

## PRIVACY AND CREDIT REPORTING POLICY

### Your information

We have created this Privacy and Credit Reporting Policy (Policy) to explain to explain the types of information we collect through our websites and the various social networking platforms that we use (collectively, our Website) and your in-home solar energy system (your Home Solar System) (collectively, our Online Services), our customer call centre, and during your communications with us and our dealers. Our Online Services along with the services we provide offline directly and through our dealers and other providers are referred to collectively as our Services.

The Services are provided by Sunergy Solar Pty Ltd (Sunergy) and its corporate affiliates (referred to collectively in this policy as “we,” “us,” “our” and other similar pronouns). The information you provide to our dealers and other service providers is passed to us, and used by us in accordance with this Policy.

This Policy also includes our Credit Reporting Policy. It covers additional information on how we manage your Personal Information (defined below), collected in connection with a credit application or a credit facility (Credit Information) and is our Credit Reporting Policy for the purposes of Part IIIA of the Privacy Act 1988 (Cth).

This Policy explains how we will use, disclose and protect this information once it is collected, and how you can opt-out of some of our uses and disclosures of your information. By using our Services or otherwise providing us your information, you consent to this Policy as it may be amended from time to time.

### Types of Personal Information we collect and hold

#### Personal Information

Information that can be used to identify you as an individual or allow someone to contact you, as well as information attributed with such information, is Personal Information. The types of Personal Information that we collect and hold about you could include:

- ID information such as your name, date of birth, contact details (including address, email address and telephone numbers), occupation and driver’s licence number;
- information about co-owners of the residence at which your Home Solar System is installed;
- your account username and password; the name of your utility company; electricity usage information, annual electricity consumption, average monthly utility bill amounts; type of home; and whether you own or rent your home;
- other contact details such as social media handles;
- financial details, such as your bank account or credit card details;
- Credit Information such as details relating to credit history, credit capacity and eligibility for credit (credit worthiness);
- Electricity Information (see below) and website usage information (see below); and
- other information we think is necessary

You might also need to provide Personal Information about other individuals to us (eg about your authorised representatives). If so, we rely on you to inform those individuals that you are providing their Personal Information to us and to advise them about this Policy.

#### Electricity Information

Your Home Solar System may send us and our dealers and service providers granular information about your electrical system and electricity usage in your home (collectively, Electricity Information). For example, we may receive:

- information about the solar-related equipment in your home, including makes, models, serial numbers, sizes, locations in your home, and photographs of the equipment as it is installed and of locations in your home where it is installed;

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- information about the amount of electricity produced by your system, when it is generated, and the amount used by your household, and by certain areas and appliances within your household;
- equipment installation diagrams, roof diagrams, shading reports;
- power, voltage, current, frequency, flow rates;
- system performance information;
- thermostat settings;
- HVAC daily and calendar schedule;
- number of bedrooms in your home;
- at-home / away-from-home system settings;
- system operating parameters;
- load control settings;
- air and water temperatures;
- pool heating / ventilation settings;
- system alerts; and
- The Internet Protocol (IP) address of your home Internet network.

We may receive updated Electricity Information from your Home Solar System wirelessly approximately every 15 minutes. Electricity Information can suggest whether a household is vacant or inhabited, and whether inhabitants are asleep or awake, and can detect whether an appliance is not electricity-efficient.

The Electricity Information in your account with us may be different from the information your electricity utility has. This is because they use different equipment to measure and collect information. When Electricity Information is combined with your Personal Information, it is considered Personal Information. Electricity Information that is transmitted to us by your Home Solar System is subject to change as we update your Home Solar System.

