

RED ENERGY – PRIVACY POLICY

This document is the Privacy Policy of Red Energy Pty Ltd ABN 60 107 479 372 (**Red Energy, we or us**). This policy also applies to the use of the website operated by Red Energy under the domain name www.redenergy.com.au (**website**).

We understand that your privacy is important to you. We are committed to respecting your right to privacy and to complying with all of our privacy obligations under *the Privacy Act 1988* (Cth) (**Privacy Act**), including the Australian Privacy Principles (**Principles**). The Principles are designed to protect confidentiality of information and the privacy of individuals by regulating the way personal information is managed. Personal information is generally, information or an opinion about an identified individual, or an individual who is reasonably identifiable, irrespective of whether the information or opinion is true or is recorded in a material form.

This policy sets out how and when Red Energy collects, uses and discloses your personal information and credit information and how you may request access to your personal and credit information.

The types of information we collect may include information about: customers, suppliers, employees, personal contacts of corporate clients or suppliers, applicants for employment and other people who come in contact with Red Energy in the ordinary course of business. This information is collected in a variety of ways, including by way of personal contact such as business activities and events, as well as mail, telephone, email and internet.

Employee Exemption: Red Energy is not bound by the Privacy Act or the Principles in relation to the handling of its current or former employees' records, if those records relate directly to the employment relationship.

1. PERSONAL INFORMATION WE MAY COLLECT

- 1.1 We may collect personal information about you from a range of sources (including from you, customers, suppliers, employees, personal contacts, third parties, publicly available resources or through the ordinary course of business) and in a variety of ways (such as personal dealings, mail, telephone, email and our website).
- 1.2 We may also collect and disclose personal information that is not sensitive information about you from and to our related companies, including where you are a customer of ours and also a customer of our related companies. Such personal information about you may include, but is not limited to, records of your non-payment of any bills issued by us or our related companies, details of overdue payment on your account(s) or a disconnection (including due to your non-payment).
- 1.3 The types of personal information we collect about you may include your name, addresses, telephone number, other contact details (including email addresses), credit history, identification details, concession or discount entitlements and details of any other interactions that you have with us. We will only collect your sensitive information (as that term is defined in the Privacy Act, including information such as health records and the use of life support equipment at your premises) with your consent or if required by law.
- 1.4 In most cases, you will have to identify yourself when you deal with us (such as when you become a customer of ours or make an enquiry with us). If it is appropriate and practical in the circumstances, you may be able to remain anonymous or use a pseudonym when you deal with us.
- 1.5 You do not have to provide us with your personal information, but if you don't, we may not be able to provide you with our goods and services, either to the same standard or at all. It is important that your personal information and any other information you give us is correct and that you inform us of any changes.
- 1.6 By registering for any of our online services, you confirm that you are either the account holder or are authorised by the account holder to access the accounts for which you have registered, or for any accounts

that you add to your online profile in the future.

- 1.7 By signing up with us or where you provide us with your details on this website, you agree that we (or any of our Australian related companies, service providers or other business parties) may contact you by any means (including by SMS or e-mail) in the future (even if you cease being a customer of or otherwise cease acquiring services from us) to let you know about goods, services, promotions, competitions or special offers which may be of interest to you. We may also disclose your information with other persons or entities who assist us in providing our services or running competitions or promotions or with other companies who provide prizes for competitions. If you do not wish for your personal information to be used for marketing, special offers or promotional purposes, you can opt-out by contacting our Customer Service Team on 131 806, emailing us at enquiries@redenergy.com.au or visiting our "Contact Us" page on our website at <https://www.redenergy.com.au/contactus>.

2. WHY WE COLLECT AND HOW WE USE YOUR PERSONAL INFORMATION

- 2.1 We will collect (or voluntarily receive) and use your personal information for the purpose of undertaking our business activities, including enabling us to:

- (1) provide you with our goods and services, including to provide energy to you;
- (2) managing our relationship with you, including carrying out our responsibilities, or exercising our rights under our energy supply agreement with you;
- (3) carry out credit checks or otherwise assess your creditworthiness;
- (4) market our products and services, promotions or other services which we consider may be of interest to you;
- (5) update our records and keep your contact details up to date;
- (6) respond to any enquiries you make or any complaints that you lodge with us;
- (7) conduct, or contact you for the purpose of market research (even if you cease being a customer of or otherwise cease acquiring services from us);
- (8) collect debts;
- (9) where you are a customer for Solar and/or Battery, use data obtained from your energy monitoring device (which may include system health, consumption and time of use information) to assess your energy patterns for research purposes or otherwise access your data to conduct our business as required;
- (10) implement any scheme for the payment of rebates or granting of concessions to customers;
- (11) help us research the needs of our customers and to market our products and services with a better understanding of your needs and the needs of customers generally;
- (12) conduct research for the purposes of improving existing products or services or creating new products or services;
- (13) provide you with any services you have requested; or
- (14) implement any Federal, State or Local based Government incentive scheme.

