

LMS PRIVACY POLICY

1. PURPOSE OF THE POLICY

LMS Resources and its related bodies corporate (**LMS**) are committed to respecting and protecting the privacy of personal information.

The way LMS manages personal information is governed by the *Privacy Act 1998* (Cth) (**Act**) and the Australian Privacy Principles (**APPs**) established under the Act.

This Privacy Policy does not apply to personal information collected, or otherwise obtained, by LMS in relation to current and former employees and which relates directly to the employment relationship that exists, or existed, between LMS and its current or former employees.

This Privacy Policy:

- provides you with a detailed description of the way LMS collects, stores, uses and discloses any personal information that we obtain in the course of business, including as a result of accessing the LMS website; and
- outlines the way you can access, amend and update your personal information.

2. LMS' WEBSITE

When visiting the LMS website, certain information regarding your visit to the website is collected and logged by a third party service provider. The information includes the type of internet browser and operating system you are using, your computer's Internet Protocol address, the date and time of visits and pages visited. This information is provided to LMS and used in an anonymous aggregated form for statistical analyses or purposes.

When you access the LMS website, it sends a "cookie" to your computer. A "cookie" is a data file that a website sends to your internet browser, which is then stored on your computer. LMS does not use cookies to identify users. They are used to allow the LMS website to interact more efficiently with your browser.

3. PERSONAL INFORMATION

Personal information means information or an opinion about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion. LMS only collects personal information that is reasonably necessary for its functions and activities. The personal information which we collect, store, use and disclose includes:

- your contact details (including emergency contact details);
- employment history;
- educational qualifications; or
- certain other details, such as your date of birth, gender and occupation.

Some personal information is considered "sensitive information" for the purposes of the Act. LMS only collects sensitive information that is reasonably necessary for its functions and activities. The sensitive information which we collect, store, use and may disclose includes information or an opinion about an individual's:

- race or ethnic origin;
- tax file number;
- health; or
- membership of a professional or trade association.

You can set your internet browser to notify you when you receive a cookie, providing you with the opportunity to accept or reject it. You can also set your browser to reject all cookies. If your computer does not accept cookies, you may not be able to make full use of the LMS website.

Some sections of the website may allow you to contact LMS by email or otherwise volunteer information about yourself. This Privacy Policy applies to such contact.

4. COLLECTION AND STORAGE OF PERSONAL INFORMATION

We collect personal information:

- provided by you in the course of applying for employment positions at LMS;
- provided to LMS by third parties where it is unreasonable or impracticable to collect it from you and who have disclosed that information to LMS with your consent;
- provided by you when updating or changing your details;
- contained in documents or other correspondence that you provide to us; and
- provided by you directly when providing information by phone, in person, electronically via our website, or when completing documents or forms.

We do not collect sensitive information about you without your consent, and LMS only collects the information if it is reasonably necessary for one or more of its functions or activities. The provision of sensitive information to us on a voluntary basis (including, for example, information you supply when applying for a position with LMS) will be taken to be consent for this purpose.

We may store your personal information in hard copy, in electronic form, on electronic devices or on computer databases.

Secure storage of personal information is a priority to LMS. We will take reasonable steps to protect the personal information that we hold from misuse, interference and loss, and from unauthorised access, modification or disclosure.

If we receive personal information about you from a third party that we did not solicit, and we determine that we could not have collected the personal information in accordance with the Act or the APPs, we will destroy the information as soon as practicable or insure that the information is de-identified.

5. USE AND DISCLOSURE OF PERSONAL INFORMATION

LMS will collect, store, use or disclose your personal information to:

- deal with your request, enquiry or application for employment;
- contact you should we need to;
 - address any feedback or complaints you have;
 - conduct and support our business activities; and
 - do anything we are required or authorised by law to do.

LMS may also disclose your personal information to:

- an authorised legal representative nominated by you;
- law enforcement, government, any regulatory or other authority, or other entities as required or permitted by law;
- our professional advisors, contractors or other service providers whom we may engage from time to time to carry out, advise or assist with carrying out the business activities of LMS;

- other parties that, at the time of collecting the information from you, we advised that we would disclose the information to; and
- any other parties that you consent to us giving information to (whether that consent is express or implied).

