

Privacy Policy

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Prepared by

Linfox Australia Pty Ltd (ACN 004 718 647)

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1 Purpose

1.1 Background

Linfox Australia Pty Ltd ACN 004 718 647 and its related bodies corporate¹ (Linfox, we or us) recognises that your privacy is important. This document is our Privacy Policy and it tells you how we collect and manage your personal information (including the personal information Linfox will collect from you when you access the Linfox website) and how we will use that information.

We respect your rights to privacy under the *Privacy Act 1988* (Cth) (Privacy Act) and we comply with all the Privacy Act's requirements, including those incorporated by virtue of the *Privacy Amendment (Enhancing Privacy Protection) Act 2012* (Cth), in respect of the collection, management and disclosure of your personal information.

Where we obtain personal information from a citizen of a member state of the European Union, we are governed by the European Union General Data Protection Regulation (Regulation (EU) 2016/679) (the GDPR).

1.2 What is the purpose of this Privacy Policy?

The purpose of this Privacy Policy is to:

- clearly communicate our personal information handling practices
- enhance the transparency of our operations
- give individuals a better and more complete understanding of the sort of personal information that we hold, and the way we handle that information.

The Privacy Act sets the minimum standards we have to meet when handling personal information, as a self-insured Licensee. "Personal information" is defined in the Privacy Act as:

"Information or an opinion about an identified individual, or an individual who is reasonably identifiable:

a) whether the information or opinion is true or not; and

b) whether the information or opinion is recorded in a material form or not."

The Privacy Act contains 13 Australian Privacy Principles (APPs). The APPs:

- set out legally binding standards for handling personal information
- regulate how we collect, store, use and disclose personal information

¹ For the purposes of this policy, Linfox's 'related bodies corporate' include Bevchain Pty Ltd and Linfox Asset Management Pty Ltd (to the extent Linfox Asset Management Pty Ltd is acting on the instructions of Linfox) but do not include Linfox Armaguard Pty Ltd.

- allow people to access the information that we keep about them
- allow people to correct or update their information.

The APPs are contained in Schedule 1 of the Privacy Act. A plain English summary of the APPs is set out in Appendix 1 of this Privacy Policy.

This Privacy Policy is published on Linfox's website at <http://www.linfox.com/contact-us/privacy-policy.htm>. Linfox can also provide you with a copy of this Privacy Policy in another form, if it is reasonable to do so. If you would like a copy of this Privacy Policy in another form, please contact the Privacy Officer using the contact details below.

2 Scope and application

The Privacy Policy applies to all employees of Linfox in collecting, holding, accessing and correcting personal information and sensitive information on our behalf.

This policy is relevant to any individual who discloses personal information to Linfox.

3 Hierarchy of documents

This policy is a Level 1 document and overrides any Level 2 or 3 documents.

4 Policy

4.1 What is your personal information?

When used in this Privacy Policy, the term "personal information" has the meaning given to it in the Privacy Act. In general terms, it is any information that can be used to personally identify you. This may include your name, address, telephone number, email address and profession or occupation. If the information we collect personally identifies you, or you are reasonably identifiable from it, the information will be considered personal information.

4.2 What personal information do we collect and hold?

We may collect the following types of personal information about you:

- name;
- mailing or street address;
- email address;
- telephone number;

- facsimile number;
- age or birth date;
- profession, occupation or job title;
- employment history;
- educational history;
- medical information;
- security information from Police and other governmental departments;
- Tax File Number;
- superannuation account information;
- bank account information;
- details of the services you have acquired from us or which you have enquired about, together with any additional information necessary to deliver those services and to respond to your enquiries;
- any additional information relating to you that you provide to us directly through our website or indirectly through use of our website or online presence, through our representatives or otherwise;
- where you are involved in the provision of services to Linfox, any additional information relating to you provided to Linfox to assess your suitability, qualifications and competency; and
- information that you provide to us through customer surveys or visits by our representatives from time to time.

We may also collect some information that is not personal information because it does not identify you or anyone else. For example, we may collect anonymous answers to surveys or aggregated information about how users use our website.

4.3 How do we collect your personal information?

We collect your personal information directly from you unless it is unreasonable or impracticable to do so. When collecting personal information from you, we may collect in ways including:

- through your access and use of our website, including when you send us feedback or subscribe to our publications via our website;
- email;
- telephone;
- online forms;
- online or manual recruitment services;
- external recruitment processes; or

- during conversations between you and our representatives.

