



## PRIVACY POLICY

This privacy statement sets out Datacom's policy on the management of our customers' personal information. Datacom is committed to ensuring the proper use of that information. Datacom is also subject to the requirements of the Privacy Act 1988, the Telecommunications Act 1997 and the National Privacy Principles (Extracted from the Privacy Amendment (Private Sector) Act 2000)

Datacom's Privacy Statement contains the following important information regarding our customers' relationship with us:

1. Collection of personal information
2. Use and Disclosure
3. Data Quality
4. Data Security
5. Openness
6. Access and Correction
7. Identifiers
8. Anonymity
9. Trans-Border transfer of information
10. Sensitive information

### 1. COLLECTION OF CUSTOMERS PERSONAL INFORMATION

Datacom will only collect personal information that is necessary for one or more of its legitimate functions or activities and will only do so by lawful and fair means and not in an unreasonably obtrusive way.

At or before the time (or, if that is not practicable, as soon as practicable after) Datacom collects personal information about an individual from the individual, Datacom will take reasonable steps to ensure that the individual is aware of:

(a) how to contact us; and

(b) the fact that he or she is able to gain access to the information; and

(c) the purposes for which the information is collected; and

(d) the organizations (or the types of organizations) to which the Datacom usually discloses information of that kind; and

(e) any law that requires the particular information to be collected; and

(f) the main consequences (if any) for the individual if all or part of the information is not provided.

If it is reasonable and practicable to do so, Datacom will collect personal information about an individual only from that individual. This is the full extent of our collection of an individual's information.

If Datacom collects personal information about an individual from someone else, it will take reasonable steps to ensure that the individual is or has been made aware of the matters listed in sub clause (c) except to the extent that making the individual aware of the matters would pose a serious threat to the life or health of any individual.



## **2. USE AND DISCLOSURE OF PERSONAL INFORMATION**

The personal information collected by Datacom is or may be used:

- a. for billing purposes
- b. to maintain the customer's account
- c. to notify the customer about new products or services from time to time
- d. to provide customer support
- e. to provide the customer with products, services or information that they have requested
- f. to streamline and personalise the customer's experience while dealing with Datacom
- g. to tailor Datacom information, services or products in order to improve and enhance those services and products provided to the customer

Datacom may also use customers' personal information for the purpose of direct marketing, and only in relation to promotional activities where it is impracticable for us to obtain our customer's prior express consent. Whenever Datacom does this we will provide an express opportunity when we first contact the customer to decline receiving any further marketing communications from Datacom.

Information collected by Datacom may also be combined and de-identified to provide Datacom with anonymous demographic and usage information. Datacom will then use this aggregated information to develop new and/or more appropriate services and products to offer to our customers.

Datacom will only pass on personal information about the customer to other companies or people when:

- a. We need to share the customer's information in order to provide the product or service they have requested
- b. We have the customer's consent to share the information
- c. We need to pass on the information to companies that provide programming or work on behalf of, or in conjunction with, Datacom in order to provide a product or service to the customer. (Unless we inform the customer otherwise, these companies do not have any right to use the personal information we provide them for purposes that do not involve Datacom.)
- d. We are required to respond to subpoenas, court orders or legal process

If the customer informs Datacom that they do not wish to have their personal information used or disclosed for a particular purpose, we will respect their wishes, unless this is not legally or practicably possible.

For the purposes of (c), personal information may be accessed and viewed by authorised information technology consultants and other systems administrators for the sole purpose of maintaining an effective recording and accounting network system.

## **3. DATA QUALITY**

Datacom will take reasonable steps to ensure that the customers' personal information it collects uses or discloses is accurate, up to date and complete.



#### 4. DATA SECURITY

Datacom will take reasonable steps to protect the security of customers' personal information held by Datacom.

Datacom only permits customers' personal information to be accessed by authorised personnel.

Datacom will take reasonable steps to destroy or permanently de-identify customers' personal information if it is no longer needed for any purpose.

#### 5. OPENESS

Datacom clearly expresses its policies on the management of personal information. Datacom will make the document available to anyone who asks for it.

On request by a person, Datacom will take reasonable steps to let the person know, generally, what sort of personal information it holds, for what purposes, and how it collects, holds, uses and discloses that information.

#### 6. ACCESS AND CORRECTION

Subject to verification of identity, personal information may be accessed at any time by request of the person whom the information relates to.

Access to personal information can be obtained only by the person to whom that information relates to and is available by contacting Datacom Customer Service Centre.

If Datacom holds personal information relating to a person then that person may request at any time that any or all of that information be changed, updated or corrected.

#### 7. IDENTIFIERS

Datacom will not adopt as its own identifier of an individual an identifier of the individual that has been assigned by:

(a) an agency; or

(b) an agent of an agency acting in its capacity as agent; or

(c) a contracted service provider for a Commonwealth contract acting in its capacity as contracted service provider for that contract.

**Identifier** includes a number assigned by Datacom to an individual to identify uniquely the individual for the purposes of Datacom's operations. However, an individual's name or ABN (as defined in the *A New Tax System (Australian Business Number) Act 1999*) is not an **identifier**.

#### 8. ANONYMITY



Wherever it is lawful and practicable, individuals must have the option of not identifying themselves when entering transactions with Datacom.

## **9. TRANS-BORDER DATA FLOW**

Datacom may transfer personal information about an individual to someone (other than the organization or the individual) who is in a foreign country only if:

(a) Datacom reasonably believes that the recipient of the information is subject to a law, binding scheme or contract which effectively upholds principles for fair handling of the information that are substantially similar to the National Privacy Principles; or

(b) the individual consents to the transfer; or

(c) the transfer is necessary for the performance of a contract between the individual and Datacom, or for the implementation of pre-contractual measures taken in response to the individual's request; or

(d) the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the individual between Datacom and a third party; or this is the full extent of our trans border data flow

(e) all of the following apply:

(i) the transfer is for the benefit of the individual;

(ii) it is impracticable to obtain the consent of the individual to that transfer;

(iii) if it were practicable to obtain such consent, the individual would be likely to give it; or

(f) Datacom has taken reasonable steps to ensure that the information which it has transferred will not be held, used or disclosed by the recipient of the information inconsistently with the National Privacy Principles.

Datacom will only use customers' personal information in this way if it is necessary to do so in order that Datacom be able to provide the customer with services and products that they have requested.

Datacom will take reasonable steps to ensure that the information which it has transferred will not be collected, held, used or disclosed by the recipient of the information for any other purpose other than to assist Datacom with the provision of products or services to our customers.

## **10. SENSITIVE INFORMATION**

Datacom will not collect, use or disclose sensitive information (such as information about political or religious beliefs or racial or ethnic origins) except with the customer's consent.

Where it is necessary to obtain sensitive information in order to provide products and services in a specific language, Datacom will take all reasonable steps to ensure that this information is used solely for the purposes of providing, improving and enhancing those services.