#### **Website usage information**

As is the case with many Websites and mobile applications, our servers automatically collect your IP address when you use them, and we may associate that with your domain name or that of your Internet access provider or wireless carrier, and your general location. We may also capture certain “clickstream data” pertaining to your usage. Clickstream data includes, for example, information about your computer or device, a unique ID# associated with your device, Web browser and operating system and their settings, the language your computer or device is set to, the referring page that linked you to us, your usage of our Website, the pages, content or ads you see or click on during your use and when and for how long you do so, items you download, the next Website you visit when you leave our Website, and any search terms you have entered on our Website or a referral website.

Among other things, this information enables us to generate analytics reports on the usage of our Website. To opt-out of your usage being included in our Google analytics reports, you may follow these instructions here <https://support.google.com/analytics/answer/181881?hl=en>.

In addition, we may deploy various tracking technologies on our Website to collect additional information about your use of them and for the purpose of serving targeted advertising. For example:

- Cookies are small data files stored on your computer or device. A cookie assigns a unique numerical identifier to your Web browser or device, and may enable us to recognise you as the same user who used our Website in the past, and relate your use of our Website to other information about you, such as your other usage information and Personal Information. Cookies may also be used to enhance your experience on our Website (for example, by storing your username so you can log in easily, or by keeping you logged in) or to collect general usage and aggregated statistical information and detect and prevent fraud. Most browsers can be set to detect cookies and give you an opportunity to reject them, but refusing cookies may, in some cases, inhibit or preclude your use of our Website or their features. To learn more about the use of cookies, including how to manage or delete them, click here.
- Local shared objects, such as “Flash cookies,” may be stored on your computer or device using a media player or other software installed on your computer or device. Local shared objects operate a lot like cookies, but cannot be managed in the same way. Depending on how local shared objects are enabled on your computer or device, you may be able to manage them using software settings. For information on managing Flash cookies, for example, go here: <http://www.allaboutcookies.org/>

- HTML5 (the language some Websites are coded in) may be used to store information on your computer or device about your Website usage activities. This information can be retrieved by us to determine how our Website is being used by our visitors, how it can be improved, and to customize it for our users.
- A pixel tag (also known as a “clear GIF” or “web beacon”) is a tiny image – typically just one-pixel – that can be placed on an online page or in our electronic communications to you in order to help us measure the effectiveness of our content by, for example, counting the number of individuals who visit us online or verifying whether you’ve opened one of our emails or seen one of our online pages.

These tracking technologies may be deployed by us and/or by our service providers or partners on our behalf. These technologies enable us to assign a unique number to your computer or device, and relate your usage information to other information about you, including your Personal Information.

By using our Website, you consent to our use of these tracking technologies as described above.

### **Types of Credit Information we collect and hold**

Information from a Credit Reporting Body (CRB) When we’re checking your credit worthiness and at other times, we might collect information about you from CRBs. This information can include:

- a record of your name(s) (including an alias or previous name), date of birth, gender, current or last known address and previous two addresses, name of current or last known employer and driver’s licence number;
- a record of a lender asking a CRB for information in relation to a credit application, including the type and amount of credit applied for;
- a record of your consumer credit payments being overdue;
- a record of when a lender reasonably believes that there has been a fraud relating to your consumer credit or that you have avoided paying your consumer credit payments and the credit provider can’t find you;
- a record relating to your bankruptcy or your entry into a debt agreement or personal insolvency agreement;
- an Australian court judgment relating to your credit;
- a record relating to your activities in Australia and your credit worthiness;
- certain details relating to your consumer credit, such as the name of the credit provider, whether the credit provider has an Australian Credit Licence, the type of consumer credit, the day on which the consumer credit was entered into and terminated, the maximum amount of credit available and certain repayment terms and conditions;
- a record of whether or not you’ve made monthly consumer credit payments and when;
- if a lender gave a CRB default information about you and the overdue amount is paid, a statement that the payment has been made;
- if a lender gave a CRB default information about you and your consumer credit contract is varied or replaced, a statement about this.
- summaries of what the CRBs tell us;
- credit scores, being a calculation that lets us know how likely it is that a credit applicant will repay credit we may make available to them.