We may also collect personal information from third parties including:

- your current or previous employer;
- personal and professional references;
- medical professionals;
- cloud-based services;
- web filtering services; or
- from third party companies such as credit reporting bodies, law enforcement agencies and other government entities.

4.4 What happens if we can't collect your personal information?

If you do not provide us with the personal information described above, some or all of the following may happen:

- we may not be able to provide our services to you, either to the same standard or at all;
- we may not be able to provide you with information about services that you may want, including information about special promotions;
- you will be unable to submit feedback or subscribe to our publications via our website, but you may still access and browse certain areas of our website; or
- we may be unable to tailor the content of our website to your preferences and your experience of our website may not be as enjoyable or useful.

4.5 For what purposes do we collect, hold, use and disclose your personal information?

We collect personal information about you so that we can perform our business activities and functions. We collect, hold, use and disclose your personal information for the following purposes:

- to provide our services to you and to send communications requested by you;
- to answer enquiries and provide information or advice about existing and new services;
- to contact you regarding your feedback and to provide you with our printed materials;
- to develop new offers, products and services and to help us improve our business;
- to provide you with access to physical Linfox sites across the business;
- to conduct recruiting activities;

- to conduct workforce planning;
- to ensure we comply with our safety obligations;
- to ensure we comply with all applicable laws;
- to provide you with access to protected areas of our website;
- to assess the performance of the website and to improve the operation of the website;
- to conduct business processing functions including providing personal information to our related bodies corporate, contractors, service providers and other third parties;
- for the administrative, marketing (including direct marketing), planning, product or service development, quality control and research purposes of us and our related bodies corporate, contractors or service providers;
- to provide your updated personal information to our related bodies corporate, contractors or service providers;
- to comply with our contractual obligations to our customers, particularly those with security requirements;
- to update our records and keep your contact details up to date;
- to process and respond to any complaint made by you; and
- to comply with any law, rule, regulation, lawful and binding determination, decision or direction of a regulator, or in co-operation with any governmental authority.

4.6 Our website

Our Privacy Policy also applies to our website at www.linfox.com.

4.6.1 Cookies

When you access our website, we may send a “cookie” (which is a small summary file containing a unique ID number) to your computer. This enables us to recognise your computer and greet you each time you visit our website without bothering you with a request to register. It also enables us to keep track of services you view so that, if you consent, we can send you news about those services. We also use cookies to measure traffic patterns, to determine which areas of our website have been visited and to measure transaction patterns in the aggregate. We use this to research our users’ habits so that we can improve our online services. Our cookies do not collect personal information. If you do not wish to receive cookies, you can set your browser so that your computer does not accept them. We may log IP addresses (that is, the electronic addresses of computers connected to the internet) to analyse trends, administer the website, track users’ movements, and gather broad demographic information.

4.6.2 Security

As our website is linked to the internet, and the internet is inherently insecure, we cannot provide any assurance regarding the security of transmission of information you communicate to us online. We also cannot guarantee that the information you supply will not be intercepted while being transmitted over the internet. Accordingly, any personal information or other information which you transmit to us online is transmitted at your own risk.

4.6.3 Links

Our website may contain links to other websites operated by third parties. We make no representations or warranties in relation to the privacy practices of any third-party website and we are not responsible for the privacy policies or the content of any third-party website. Third party websites are reasonable for informing you about their own privacy practices.

4.7 Who do we disclose your information to?

We may disclose your personal information to:

- our employees, related bodies corporate, contractors or service providers for the purposes of operation of our website or our business, fulfilling requests by you, and to otherwise provide services to you including, without limitation, web hosting providers, IT systems administrators, mailing houses, couriers, payment processors, data entry service providers, electronic network administrators, debt collectors, and professional advisors such as accountants, solicitors, business advisors and consultants;
- our customers, particularly those with security requirements;
- other third parties appointed by Linfox (for example, the distributors of our printed materials) who may require access to personal information in order to perform our services and our business operations;
- suppliers and other third parties with whom we have commercial relationships, for business, marketing, and related purposes; and
- any organisation for any authorised purpose with your express consent.

We may combine or share any information that we collect from you with information collected by any of our related bodies corporate (within Australia).

4.8 Direct marketing materials

We may send you direct marketing communications and information about our services that we consider may be of interest to you. These communications may be sent in various forms, including mail, SMS, fax and email, in accordance with applicable marketing laws, such as the *Spam Act 2003* (Cth). If you indicate a preference for a method of communication, we will endeavour to use that method whenever practical to do so. In addition, at any time you may opt-out of receiving marketing communications from us by

contacting us (see the details below) or by using opt-out facilities provided in the marketing communications and we will then ensure that your name is removed from our mailing list.

