

Privacy Policy

Outline

This Privacy Policy, which is subject to the Privacy Act and APPs, regulates how we collect, use and disclose personal information.

Amendment. We may change, vary or modify all or part of this Privacy Policy at any time in our sole discretion. It is your responsibility to check this Privacy Policy periodically for changes. If we adopt a new Privacy Policy: we will post the new Privacy Policy on the Platforms; and it will then apply through your acceptance of it by subsequent or continued use of the Platform and/or our Services.

Purpose

Primary purpose. We collect your personal information to lawfully carry out our functions and activities and provide you our Services (**Primary Purpose**).

Secondary purposes. In addition to the Primary Purpose, we may use the personal information we collect, and you consent to us using your personal information to:

- provide you with information about the Services you requested and any other services you may be interested in;
- personalise and customise your experiences with us;
- help us meet our warranty obligations;
- help us review, manage and enhance our Services and develop insights used in reports
- information received. Communicate with you, including by email, mobile and in-application notifications;
- conduct surveys or promotions;
- process payments and administer your account, including to send you account related reminders;
- investigate any complaints about or made by you, or if we have reason to suspect you have breached any relevant terms; or
- do anything else as required or permitted by any law.

What We Collect

Personal information we collect about you may include identification information such as your name, address, email address, mobile phone number, usage data, and financial and payment information and from our Services.

We will only collect, hold, use or disclose your sensitive information with your consent or if you volunteer your sensitive information to us.

How We Collect

Your personal information may be collected:

- when you complete an application, consent, purchase, account sign-up or similar form via our platforms or otherwise;
- when you contact us to submit a query or request;
- when you post information or otherwise interact with the Platforms;
- when you participate in one of our Services or surveys;
- from those who request our Services on your behalf;
- from publicly available sources of information;
- from government regulators, law enforcement agencies and other government entities;
- from business contacts, external service providers and suppliers; or
- by other means reasonably necessary.

Third party collection. If we collect any personal information about you from someone other than you, to the extent not already set out in this Privacy Policy, we will inform you of the fact that we will collect, or have collected, such information and the circumstances of that collection before, at or as soon as reasonably practicable after we collect such personal information.

Authority. If you provide us with the personal information of another individual, without limiting any other provision of this Privacy Policy, you acknowledge and agree that the other individual:

- has authorised you to provide their personal information to us; and
- consents to us using their personal information for us to provide our Services.

Unsolicited information. If we receive unsolicited personal information about you that we could not have collected in accordance with this Privacy Policy and the Privacy Act, we will, within a reasonable period, destroy or de-identify such.

Minors. It is our policy to not collect personal information from persons who are under the age of 18 years or offer to send any promotional material to such persons.

Anonymity. If you would like to access any of our Services on an anonymous or pseudonymous basis we will take reasonable steps to comply with your request, however you may be precluded from taking advantage of some or all of our Services; and we will require you to identify yourself if:

- we are required by law to deal with individuals who have identified themselves; or
- it is impracticable for us to deal with you if you do not identify yourself.

Destruction. Subject to a legal requirement to the contrary, we will destroy or de-identify your personal information if:

- the purpose for which we collected the personal information from you no longer exists or applies;

or

- you request us to destroy your personal information,
- and we are not required by law to retain your personal information.

Use

Primary use. We will only use and disclose your personal information:

- for purposes which are related to the Primary Purpose;
- for any of the Secondary Purposes; or
- if we otherwise get your consent to do so, in accordance with this Privacy Policy and the Privacy Act.

We will not use your personal information for any purpose for which you would not reasonably expect us to use your personal information.

We will not sell, trade, rent or license your personal information to third parties.

Direct marketing. We will offer you a choice as to whether you want to receive direct marketing communications about services. If you choose not to receive these communications, we will not use your personal information for this purpose.