Subject to item 7 below, LMS will not use or disclose your personal information for any purpose unrelated to the purpose for which it was collected, without your consent, unless the disclosure is permitted under the Act or some other law.

6. OVERSEAS DISCLOSURE OF PERSONAL INFORMATION

We will not send your personal information to third parties located overseas.

7. USE OF SECONDARY INFORMATION

If LMS uses or discloses your personal information for a purpose (**Secondary Purpose**) other than the main reason for which it was originally collected (**Primary Purpose**), to the extent required by the Act we will ensure that:

- the Secondary Purpose is related to the Primary Purpose of collection (and directly related in the case of sensitive information), and you would reasonably expect that LMS would use or disclose your information in that way; or
- you have consented to the use or disclosure of your personal information for the Secondary Purpose; or
- the use or disclosure is required or authorised by or under law; or
- the use or disclosure is otherwise permitted by the Act (for example, as a necessary part of an investigation of suspected unlawful activity).

8. ACCESS TO AND CORRECTION OF PERSONAL INFORMATION

LMS will take reasonable steps to:

- make sure that the personal information that we collect, hold, use and disclose is accurate, complete and up-to-date; and
- destroy or permanently de-identify personal information that is no longer needed for any purpose that is permitted by the Act.

Subject to any exceptions in the Act, if you have provided us with personal information, you have a right to request access to it and also to request its correction. If you wish to request access to, or correction of, your personal information you should contact us using the contact details at item 9 of this Privacy Policy.

We may ask you to provide proof of your identity if you request access to, or correction of, your personal information.

We will endeavour to respond to your request for access to, or correction of, your personal information within a reasonable period after the request is made. We will not charge a fee for making a request for access to, or correction of, your personal information nor will we charge for correcting your personal information. However, we may charge you for the reasonable costs incurred by us in providing you with access to the personal information held by us.

If you request correction of your personal information and we subsequently find that any of your personal information is inaccurate, incomplete or no longer current, we will amend your personal information accordingly. If we disagree with your proposed changes to your personal information we will contact you and arrange for you to provide us with documents evidencing the requested change to your personal information. If you do not provide us with documents evidencing the requested change to your personal information, or we consider that those documents do not adequately support your

proposed changes to your personal information, we will provide you with a written notice that sets out the reasons for the refusal of the request, the mechanisms available to you to complain about the refusal and any other matters prescribed by any regulation made pursuant to the Act.

The Act provides instances where a holder of personal information may refuse to provide an individual with access to his or her personal information. If we refuse to give you access to your personal information, we will provide you with a written notice that sets out the reasons for the refusal of the request (except to the extent that it would be unreasonable to do so), the avenues available to you to complain about the refusal and any other matters prescribed by any regulation made pursuant to the Act.

9. COMPLAINTS, QUESTIONS OR FURTHER INFORMATION

If you wish to make a complaint about this Privacy Policy or the collection, use, safe disposal or destruction of your personal information, you may contact us using the contact details below. We will endeavour to resolve your complaint within a reasonable period of time, usually within 30 days. If your complaint takes longer to resolve, we will keep you informed regarding the progress of the investigation. We will notify you of the outcome of the investigation, including how we propose to resolve your complaint and what, if any, corrective measures will be implemented.

If you are not satisfied with our handling or response to your complaint, you may lodge a complaint with the Office of the Australian Information Commissioner (**OAIC**). For more information about making a complaint to the OAIC, visit <http://www.oaic.gov.au>.

If you would like to deal with LMS anonymously in relation to a particular matter, you may do so. However, it may be impracticable for LMS to deal with you under those circumstances.

If you would like:

- more information regarding this Privacy Policy, the way that LMS deals with personal information, or our privacy complaints handling procedure;
- to request access to your personal information;
- to correct or update your personal information; or
- to make a complaint regarding the way in which LMS collects, stores, uses or discloses your personal information,

you can contact the Company Secretary of LMS at info@lms.com.au or by phone at +61 08 8291 9000 or write to:

Company Secretary
LMS Energy Pty Ltd
79 King William Street
Unley, SA 5061
AUSTRALIA

10. CHANGES TO PRIVACY POLICY

LMS reserves the right to amend or update this Privacy Policy from time to time. If we do so, a copy of the Privacy Policy, as amended or updated, will be posted on our webpage (www.lms.com.au) as soon as practicable following the update or amendment.