4.9 Do we disclose your personal information to anyone outside Australia?

We may disclose personal information to our related bodies corporate and third-party suppliers and service providers located overseas for some of the purposes listed above.

We take all reasonable steps to ensure that the overseas recipients of your personal information do not breach the privacy obligations relating to your personal information.

We may disclose your personal information to entities located outside of Australia, including the following:

- our related bodies corporate, located across the Asia-Pacific region;
- our data hosting and other IT service providers, located in various locations throughout the world; and
- other third parties located throughout the world.

4.10 Security and data quality

We take reasonable steps to ensure your personal information is protected from misuse and loss and from unauthorised access, modification or disclosure.

We may hold your information in either electronic or hard copy form. Personal information is destroyed or de-identified when no longer needed or when we are no longer required by law to retain it (whichever is the later).

4.11 How can you access and correct your personal information?

You may request access to any personal information we hold about you at any time by contacting us (see the details below). Where we hold information that you are entitled to access, we will try to provide you with suitable means of accessing it (for example, by mailing or emailing it to you). We may charge you a reasonable fee to cover our administrative and other reasonable costs in providing the information to you. We will not charge for simply making the request and will not charge for making any corrections to your personal information.

There may be instances where we cannot grant you access to the personal information we hold. For example, we may need to refuse access if granting access would interfere with the privacy of others or if it would result in a breach of confidentiality. If that happens, we will give you written reasons for any refusal.

If you believe that personal information we hold about you is incorrect, incomplete or inaccurate, then you may request us to amend it. We will consider if the information requires amendment. If we do not agree that there are grounds for amendment, then we

will add a note to the personal information stating that you disagree with it.

4.12 What is the process for complaining about a breach of privacy?

If you believe that your privacy has been breached, please contact us using the contact information below and provide details of the incident so that we can investigate it. We will treat your complaint confidentially, investigate your complaint and aim to ensure that we contact you and your complaint is resolved within a reasonable time (and in any event within the time required by the Privacy Act, if applicable).

If you are unhappy with the way that we are using your personal data, or if you are not satisfied with our response to a complaint, you may lodge a complaint with the Office of the Australian Information Commissioner (to the extent that the *Privacy Act 1988* (Cth) applies) or if the GDPR applies, with a Data Protection Authority.

4.13 Contacting us

If you have any questions about this Privacy Policy, any concerns or a complaint regarding the treatment of your privacy or a possible breach of your privacy, please use the Contact Us link on our website (available at: <http://www.linfox.com/Contact-Us.aspx>) or contact our Privacy Officer using the details set out below.

You can contact our Privacy Officer via:

Post: Privacy Officer Linfox Logistics 55 English Street ESSENDON FIELDS VIC 3041 Australia

Tel: +61 3 8340 1000

Email: privacy@linfox.com

4.14 Data Breach Notification

The Notifiable Data Breach (NDB) Scheme contained in Part IIIC of the Privacy Act requires certain entities to notify individuals and the Office of the Australian Information Commissioner (OAIC) about data breaches that are likely to cause serious harm.

Linfox accepts its obligation to keep personal information safe and is open and transparent in how data is handled. In the event that personal data systems are breached, data is misused or lost, then Linfox will take all reasonable and practicable means to contact individuals whose personal information is involved. We will advise such individuals of the extent of the data breach (if known) and advise individuals of the most appropriate means of regaining control of their information, in an effort to limit the personal impact of the breach. If appropriate, Linfox will also report any breach of data to the OAIC.

4.15 European Union – Additional Provisions

In addition to the protections given under this policy, for individuals located in the European

Union (EU) (including the European Economic Area (EEA)) that we offer or provide our products or services to, that personal information will be subject to Regulation EU (2016/679) – General Data Protection Regulation (GDPR) and the following provisions apply:

- Linfox is the data controller for the purposes of processing personal information.
- Our Privacy Officer is our Data Protection Officer for the purposes of the GDPR.
- We rely on the following legal grounds to process your personal information:
 - *Contract performance* – we may collect and process your personal information to enter into a contract with an individual or to perform our obligations under a contract to which an individual is a party.
 - *If it is necessary to pursue our legitimate interests and does not override your rights and interests* – this is the usual basis on which we carry out our business and manage risk.
 - *With consent* – where required, we will only use your personal information for the purposes for which valid or explicit consent is given.
 - *To comply with laws that apply to us including exercising our rights* – we may use and process your personal information where we are legally required to do so.

