

Termguard recognises and accepts the importance of maintaining privacy of all personal information it receives from its licensees, purchasers and users of Termguard systems. Termguard complies with all requirements of the Commonwealth Privacy Act 1988 and the National Privacy Principles.

Termguard is committed to protecting and safeguarding personal information and using it only for the proper and beneficial development of the Termguard Licensee network consistent with the Privacy Act.

National Privacy Principles

How Termguard complies with the National Privacy Principles and the Privacy Act is set out in this Policy. The purpose of this document is to make a clear statement of Termguard's official Privacy Policy and to explain the circumstances in which Termguard collects personal information, how it is used, how it is protected and safeguarded, and the controls that apply to providing you with further information about what we hold and how we deal with it.

Collecting information from you

Termguard collects information necessary for the proper and efficient conduct of the licensing business operated by Termguard. The personal information that is collected by Termguard comes from its Licensees, distributors, the manufacturers, that it deals with, the homeowners and builders who install Termguard systems, and people and businesses in the community who make contact with Termguard or its licensees.

Some information, which is of a private or personal or sensitive character, is still necessary to enable Termguard to carry on its business and provide its licensing services. Termguard only collects that information if it is necessary to one of its business activities.

Particular examples of information which may be kept are:

- details of trade enquiries regarding prospective installations of Termguard systems;
- details of builders or home owners who contract to install a Termguard system;
- details of the name, address, place and layout of Termguard systems that have been installed;
- details of any subsequent systems which are recharged, repaired, replaced or visited for any reason by a Termguard licensee to maintain them;
- details of changes of ownership or occupiers in properties where Termguard systems have been installed or maintained, all of which is integral to Termguard operating its licensee network for the benefit of the persons or business that have installed Termguard systems or continued to use the services of Termguard Licensees.

In addition, **Termguard** keeps the information of its Licensees and all of their activities whilst operating as Licensees, which at least includes the following:

- the Licensee's name, address, contact numbers, email and Licence Agreement details;
- details of a Licensee's corporate entities or trusts involved in conducting the Licence;
- records of the activities of a Licensee in carrying on its Licensed operations;
- records of the Licensee's customers and installations carried out in its Licensed operations;
- records of any bank or financial or investigative checks carried out regarding a Licensee or any terms of trade relating to a Licensee;
- records of persons or entities acting as guarantors of the Licensee under the Licence Agreement;
- all other information which may be provided by, or obtained from time to time from, a Licensee in the course of the conduct of the Licensed operations in compliance with the Licence Agreement, Termguard's Manual for Installation, Termguard's Operating Procedures and Termguard's Standard or One-Off Terms of Trade,
- all of which are integral to the running of the Termguard Licensee network and Termguard's business.

At or before the time when personal information is collected by Termguard we will take reasonable steps to ensure that you are made aware of what information is being sought, why it is being sought, the persons or businesses or organisations that the information may be disclosed to, any laws requiring the collection of the information from you, the significant consequences for you if all or any part of the information is not collected, and the way in which you are able to gain access to the information that we hold about you.

Use of collected information and disclosure of it

Termguard may use or disclose personal information for the main purpose for which it is collected eg. the conduct of activities under the Licence Agreement and/or the ongoing maintenance or rectification of installed Termguard systems and compliance with Termguard's warranties and record keeping after dealings with you have ceased.

Termguard may also use personal information it obtains for purposes which are related to the reason we collected it and where you would reasonably expect that we would use that information. That type of information is only disclosed to persons outside the Termguard business and the circumstances set out in this policy or as notified to you at the time when we collect it.

There are also circumstances in which **Termguard** is permitted to use or disclose personal information we hold. They are:

- where you have consented to the use or disclosure;
- where we reasonably believe that the use or disclosure is necessary to lessen or prevent a serious or immediate threat to a person's health or safety or the public health or safety;
- where we reasonably suspect an unlawful activity has been, is being or may be engaged in and the use or disclosure is necessary for our investigation of or reporting the matter to the relevant authorities;
- where the use or disclosure is required by compulsion of law (for example to comply with a Court issued subpoena or a court order);
- where we reasonably believe the use or disclosure is reasonably necessary for preventing and investigating crimes or wrongdoings, and for the preparation and conduct of Court proceedings in which Termguard may or has become involved.

