposes for which it was initially collected (the primary purpose) or secondary purposes related to such purpose (if such

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purpose would be within your reasonable expectations), or for an activity or purpose to you have consented.

Our uses of personal information may include, but are not limited to:

- providing our services to our customers;
- responding to customer and supplier queries and requests;
- preparing and submitting proposals to potential customers;
- keeping a record of our dealings and enabling us to contact individuals when necessary;
- meeting our commitments to health and safety of our workers and the public;
- undertaking construction, manufacturing and infrastructure works for our customers;
- managing the infrastructure and equipment required to provide our services;
- satisfying our legal and contractual obligations;
- engaging contractors for the performance of our works;
- engaging with landholders and project sites and managing those relationships;
- managing and administering contractual relationships with contractors, suppliers and customers;
- marketing and promotional activities;
- sending you publications and inviting you to seminars and functions;
- administration including for insurance purposes; and
- undertaking pre-recruitment assessment.

## Storage and Security of Personal Information

We store personal information in a variety of formats including, but not limited to:

- databases;
- hard copy files;
- personal devices, including laptop computers;
- third party storage providers such as cloud storage facilities; and
- paper based files.

We take all reasonable steps to protect personal information we hold from misuse, interference and loss, as well as unauthorised access, modification or disclosure.

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These steps include, but are not limited to:

- implementing multi-factor authentication;
- restricting access and user privilege of information by staff depending on their role and responsibilities;
- ensuring staff do not share personal passwords and use of password management software;
- ensuring hard copy files are stored in lockable filing cabinets in lockable rooms. Staff access is subject to user privilege;
- ensuring access to our premises are secured at all times;
- ensuring our IT and cyber security systems, policies and procedures are implemented and up to date;
- ensuring staff comply with internal policies and procedures when handling the information; and
- undertaking due diligence with respect to third party service providers who may have access to personal information, to ensure as far as practicable that they are compliant with the APPs or a similar privacy regime.

We may provide links to third party websites within our website and social media sites. These linked sites are not under our control, and we do not accept responsibility for the conduct of companies the websites of which are linked to the website. Before disclosing your personal information to any third parties on such websites, we advise you to examine the terms and conditions of using that website and its privacy policy.

We will take reasonable steps to destroy or permanently de-identify any personal information from our records and systems which is no longer required by us. We may retain your personal information even after you have completed your transactions with us if retention is reasonably necessary to comply with our legal obligations, meet regulatory requirements, resolve disputes, prevent fraud or abuse or enforce this privacy policy and our terms and conditions. We may retain personal information for a limited period of time, if requested by law enforcement.

## Responding to data breaches

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Unfortunately, since no system is 100% secure or error-free, we cannot guarantee that your personal information is totally protected, for example, from hackers or misuse. Except to the extent that liability cannot be excluded or limited due to applicable law, we assume no liability or responsibility for disclosure of your personal information due to unauthorised third-party access, errors in transmission or other causes beyond our control.

We will take appropriate, prompt action if we have reasonable grounds to believe that a data breach may have or is suspected to have occurred. Depending on the type of data breach, this may include a review of our internal security procedures, taking remedial internal action, notifying affected individuals and the Office of the Australian Information Commissioner (OAIC).

If we are unable to notify individuals, we will if required by law, publish a statement on our website and take reasonable steps to publicise the contents of this statement.

## Disclosure of personal information

We do not sell, rent, lease or provide your personal information to other entities unless outlined in this privacy policy. We may disclose your personal information where you have consented or when disclosure is necessary to achieve the purpose for which it was submitted, or for purposes which are directly related to one or more of our functions or activities. In addition, we may receive and disclose personal Information from or to our related entities.