3. YOUR CREDIT INFORMATION

- 3.1 This section of our Privacy Policy is our Credit Reporting Policy, which sets out how we will collect, use, hold and disclose your credit information. As we provide our services to you on credit (that is, you will pay for

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- those products or services after we start providing them to you), we are a credit provider for the purposes of the Privacy Act.
- 3.2 We may collect your credit information from you or from third parties, including from credit reporting bodies and other credit providers, in order to assist us in determining whether we will provide our services to you on credit. The type of credit information that we collect about you includes your name, address and contact details, your gender and date of birth, your credit history (including any repayments or late repayments you have made), details of any credit you have sought or obtained from other credit providers, any credit score that a credit reporting body can provide to us and details of any credit-related court proceedings or insolvency applications that relate to you.
- 3.3 We may use and disclose your credit information as permitted by Part IIIA of the Privacy Act and the Credit Reporting Code and for the purpose of performing our business functions. These purposes include:
- (1) using your credit information to assess any application for credit that you make to us;
 - (2) using your credit information to collect overdue payments that you owe to us;
 - (3) disclosing your credit information to credit reporting bodies (which collect different types of credit information about individuals and use that information to provide a credit assessment service to their customers);
 - (4) disclosing your credit information to debt collectors, credit management agencies and other third parties that act on our behalf;
 - (5) disclosing your credit information to any third party that guarantees the credit that we provide to you;
 - (6) to respond to any access or correction requests that you make to us, a credit reporting provider or another credit provider;
 - (7) to respond to any complaint that you make, whether to us, the Office of the Australian Information Commissioner (**OAIC**) or any provider of a recognised external dispute resolution scheme;
 - (8) any purposes required by law or the order of a court or tribunal; and
 - (9) any other purpose to which you expressly consent.
- 3.4 Where required by law, we will make a written note (which may be kept in electronic form) of any use or disclosure that we make relating to your credit information.
- 3.5 We may disclose your credit information to Veda and/or DBCC Pty Ltd trading as Dun & Bradstreet, our credit reporting bodies (CRBs); and these CRBs may provide us with reports that include your consumer and commercial credit worthiness to assist us in assessing your credit worthiness for your application for consumer credit. We may disclose the following credit information to our CRBs:
- (1) your identification information and details of the credit that we have provided to you;
 - (2) that you have defaulted on your credit obligations (where your payments are more than 60 days overdue and exceed \$150 and we have given you 14 days prior notice of our intention to default list you); and
 - (3) that in our opinion you have committed a serious credit infringement.
- 3.6 You may request that our CRBs do not use your credit reporting information for the purpose of pre-screening our direct marketing. If you (or your related company or other entity) make an application for credit to us or you offer to guarantee credit that we propose to provide to your related company or other entity, and we subsequently refuse your application or offer based on information provided to us by a credit reporting body

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- about you, we will inform you of this. We will provide you with the name and contact details of that body and any other information required by law to be provided to you.
- 3.7 We take reasonable steps to ensure that the credit information that we hold about you is protected from misuse and loss and from unauthorised access, modification or disclosure. We will securely store all credit information that we collect or hold about you in an electronic system located in Australia.
- 3.8 You may lodge a request for access to, or the correction of, any credit information that we hold about you in accordance with section 6 of this Privacy Policy. We will correct any credit information that we hold about you where we are satisfied that the information that we hold is inaccurate, out-of-date, incomplete, irrelevant or misleading. If we need to, we may consult with other credit providers and credit reporting bodies about your correction request. If we correct your credit information:
- (1) after you make a correction request, we will advise you (and each other credit provider and credit reporting body to which we have previously disclosed that information) that we have made a correction to your credit information; or
 - (2) without you first making a correction request, we will take reasonable steps to advise you (and, unless it is impracticable for us to do so, each other credit provider and credit reporting body and any other entities to which we have previously disclosed that credit information) that we have corrected your credit information.
- 3.9 You may lodge a complaint if you believe that we have failed to comply with Part IIIA of the Privacy Act or the Credit Reporting Code. If your complaint relates to access to or correction of your credit information, then you may lodge a complaint directly with the OAIC (see <http://www.oaic.gov.au> for more information on how to do this) or with a provider of a recognised external dispute resolution scheme as notified by us. If your complaint does not relate to these matters, you must make your complaint to us in accordance with section 6 of this policy.
- 3.10 If you have made a complaint about your credit information but we disclose your credit information before your complaint is resolved, we will also tell the recipient that you have made a complaint in relation to the information that we are disclosing to them. If you lodge a complaint regarding the correction of your credit information, we will advise each other credit provider and credit reporting body to which we previously disclosed your information that you have made a correction complaint in relation to that information. We will also advise these entities of the outcome of your complaint, unless it is impracticable or illegal for us to do so.