We will otherwise only use or disclose your personal information for the purposes of direct marketing if:

- we collected the information from you;
- it is reasonable in the circumstances to expect that we would use or disclose the information for direct marketing purposes;
- we provide you with a simple means to 'opt-out' of direct marketing communications from us; and
- you have not elected to 'opt-out' from receiving such direct marketing communications from us.

You may opt out of receiving such communications by:

- checking the relevant box on the form used to collect your personal information;
- clicking a link on the email communication sent to you; or
- contacting us using our contact details below.

- or other content developed by us;
- reasonable steps to ensure overseas recipients of your personal information comply with the Privacy Act and the APPs.

Disclosure

How we disclose. We may disclose personal information and you consent to us disclosing such personal information to:

- third parties engaged by us to perform functions or provide Services on our behalf;
- electricity and/or gas retailers;
- relevant regulatory bodies in the electricity and/or gas industry;
- our professional advisors, including our accountants, auditors and lawyers;
- our related bodies corporate;
- persons authorised by you to receive information held by us;
- a government authority, law enforcement agency, pursuant to a court order or as otherwise required by law; or
- a party to a transaction involving the sale of our business or its assets.

Overseas disclosure. We may in some circumstances send your personal information to overseas recipients to enable us to provide our services to you. Overseas recipients that may handle or process your data include (but are not limited to) the server hosts of our email services, cloud storage services and the Platforms. If we send your personal information to overseas recipients, we will take reasonable measures to protect your personal information from misuse, interference, loss, unauthorised access or modification. However, you acknowledge and agree that if we disclose your personal information to overseas recipients, we are not obliged to take.

Access and Correction

Access. If you require access to your personal information, please contact us using our contact details set out at clause 11. You may be required to put your request in writing and provide proof of identity.

We are not obliged to allow access to your personal information if:

- it would pose a serious threat to the life, health or safety of any individual or to the public;
- it would have an unreasonable impact on the privacy of other individuals;
- the request for access is frivolous or vexatious;

- it relates to existing or anticipated legal proceedings between you and us and would not ordinarily be accessible by the discovery process in such proceedings;
- it would reveal our intentions in relation to negotiations with you in a way that would prejudice those negotiations;
- it would be unlawful;
- denying access is required or authorised by or under an Australian law or a court/tribunal order;
- we have reason to suspect that unlawful activity, or misconduct of a serious nature relating to our functions or activities has been, is being or may be engaged in and giving access would be likely to prejudice the taking of appropriate action in relation to the matter;
- it would likely prejudice one or more enforcement related activities conducted by, or on behalf of an enforcement body; or
- it would reveal commercially sensitive information.

If you make a request for access to personal information, we will:

- respond to your request within a reasonable period after the request is made; and
- if reasonable and practicable, give access to the personal information as requested.

If we refuse to give access to the personal information, we will give you a written notice that sets out at a minimum:

- our reasons for the refusal (to the extent it is reasonable to do so); and
- the mechanisms available to complain about the refusal.

Correction. We request that you keep your personal information as current as possible. If you feel that information about you is not accurate or your details have or are about to change, you can contact us using our contact details set out at clause 11 and we will correct or update your personal information.

If you otherwise make a request for us to correct your personal information, we will:

- respond to your request within a reasonable period after the request is made; and
- if reasonable and practicable, correct the information as requested.

If we refuse a request to correct personal information, we will:

- give you a written notice setting out the reasons for the refusal and how you may make a complaint; and

- take reasonable steps to include a note with your personal information of the fact that we refused to correct it.

Security and Protection

In relation to all personal information, we will take all reasonable steps to:

- ensure that the personal information we collect is accurate, up to date and complete;
- ensure that the personal information we hold, use or disclose is, with regard to the relevant purpose, accurate, up to date, complete and relevant; and
- protect personal information from misuse, loss or unauthorised access and disclosure.

We require staff and service providers to respect the confidentiality of personal information. We store your personal information on a secure server behind a firewall and use security software accessible only by authorised personnel and service providers to protect your personal information from unauthorised access, destruction, use, modification or disclosure.