### **How we collect your Personal Information**

We will usually try to collect Personal Information directly from you and there are many ways that we might do this (solicited information). For example, we collect Personal Information when you request a quote or complete a survey on our Website; request a proposal or create an account with us or our dealer; lease equipment; apply for financing; communicate with our dealers or call centre; sign up for our newsletters; or submit a comment or question to us using a “contact us” or similar feature on our Website.

### **Consequences of not providing your Personal Information**

If you don’t provide your Personal Information to us, we may not be able to:

- provide you with the product or service you want;
- manage or administer your product or service;
- verify your identity or protect against fraud; or
- let you know about other products or services that might also meet your needs.

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### How we collect your Credit Information

We will collect your Credit Information from details included in your application for credit (whether paper based, phone or electronic). In addition to what we say above about collecting information from other sources, other main sources for collecting Credit Information are:

- CRBs;
- credit providers;
- your co-applicants;
- your guarantors/proposed guarantors;
- your referees;
- your agents and other representatives;
- organisations that help us to process credit applications;
- organisations providing insurance to us;
- bodies that issue identification documents to help us check your identity; and
- our service providers involved in helping us to provide credit or to administer credit products, including our debt collectors and our legal advisers.

### Unsolicited information

Sometimes people share information with us which we haven't sought out (unsolicited information). Where we receive unsolicited Personal Information about you, we will check whether that information is reasonably necessary for our functions or activities. If it is, we'll handle this information the same way we do with other information we seek from you. If not, we'll ensure we do the right thing and destroy or de-identify it.

### How we hold your information

We store information in different ways, including in paper and electronic form. The security of your Personal Information is important to us and we take reasonable steps to protect it from misuse, interference and loss, and from unauthorised access, modification or disclosure. Some of the ways we do this are:

- confidentiality requirements of our employees;
- document storage security policies;
- security measures for access to our systems;
- control of access to our buildings; and
- electronic security systems, such as firewalls and data encryption on our websites.

We can store Personal Information physically or electronically with third party data storage providers. Where we do this, we use contractual arrangements to ensure those providers take appropriate measures to protect that information and restrict the uses to which they can put that information.

We'll only keep your information for as long as we require it for our purposes. We're also required to keep some of your information for certain periods of time under law, such as the Corporations Act. When we no longer require your information, we'll ensure that your information is deleted, destroyed or de-identified.

### How we use your Personal Information

Main uses We or our service providers may use the Personal Information we collect from and about you to perform the following business functions:

- administering our Services and your account with us;
- customising our Services to your interests and history with us;
- enabling you to use our Services and their features;
- processing and fulfilling your transactions;
- localising the content that is displayed to you based on your geographical location;
- responding to your requests, questions, and concerns;
- improving and developing new features and offerings for our Services;

- consistent with any communications preferences you have set in your account, sending you marketing and other communications, including information about products, services, and events, of ours and of others, that we think might interest you;
- protecting our rights and property;
- training staff;
- risk management;
- systems development and testing, including our websites and other online channels;
- undertaking planning, research and statistical analysis;
- recovering debts;
- preventing or investigating any fraud or crime, or any suspected fraud or crime;
- as required by law, regulation or codes binding us; and
- other purposes disclosed when Personal Information is submitted to us

To perform the above functions, we may match information collected from you through different means or at different times, including Personal Information, Electricity Information and Website usage information, and use such information along with information obtained from other sources (including third parties) such as demographic information, information provided to us by governmental agencies and regulators, and updated contact information. We or our service providers may also use your information to assess the level of interest in, and use of, the Website, our e-mails and our other messaging campaigns both on an individual basis and in the aggregate.

### **Marketing**

We may use or disclose your Personal Information to let you know about products and services that might better serve your needs, or for running competitions or promotions and other opportunities in which you may be interested.

