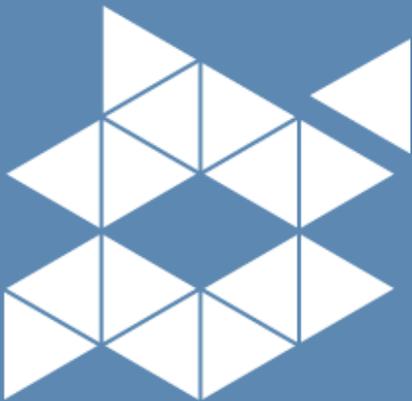




PRIVACY POLICY

August 2014



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1.0 Introduction

This version of the Energy Action Privacy Policy took effect in August 2014.

Energy Action Limited (**Energy Action**) is committed to ensuring the privacy and security of the personal information we collect and hold about individuals. Energy Action complies with all requirements of the Privacy Act 1988 (Cth) (**Privacy Act**) and the Australian Privacy Principles (**Principles**) when it deals with personal information. This Privacy Policy has been adopted by Energy Action in accordance with Australian Privacy Principle 1.3, and is intended to provide you with information on how we manage the personal information we hold about you. This policy applies to all individuals from whom Energy Action collects personal information in the course of its dealings with them.

We respect the privacy of all our clients, shareholders and visitors of our website. We understand that you expect privacy in your transactions with us. We will keep your information secure and handle it strictly in accordance with the law.

This Privacy Policy will be revised as and when circumstances change.

2.0 Collection of Information

Energy Action collects certain personal information about individuals in order to understand and meet the needs of customers and provide the products and services they require, and for various other purposes described in this Privacy Policy. Energy Action will only collect your personal information if it is reasonably necessary for its business activities.

In some circumstances, you can choose not to identify yourself when you deal with us. If you choose to deal with us anonymously, it may be difficult for us to provide you with the response or services you request.

2.1 Types of Information Collected – General

Energy Action collects personal information about:

- customers;
- shareholders;
- subscribers to our newsletters and other publications;
- suppliers;
- employees or representatives of Energy Action's corporate clients or suppliers;
- applicants for employment with Energy Action;
- users of the Energy Action website; and
- other people who come into contact with Energy Action in the ordinary course of business.

The type of personal information Energy Action may collect about you includes:

- contact details (such as your name, address, telephone number or email);
- personal details (such as your date of birth, gender or occupation);
- financial information (such as your bank account details or details relevant to your investment in Energy Action);
- tax file number (or the exemption reason or country of residence);
- information about entities in which you have an interest (either as an investor or office holder)
- if you are a customer or user of our services – the information referred to in section 2.2 of this policy
- if you are a user of our website – the information referred to in section 2.3 of this Privacy Policy;
- details of your interactions and transactions with us, including records of any contact we have with you by telephone or email.

We do not collect sensitive information about you. 'Sensitive information' means information or an opinion about your race, ethnic origin, political opinions, religious or philosophical beliefs, sexual preferences, criminal record or health and genetic information.

2.2 Information we Collect about our Customers

If you are a customer of Energy Action, we may collect the following information about you to assist us to provide you with the services you have requested and for other purposes:

- Details of your energy provider or energy retailer;
- copies of statements or invoices you receive from your energy provider or an energy retailer;
- metering data and statistical information concerning your energy consumption;
- customer survey information about your experience using our services.

We may collect this information using the methods set out in section 3.

2.3 Information we Collect about Users of our Website

When you use our website, our Internet Service Provider (ISP) will record and log for statistical purposes the following information about your visit:

- your computer address;
- your top level name (for example, .com, .gov, .org, .au etc);
- the date and time of your visit;
- the pages and documents you access during your visit; and
- the browser you are using.

We may collect your name and personal information if you chose to provide it to us in an email or through an enquiry from our website.

3.0 Method of Collection

Energy Action collects personal information directly from you in a variety of ways, including by way of personal contact with you or correspondence with you by mail, fax, telephone, email or the internet. Energy Action may collect your information directly from you using these methods when you use our services, when you attend an event, trade show or other function attended by Energy Action, or when you visit our website.