We may disclose your personal information to organisations that carry out functions on our behalf, or assist us to deliver our services, such as our business associates, contractors, agents or service providers. These third parties may change from time to time. Some examples include:

- carefully selected suppliers and other third parties with whom we have commercial relationships, for business, marketing and related purposes;
- financial services providers, such as our banks or third party supplier for securing payment of the products or services we provided to you, and, where applicable, debt collectors;
- technology service providers, such as internet service providers, database management services, data storage providers, website hosting companies, website developers and digital mail providers who send communications on our behalf;

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- companies, sponsors or organisations that partner with us; and
- our professional advisers, accountants, lawyers and auditors.

You agree that third parties which receive personal information from us may use and disclose the personal information subject to their respective privacy policies. We endeavour to take reasonable steps to enter into agreements with these third parties to require them to collect, store, disclose and retain personal information in accordance with the APPs.

We may also disclose personal information under the following circumstances:

- when required to do so by a court or under applicable laws or regulation (for example, a subpoena) or where requested by a government agency;
- where we consider a company or an individual may be engaged in fraudulent activity or other deceptive practices that a governmental agency should be made aware of; or
- to appropriate persons, where your communication suggests possible harm to others.

## **Disclosure of your personal information to overseas recipients**

Personal information about an individual may be disclosed to an overseas organisation in the course of conducting our business, such as transaction with overseas investors, suppliers or customers; or when storing information with a “cloud service provider” which stores data outside of Australia. The overseas countries in which the personal information is received include the United States, Singapore, France, Germany and Japan. Where personal information is disclosed overseas, we will take reasonable steps to ensure that the overseas recipient does not breach the APPs in relation to that information.

## **The quality of personal information**

We take all reasonable steps to ensure the personal information we hold, use and disclose is accurate, complete and up to date, including at the time of using or disclosing the information.

If we become aware that the personal information is incorrect or out of date, we will take reasonable steps to rectify the incorrect or out of date information.

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## Access and correction of personal information

You may submit a request to us to access the personal information we hold, or request that we change the personal information. Upon receiving such a request, we will take steps to verify your identity before granting access or correcting the information. Except where the Privacy Act provides otherwise, we reserve the right to recover any reasonable costs involved in providing extensive access to personal information, for example the cost of supplying information held in archives.

If we reject the request, you will be notified accordingly. Where appropriate, we will provide the reason/s for our decision. If the rejection relates to a request to change personal information, an individual may make a statement about the requested change, and we will attach this to their record. Our objective is to respond to any request to access personal information within a reasonable timeframe and no later than 30 days. We will endeavour to inform you if this timeframe is not achievable.

In some circumstances, we may not be in a position to grant access to your personal information. Such circumstances include where:

- providing access is likely to pose a serious threat to the safety of an individual or the public;
- providing access is likely to unreasonably impact on the privacy of others;
- the request for access is frivolous or vexatious;
- providing access would reveal information which relates to existing or anticipated legal proceedings or otherwise impact on any negotiations;
- providing access is unlawful (including being unlawful as directed by a court or tribunal order) or is likely to impact on actions being taken in relation to alleged unlawful activities relating to our functions and activities; or
- granting access would impact on a commercially sensitive decision-making process.

## Complaints

You can make a complaint about how we manage personal information by notifying us in writing as soon as possible. We will respond to the complaint as soon as possible, but within 10 business days, to let you know who is responsible for managing your complaint. We may

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seek further information in order to provide a full and complete response. We will also try to resolve your complaint within 30 days. We do not charge a fee for the handling of complaints.

If you are not satisfied with our response, you may refer the complaint to the OAIC. A complaint can be made using the OAIC online Privacy Complaint form or by mail, or email.

## How to contact us

You can contact us about this Privacy Policy, to access or correct your personal information, or to submit a complaint about the handling of your personal information, by:

- Emailing [privacy@symphonyinfra.com.au](mailto:privacy@symphonyinfra.com.au)
- Calling 02 91398894 and asking to speak to the Privacy Officer
- Writing to our Privacy Officer at Suite 27.06, Level 27, Governor Macquarie Tower, One Farrer Place Sydney NSW 2000

## Review and Updates

This policy will be reviewed periodically to ensure its effectiveness and compliance with Australian legislative requirements and international standards.

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