4. HOW WE MAY DISCLOSE YOUR PERSONAL INFORMATION

- 4.1 We may disclose your personal information to:
- (1) our related companies;
 - (2) any network operator that we work with to supply energy to you;
 - (3) any of our service providers and business partners, including organisations that assist us with billing, meter reading, connections and repairs, marketing our products or goods or services, debt collections, market research, technology and security services, including our service providers in the Netherlands who provide data management services and our home products installers and manufacturers for Solar and Battery whose servers are located in the USA;
 - (4) any other third party on a confidential basis in the course of delivering energy and other products and related services to you and to achieve the purposes specified in section 2 of this Privacy Policy;
 - (5) government and/or regulatory authorities (where required or authorised by law); or
 - (6) our professional advisers (including lawyers, business advisers and auditors).

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4.2 You agree to these disclosures in accordance with the safeguards in this privacy policy (consequently Australian Privacy Principle 8.1 will not apply to such disclosures).

5. SECURITY OF YOUR PERSONAL AND CREDIT INFORMATION

5.1 We will take all reasonable steps such as those set out in our Security Policy to ensure that your personal and credit information is kept securely and not misused, interfered with or disclosed unless in accordance with this Privacy Policy. A summary of our Security Policy is available at <https://www.redenergy.com.au/security/index.html>. We will destroy your personal information where it is no longer necessary to retain it or to fulfil the purposes for which it was collected or as required by law. We will retain your credit information for any periods required by law or where we need to retain that information for the purposes for which it was collected, after which we will destroy or delete it.

6. ACCESS, CORRECTION & COMPLAINTS

6.1 You can request more information about the way we manage your personal information and credit information (including access to or correcting your personal information or your credit information if you believe it is inaccurate, incomplete, not up-to-date, irrelevant or misleading) or make a complaint by contacting Red Energy's Privacy Officer at PO Box 4136 East Richmond Vic 3121 or by calling 131 806.

6.2 We will treat your requests or complaints confidentially and will contact you to discuss your concerns and outline options regarding how they may be resolved. We will contact you within a reasonable time after receipt of your complaint and aim to resolve your complaint in a timely and appropriate manner.

6.3 We may deny your request for access to personal information or credit information that we hold about you in limited circumstances, in accordance with the Privacy Act. In these circumstances, we will inform you of the reasons for our decision.

6.4 We may also charge you a reasonable fee for accessing your personal information.

6.5 If you are not satisfied with our response to your query or with our resolution of your complaint, then you may make a further complaint to the OAIC (see <http://www.oaic.gov.au> for more information on how to do this). If your complaint relates to credit information, you may also make a complaint to a third party dispute resolution provider instead of the OAIC. We will advise you of the name and contact details of this third party when we contact you to discuss your complaint.

7. OUR WEBSITE

7.1 This Privacy Policy also applies to your use of our website and any personal information that you provide to us when using our website.

7.2 We use 'cookies' to provide a secure, personalised experience on our website. Cookies are small data files that a website is able to place on a user's computer hard drive or in its memory to record aspects of that user's experience of the website.

7.3 Cookies on this website are used as identifiers, and will not contain or store any information about a user. You will need to enable cookies on your browser to access the signed-in areas of our website.

7.4 Our website uses cookies in two different ways:

- (1) when you are browsing any part of our site we will use a cookie that is stored on a computer's hard drive to track which areas of the site are accessed. The cookie does not allow us to identify any individual; and
- (2) when you register and sign in to the secure, personalised area of the website, we will send you a secure cookie that will maintain the security of your session. This secure cookie will be stored in your computer's memory rather than on your hard drive, and will only last for the duration of the session.

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- 7.5 This website also uses clear *gifs* for technical spacing purposes on the website. We do not use clear *gifs* or web beacons to track user activity.
- 7.6 Our website may contain links to other websites operated by third parties. We make no representations or warranties in relation to the privacy practices of any third party website and we are not responsible for the privacy policies or the content of any third party website. Third party websites are responsible for informing you about their own privacy practices.

8. VARIATIONS AND UPDATES

- 8.1 We will review our Privacy Policy regularly, and may make changes from time to time. If we do so, we will update the policy on this website to reflect those changes. The updated versions of our Privacy Policy will be effective from the date of posting on our website.
- 8.2 This Privacy Policy was last updated on 22/06/2017.