We may conduct these marketing activities via email, telephone, SMS, iM, mail or other electronic means. We may also market our products to you through third party channels (such as social networking sites). We will always let you know that you can opt out from receiving our marketing offers at any time.

We will process your opt out request as soon as practicable but please understand that it may take us a few days to process any opt out request and that even if you opt out of receiving marketing materials from us, we may still contact you in connection with your relationship, activities, transactions and communications with us.

Where we market to prospective customers, we are happy to let them know how we obtained their information and will provide easy to follow opt-outs. With your consent, we may disclose your Personal Information to third parties, such as brokers or agents, or for the purpose of connecting you with other businesses or customers. You can ask us not to do this at any time. To stop receiving promotional messages from third parties who already have your contact information, please contact them directly.

### **How we use your Credit Information**

In addition to the ways for using Personal Information mentioned above, we may also use your Credit Information to:

- enable an insurer to assess the risk of providing insurance to us or to address our contractual arrangements with the insurer;
- assess whether to accept a guarantor or the risk of a guarantor being unable to meet its obligations; and
- consider hardship requests

### **Sharing your personal and Credit Information**

To make sure we can meet your specific needs, and for the purposes described above, we sometimes need to share your information with others. We may share your information to:

- those involved in providing, managing or administering your product or service;
- authorised representatives who sell products or services on our behalf;
- appraisers, insurers, re-insurers, claim assessors and investigators;
- brokers or referrers who refer your application or business to us;
- loyalty program partners;

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- other financial institutions, such as banks;
- organisations involved in debt collecting, including purchasers of debt;
- fraud reporting agencies (including organisations that assist with fraud investigations and organisations established to identify, investigate and/or prevent any fraud, suspected fraud, crime, suspected crime, or misconduct of a serious nature);
- government or regulatory bodies (including local councils and electricity authorities) as required or authorised by law (in some instances these bodies may share it with relevant foreign authorities);
- our accountants, auditors or lawyers and other external advisers;
- guarantors and prospective guarantors of your credit facility;
- organisations that maintain, review and develop our business systems, procedures and technology infrastructure, including testing or upgrading our computer systems;
- organisations that participate with us in payments systems including merchants, payment organisations and organisations that produce cards, cheque books or statements for us;
- our joint venture partners that conduct business with us;
- organisations involved in a corporate re-organisation, dissolution or transfer of assets or business;
- organisations that assist with our product planning, research and development;
- mailing houses and telemarketing agencies who assist us to communicate with you;
- other organisations involved in our normal business practices, including our agents and contractors; and
- where you have given your consent

### Sharing with CRBs

We may disclose information about you to a CRB if you are applying for credit or you have obtained credit from us or if you guarantee or are considering guaranteeing the obligations of another person to us or you are a director of a company that is an applicant or borrower or guarantor.

When we give your information to a CRB, it may be for the following purposes:

- to obtain a credit report about you;
- to allow the credit CRB to create or maintain a Credit Information file containing your information

When we give your information to a CRB, it may be included in reports that the CRB gives other organisations to help them assess your credit worthiness. Information that reflects adversely on your credit worthiness may affect your ability to get credit from other lenders.

The information that we share with a CRB may include:

- a record of your name(s) (including an alias or previous name), date of birth, gender, current or last known address and previous two addresses, name of current or last known employer and driver's licence number
- the fact that you have applied for credit and the amount;
- if applicable, the fact that we are a current credit provider to you;
- details of loan repayments which are overdue by more than 60 days and for which debt collection action has started;
- advice that your loan repayments are no longer overdue in respect of any default that has been listed;
- information that we reasonably believe that there has been a fraud relating to your consumer credit or that you have avoided paying your consumer credit payments or shown an intention not to comply with your credit obligations;
- details of dishonoured cheques, being cheques drawn by you for \$100 or more which have been dishonoured more than once;
- that credit provided to you by us has been paid or otherwise discharged

### Overseas Disclosures

We may occasionally need to share some of your information (including Credit Information) with organisations outside Australia. Sometimes, we may need to ask you before this happens.