In certain situations where it is unreasonable or impractical to collect personal information from you, we may collect personal information about you from someone else, including public sources (such as telephone listings), our related companies, your organisation, your authorised representatives (if you have authorised us to collect information from them), information service providers and external service providers.

If you do not provide us with personal information which we have requested or if that information is incomplete or inaccurate, it may make it difficult for us to contact you or prevent us providing services to you.

4.0 Use and Disclosure of Personal Information

If we collect your personal information for a particular purpose, we will only use or disclose your personal information for that purpose, unless you consent to Energy Action using the information for another purpose, or unless we are required or authorised by law to use the information for another purpose.

In general, Energy Action may use or disclose personal information for the following purposes:

- to provide products and services to customers;
- to understand our customers and what products and services best suit their needs (including market research purposes);
- to service shareholders;
- to respond to queries, complaints or to provide you with our general customer services;
- to verify your identity and personal information;
- to maintain and update our records;
- to communicate with contractors and suppliers;
- to provide ongoing information about our products and services to people that we believe may be interested;
- to help manage and enhance our products and services, including by surveying customers on their future needs;
- to consider applications for employment;
- to facilitate any purchase or potential purchase of an interest in our business;
- to protect our lawful interests; and
- to comply with legal obligations, for example, Energy Action may disclose your personal information to comply with a court order demanding the disclosure of the information or with a request by a government agency for the product of records pursuant to taxation or social security laws.

If you are the contact person for a customer or supplier, we may also use your personal information such as your name to manage our relationship with your organisation.

We may also use your personal information to promote and market products and services to you. This is to keep you informed of products, services and special offers and may continue after you cease to acquire services from us. We will only use your information for this purpose in circumstances permitted by law (including by the Privacy Act, Spam Act 2003 and the Do Not Call Register Act 2006).

If you do not wish us to contact you to promote and market products, services and special offers, or if you have subscribed to any of our newsletters or subscriptions and no longer wish to receive such communications, please email marketing@energyaction.com.au.

Depending on the product or service or issue concerned, we may disclose personal information to:

- service providers and specialist advisers who have been contracted to provide administrative, financial, research or other services, including mail houses, share registry and information technology support;
- companies within the Energy Action group;
- insurers, credit providers, courts, tribunals and regulatory authorities (including the Australian Tax Office) as required or authorised by law; or
- your authorised representatives (if you have authorised us to disclose the information to them).

5.0 Cross border disclosure of personal information

Energy Action will generally not send information overseas.

However, in rare circumstances, and under strict control to ensure there is no breach of the Principles, Energy Action may authorise access to personal information by restricted persons in an overseas location. Energy Action will comply with all applicable laws if it does this. [Overseas countries might include, but are not limited to, [*] and [*].]

6.0 Shareholders

If you are a shareholder of Energy Action, you may provide us with your tax file number, which we will keep securely on the relevant share register. In accordance with Australian tax laws, we may provide certain advice to the Australian Tax Office, including dividend information.

Section 173 of the Corporations Act 2001 requires Energy Action to grant access on request to their share register.

The share register sets out all shareholders' names, addresses and share holdings. We may provide information from the share register to meet specific requests such as identifying the top 100 shareholders. Shareholder information is not disclosed for purposes other than those for which we are required or authorised by law to disclose.

Energy Action may disclose your personal information to your stockbroker, accountant, a family member or other person who you have authorised to be contacted on your behalf. In those circumstances, you will be required to identify that party as your authorised agent.

7.0 Management of Personal Information

Energy Action has implemented appropriate technological and organisational measures to assist us in ensuring the protection of your personal information.

We expect our employees and contractors who handle personal information to comply with the Privacy Act and will take appropriate action in response to breaches of the obligations imposed by the Principles. Although we seek to engage external service providers who also comply with these requirements, we do not accept responsibility for the misuse of personal information by these third parties.