Our website (www.termguard.com.au)

Our website may contain links to other websites. We are not responsible for the privacy aspects of any contact made through those links or any other person or business.

Our Security and Storage systems

Termguard takes reasonable steps to ensure that personal information that is collected, used or disclosed is accurate, complete and up to date.

Termguard takes all reasonable steps to protect personal information from an unauthorised access through the use of computer and physical security controls.

Termguard destroys all personal information which is collected by identifying it and destroying it securely when it is no longer required and, where it is held on any computer system, by wiping the relevant computer disks. Termguard applies all reasonable electronic security measure to control unauthorised access obtained through internet or email transmissions that may be sent or received by Termguard.

How you can access and correct personal information

Termguard is committed to being open in dealing with you regarding the application of Termguard's Privacy Policy. Termguard will provide access to your personal information where a request is made in accordance with the National Privacy Principles through our Privacy Officer.

Where you wish to access your personal information the request must be made in writing and addressed to the General Manager of **Termguard** but marked to the attention of the Privacy Officer. The letter may be sent by mail, facsimile or by email but proof of identity will be required before any information which is requested is disclosed.

There may be some circumstances in which a fee or charge will be applied to providing the requested information, but we will inform you what that will or how it will be calculated before providing the requested access or the access that **Termguard** agrees to provide. If at any time you believe your personal information may be inaccurate or out of date or to check that information then, subject to verification in accordance with the process set out above, a charge will not usually be applied as Termguard encourages you to ensure your information is accurate and up to date.

Identification and Anonymity

Termguard generally does not collect identifiers or use or disclose them except where legally required to do so eg. Termguard may collect identifiers necessary to ensure compliance with taxation requirements.

Termguard does not engage in monitoring of website visitors or the tracking of other contacts with are made with Termguard except where required for the lawful and practicable operation of Termguard's business consistent with the requirements of the Privacy Act and the National Privacy Principles.

Transfer of information to other places

It may be necessary for **Termguard** to transfer personal information to a person or business in a foreign country where the Privacy Act and National Privacy Principles do not apply. Termguard will only transfer that information where to do so is permitted by the Privacy Act and the National Privacy Principles.

Your sensitive information

Termguard does not generally collect information about your race or ethnic origin, political opinions or membership, religious beliefs or affiliations, philosophical beliefs, membership of professional trade associations or unions, sexuality, criminal record or health information.

It may be necessary, for the purposes of the conduct of Termguard's Licensee business, to request sensitive information from time to time, but that information will only be collected with your consent except to the extent the Privacy Act and National Privacy Principles otherwise permit the collection of that information.

Your complaints

If you believe that your personal or sensitive information has not been treated in accordance with **Termguard's Privacy Policy** or in compliance with the Privacy Act and the National Privacy Principles, your complaint should be directed to the General Manager of Termguard marked for the attention of the Privacy Officer.

Any complaint must be communicated in writing and we may then contact you to obtain further information to ensure the scope of the complaint is understood. We will then investigate your complaint and attempt to resolve any breach that may have occurred. If we are unable to resolve it with you may request an independent person to investigate the complaint. For information about how to lodge a complaint with the Federal Privacy Commissioner to pursue that process you should contact the Federal Privacy Commissioner. The website service providing information on the privacy legislation and the National Privacy Principles is located at www.privacy.gov.au

Changes to Termguard's Privacy Policy

If **Termguard** decides to change its Privacy Policy it will provide notice of the changed Policy and where it may be accessed.

Termguard's Privacy Policy is usually posted and maintained on Termguard's website located at www.termguard.com.au

Date of this Policy: 13th June, 2004