Some of the countries in which these organisations are located are:

- New Zealand
- Singapore
- China
- Germany
- Austria
- Italy
- United States
- United Kingdom

We may store your information in cloud or other types of networked or electronic storage. As electronic or networked storage can be accessed from various countries via an internet connection, it's not always practicable to know in which country your information may be held. If your information is stored in this way, disclosures may occur in countries other than those listed. The privacy laws in these other countries may not be as protection of your information as the laws in Australia.

Overseas organisations may be required to disclose information we share with them under a foreign law. In those instances, we will not be responsible for that disclosure.

We will not share any of your Credit Information with a CRB unless it has a business operation in Australia. We are not likely to share credit eligibility information (that is, Credit Information we obtain about you from a CRB or that we derive from that information) with organisations unless they have business operations in Australia.

#### **Accessing your personal and Credit Information**

##### **Accessing your Personal Information**

We'll give you access to your Personal Information unless there are certain legal reasons why we can't. We will give you access to your information in the form you want it where it's reasonable and practical.

We're not always required to give you access to your Personal Information. Some of the situations where we don't have to give you access include when:

- we believe there is a threat to life or public safety;
- there is an unreasonable impact on other individuals;
- the request is frivolous;
- the information wouldn't be ordinarily accessible because of legal proceedings;
- it would prejudice negotiations with you;
- it would be unlawful;
- it would jeopardise taking action against serious misconduct by you;
- it would be likely to harm the activities of an enforcement body (eg the police); or
- it would harm the confidentiality of our commercial information.

If we can't provide your information in the way you've requested, we will tell you why in writing.

##### **Accessing your credit eligibility information**

Where you request access to Credit Information about you that we've got from CRBs (or based on that information), you have the following additional rights. We must:

- provide you access to the information within 30 days (unless unusual circumstances apply);
- make the information clear and accessible; and
- ask you to check with CRBs what information they hold about you.

This is to ensure the information is accurate and up-to-date. We are not required to give you access to this information if:

- it would be unlawful; or
- it would be likely to harm the activities of an enforcement body (eg the police).

We may also restrict what we give you if it would harm the confidentiality of our commercial information.

If we refuse to give access to any credit eligibility information, we will tell you why in writing.

### **Correcting your personal and Credit Information**

#### **Correcting your Personal Information**

Contact us if you think there is something wrong with the information we hold about you and we'll try to correct it if it is inaccurate, out of date, incomplete, irrelevant, or misleading.

If you are worried that we have given incorrect information to others, you can ask us to tell them about the correction. We'll try and help where we can - if we can't, then we'll let you know in writing.

#### **Correcting your Credit Information**

Whether we made the mistake or someone else made it, we are required to help you ask for the information to be corrected. So we can do this, we might need to talk to others. However, the most efficient way for you to make a correction request is to send it to the organisation which made the mistake.

If we're able to correct the information, we'll let you know within 7 days of deciding to do this. We'll also let the relevant third parties know as well as any others you tell us about. If there are any instances where we can't do this, then we'll let you know in writing.

If we're unable to correct your information, we'll explain why in writing within 7 days of making this decision. If we agree to correct your information, we'll do so within 30 days from when you asked us. If we need more time, we will notify you about the reasons for the delay and ask for your agreement to extend this 30 day period (if you do not agree, we may not be able to resolve your complaint).

### **How to make a complaint**

#### **Complaints about Personal Information**

If you have a complaint about how we handle your Personal Information, including if you think that we have failed to comply with the Australian Privacy Principles (APP) or any binding APP code that has been registered under the Privacy Act, you are always welcome to contact us by using our details set out below.

We are committed to acknowledging your complaint in a prompt manner and will give you an estimated timeframe for when we will respond to your complaint.