8.0 Accessing and correcting your Personal Information

Under the Principles, you usually have the right:

- to obtain a copy of any personal information which Energy Action holds about you; and
- to request that we correct information we hold about you.

You may request to access your personal information, or request a correction be made to that information by contacting us by:

Post: Energy Action Limited - Marketing
Level 5, 56 Station Street
Parramatta NSW 2150

Telephone: 1300 553 551 or 02 9633 6400

Fax: 02 9475 0954 (Attn: Marketing)

Email: marketing@energyaction.com.au

Depending upon the personal information you seek, or the correction you request to be made to your personal information, you may be asked:

- to complete an Information Request Form;
- to verify your identity in writing; and/or
- to ensure the integrity of the information, to provide evidence in support of the correction you are requesting we make to your information.

Energy Action will endeavour to provide you with the personal information you request access to within a reasonable timeframe and in any reasonable manner requested by you.

Please note that in circumstances prescribed by the Privacy Act, you may be refused access to your personal information (for example, if providing access would be unlawful or would have an unreasonable impact upon the privacy of other individuals). Where a written request by you to access information is refused, we will generally give you a written response to your request setting out the reasons for the refusal and the mechanisms available to you to complain about the refusal.

Energy Action will consider any request by you to change or correct your personal information and respond within a

reasonable timeframe.

Where a written request by you to correct your personal information is refused, we will generally provide you with a written response to your request setting out the reasons for the refusal and the mechanisms available to you to complain about the refusal.

We will take reasonable steps in the circumstances to ensure your personal information:

- collected by us is accurate, complete and up to date; and
- used or disclosed by us is accurate, up to date, complete and relevant,

however, we rely on you to notify us of any changes to your personal information.

9.0 Data Security

Energy Action will take reasonable steps to protect your personal information from misuse, interference, loss, unauthorised access, modification or disclosure. We use technologies and processes such as [access control procedures, network firewalls, intrusion detection systems, virus scanning tools, encryption and physical security] to protect your privacy. We review and update our security measures as appropriate.

Other security measures may include, depending on the circumstances:

- management of access privileges, to ensure that only those who really need it can see your personal information;
- secure work environments and workflow systems that prevent unauthorised access and copying of your personal information; and
- ensuring that our external service providers maintain appropriate security measures.

Energy Action will take reasonable steps to destroy or permanently de-identify any of your information which is no longer needed and which Energy Action is not required by law to retain. Documents will be kept for the period of time as required by law.

Our website contains links to the websites of third parties over which we have no influence in regards to their compliance with Principles or content. Please be aware that Energy Action is not responsible for the compliance by these third parties with their obligations concerning your personal information. You should review the Privacy Policy of any website that you access through the Energy Action website.

10.0 Authorities and Responsibilities

The Risk Management & Audit Committee (**RMAC**) will be responsible to ensure that appropriate policies are in place to protect the privacy of all personal information about clients, customers or other individuals that is collected or held by Energy Action.

Executive Officers and Managers will be responsible for ensuring that appropriate privacy procedures are implemented and adhered to, to achieve the highest possible levels of privacy and security for customers, shareholders and client information.

11.0 Complaints

Energy Action has an established internal dispute resolution system in place to efficiently manage enquiries and complaints. If you wish to make an enquiry or lodge a complaint in relation to how Energy Action handles your personal information you should in the first instance contact Energy Action using the following details:

Post: Energy Action Limited - Marketing
Level 5, 56 Station Street Parramatta NSW 2150

Telephone: 1300 553 551 or (02) 9633 6400

Fax: (02) 9475 0954

Email: marketing@energyaction.com.au

A representative of Energy Action will respond to let you know who will be handling your matter and when you can expect a further response.

If you feel that we have not adequately dealt with your complaint or that it cannot be solved internally, you may refer the matter to the Office of the Australian Information Commissioner who can be contacted online at www.oaic.gov.au, by phoning 1300 363 992 or emailing enquiries@oaic.gov.au.