Please contact us immediately if you become aware of or suspect any misuse or loss of your personal information.

Data Breaches

We are required to comply with the Notifiable Data Breaches scheme under Part IIIC of the Privacy Act.

If we become aware that a Data Breach in respect of personal information held by us may have occurred, we will:

- investigate the circumstances surrounding the potential Data Breach to determine whether a Data Breach has occurred; and
- if a Data Breach has occurred, carry out a reasonable and expeditious assessment of whether there are reasonable grounds to believe that the relevant circumstances amount to an eligible data breach.

If we become aware that there has been an eligible data breach in respect of personal information held by us, and the personal information relates to you or you are at risk from the eligible data breach, we will ensure that either we, or a relevant APP entity that is the subject of the same eligible data breach:

- prepare a statement that complies with subsection 26WK(3) of the Privacy Act;
- provide a copy of the statement to the Office of the Australian Information Commissioner (OAIC); and

- if it is practicable, notify you of the contents of the statement, or otherwise publish a copy of the statement on the Website and take reasonable steps to publicise the contents of the statement, as soon as practicable after the completion of the preparation of the statement.

Complaints

If you have a complaint about how we collect, use, disclose, manage or protect your personal information, or consider that we have breached the Privacy Act or APPs, please contact us using our contact details below. We will respond to your complaint within 14 days of receiving the complaint.

Once the complaint has been received, we may resolve the matter in a number of ways:

Request for further information: We may request further information from you. Please provide us with as much information as possible, including details of any relevant dates and documentation. This will enable us to investigate the complaint and determine an appropriate solution.

Discuss options: We will discuss options for resolution with you and if you have suggestions about how the matter might be resolved you should raise these with our Privacy Officer.

Investigation: Where necessary, the complaint will be investigated. We will try to do so within a reasonable time frame. It may be necessary to contact others in order to proceed with the investigation. This may be necessary in order to progress your complaint.

Conduct of our employees: If your complaint involves the conduct of our employees we will raise the matter with the employees concerned and seek their comment and input in the resolution of the complaint.

After investigating the complaint, we will give you a written notice about our decision.

You are free to lodge a complaint directly with the OAIC online, by mail, fax or email. For more information please visit the OAIC website at oaic.gov.au.

Contact

Please forward all correspondence in respect of this Privacy Policy to:

Privacy Officer
U18/12 Abbott Road
Seven Hills, NSW 2147
Phone: 02 9158 1586
Email: mypower@sunled.com.au

Interpretation and Definitions

Personal pronouns: Except where the context otherwise provides or requires: the terms we, us or our refers to Sunled Energy Pty Ltd (ABN 25 606 096 100); and the terms you or your refers to a user of the Platform and/or a customer to whom we provide the Services.

Terms italicised and defined in the Privacy Act have the meaning given to them in the Privacy Act.

Defined terms: In this Privacy Policy unless otherwise provided, the following terms shall have their meaning as specified:

APPs means any of the Australian Privacy Principles set out in Schedule 1 of the Privacy Act.

Data Breach means unauthorised access, modification, use, disclosure, loss, or other misuse of personal information held by us.

Platforms means all or any of the relevant platforms, electronic interfaces and websites that are owned, provided and/or operated from time to time by us (including but not limited to the Website), regardless of how those websites are accessed by users (including via the internet, mobile phone, mobile applications or any other device or other means).

Primary Purpose means the primary purpose stated at clause 2.1.

Privacy Act means the Privacy Act 1988 (Cth) as amended from time to time.

Privacy Policy means this privacy policy as amended from time to time.

Secondary Purpose means any of the secondary purposes listed at clause 2.2.

Services means our commercial and residential energy efficiency advisory and solution implementation services, together with our aggregation, retail, direct sales, consulting, brokerage and support services, and any other services that we provide from time to time.

Website means www.sunled.com.au and all relevant sub-domains.