#### **How to make a complaint regarding our compliance with Part IIIA of the Privacy Act and the Credit Reporting Privacy Code**

If you think that we have not complied with Part IIIA of the Privacy Act or with the Credit Reporting Privacy Code (which regulates credit reporting) you can make a complaint by using the contact details set out below.

We will acknowledge your complaint in writing as soon as practicable within 7 days. We will aim to investigate and resolve your complaint within 30 days of receiving it. If we need more time, we will notify you about the reasons for the delay and ask for your agreement to extend this 30 day period (if you do not agree, we may not be able to resolve your complaint). We may need to consult with a CRB or another credit provider to investigate your complaint.

#### **Further steps**

While we hope that we will be able to resolve any complaint without needing to involve third parties, if you are not satisfied with the outcome of your complaint you can access our external dispute resolution scheme, the Credit and Investments Ombudsman ([www.cio.org.au](http://www.cio.org.au)), or make a complaint to the Australian Information Commissioner ([www.oaic.gov.au](http://www.oaic.gov.au)).

#### **Anonymity and use of pseudonyms**

If you have general enquiry type questions, you can choose to make these anonymously or to use a pseudonym. We might not always be able to interact with you this way however. In general, we won't be able to deal with you anonymously or where you are using a pseudonym when:

- it is impracticable; or
- we are required or authorised by law or a court/tribunal order to deal with you personally.

#### **Aggregate de-identified information**

We aggregate our customer information together in a way that does not reveal our customers' names, contact information or personal identities. Once we do this, we may use and disclose such aggregate and de-identified information in any way and for any purpose allowed under applicable law without your consent.

#### **Social networking**

We maintain presence on several social networking and blogging platforms, such as Facebook and Twitter, and may incorporate some third party social networking features onto our Website. Through these platforms and features, we receive some Personal Information and some Website usage information about you, and this Policy applies to that information as well.

In addition, third party social networking platforms have their own privacy policies which explain how the third parties that provide them will use and protect your information. In accordance with those policies (and your privacy settings within your social networking accounts) information about your activities on our Website (such as "Mary Jane "likes" our solar panels") may be published to your social network.

#### **Call recording**

When you speak with us or our customer service call centre, your calls may be recorded for quality assurance and training purposes. By calling us or our customer service call centre, you consent to this.

#### **Security**

While we will strive to our best ability to protect the security and integrity of sensitive Personal Information and Credit Information, due to the inherent nature of the Internet as an open global communications vehicle, we cannot guarantee that any information, during transmission through the Internet or while stored on our system or otherwise in our care, will be absolutely safe from intrusion by others, such as hackers.

If you correspond with us by e-mail or using Web forms such as via the "Contact Us" link on our Website, you should be aware that your transmission might not be secure. A third party could view the information you send in transit by such means. We will have no liability for disclosure of your information due to errors or unauthorized acts of third parties during or after transmission.

If you create an account with us, you are responsible for maintaining the strict confidentiality of your account password, and you shall be responsible for any activity that occurs using your account credentials, whether or not you authorized such activity. Please notify us of any unauthorized use of your password or account or any other breach of security.

#### **"Linked-to" websites**

Our Website may contain links that lead to other websites. We are not responsible for these other sites, and so their posted privacy policies (not this Policy) will govern the collection and use of your information on them. We encourage you to read the privacy statements of each website visited after leaving our Website to learn about how your information is treated by others.

#### **Changes to this Policy**

We may change this Policy from time to time. When we do, we will let you know by posting the changed Policy on this page with a new "Last Updated" date. In some cases (for example, if we significantly expand our use or sharing of your Personal Information), we may also tell you about changes by additional means, such as by sending an e-mail to the e-mail address we have on file for you. In some cases, we may request your consent to the changes.



#### **Contact Us**

We care about your privacy. Please contact us if you have any questions or comments about our privacy policies and procedures. We welcome your feedback.

You can contact us by referring to our main office contact details here: <https://www.sunergysolar.com.au>