4.15.1 Your Additional Rights and Choices

In addition to the above, an individual located in the European Union has the following rights:

- *Erasure*: You can ask us to erase your personal information without undue delay in certain circumstances such as if you withdraw your consent and we otherwise have no legal reason to retain it.
- *Restrictions of processing*: You can object to, and ask us to restrict, our processing of your personal information in certain circumstances, such as while we verify your assertion the information is inaccurate or if we are processing your information for our legitimate interests or for direct marketing purposes (we may be legally entitled to refuse that request).
- *Data portability*: You can, in some circumstances such as where we are processing your information with your consent, receive some personal information you have given us in a structured, commonly used and machine-readable format and/or ask us to transmit it to someone else if technically possible/feasible.
- *Right to object*: You can withdraw your consent (but we may be able to continue processing without your consent if there is another legitimate reason to do so).
- *Right to complain*: You can lodge a complaint with the relevant European data protection authority if you think that any of your rights have been infringed by us.

If we refuse any request you make in relation to your personal information rights, we will

write to you to explain why and how you can make a complaint about our decision.

4.16 Breaches of this Policy

The breach of this policy by an employee, director or officer of Linfox may lead to disciplinary action being taken in accordance with our disciplinary procedure. Serious breaches may be regarded as gross misconduct.

All employees, directors and officers of Linfox will be expected to cooperate fully in any investigation into suspected breaches of this policy or any related processes or procedures.

If an issue is identified with a supplier, we will work with them to prepare a corrective action plan and resolve all violations within an agreed upon time period. We reserve the right to terminate our relationship with individuals and organisations in our supply chain if they breach this policy.

If any part of this policy is unclear, clarification should be sought from the Privacy Officer.

4.17 Changes to our Privacy Policy

We may change this Privacy Policy from time to time, to take account of new laws or technology, or changes to our functions, operations and practices. Any updated versions of this Privacy Policy will be posted on our website and will be effective from the date of posting.

5 Definitions

Term	Definition
Australian Privacy Principles (APPs)	Means the principles that set out standards, rights and obligations in relation to handling, holding, accessing and correcting personal information as contained in Schedule 1 of the <i>Privacy Act 1988</i> (Cth).
Consent	Agreement which must be freely given, specific, informed and be an unambiguous indication of the individual's wishes by which they, by a statement or by a clear positive action, signify agreement to the processing of personal information relating to them.
Data breach	Occurs when personal information we hold is subject to unauthorised access or disclosure, or is lost. Examples include: <ul style="list-style-type: none"> • <i>Malicious breach</i>, e.g. someone hacking into Linfox's computer system or unauthorised access to databases in the workplace, such as an employee browsing sensitive customer records without a legitimate purpose; • <i>Accidental loss</i>, e.g. IT equipment/hard copy documents left on public transport by an employee; and

	<i>Negligent disclosure</i> , e.g. an organisation, whether intentionally or unintentionally, makes personal information accessible; or visible to others outside the organisation and releases the information from its effective control in a way not permitted by the Privacy Act, such as an employee accidentally publishing a confidential data file with personal information of one or more individuals on the internet.
Data controller	The person or organisation that determines when, why and how to process personal data in line with the GDPR. Linfox is the data controller for the purposes of the GDPR.
Data Protection Officer	The person required to be appointed in specific circumstances under the GDPR. Our Privacy Officer is the Data Protection Officer for the purposes of the GDPR.
Eligible data breach	Means a breach of personal data security that is likely to result in serious harm to any of the individuals to whom the data relates, and Linfox has been unable to prevent the likely risk of serious harm with remedial action.
Employee	Linfox employs persons in a variety of capacities and therefore the term “employee” is to be given a broad definition. Employees can include a director, officer, employee, contractor or agent of Linfox.
General Data Protection Regulation (GDPR)	Means the legal framework governing the collection and processing of personal information of individuals located in the European Union (EU). The GDPR has extraterritorial reach and applies to entities outside the EU which do business with individuals located in the EU.
Health information	Information or opinion about a person’s physical, mental or psychological health or disability, that is also personal information – whether in writing or not. This includes information or opinion about a person’s health status and medical history, immunisation status and allergies, as well as counselling records.
Loss	Refers to the accidental or inadvertent loss of personal information held by Linfox, in circumstances where it is likely to result in unauthorised access or disclosure.
Notifiable Data Breach Scheme	Means established requirements for entities to notify individuals and the Australian Information Commissioner of eligible data breaches, as per the <i>Privacy Act 1988</i> (Cth).
Office of the Australian Information Commissioner (OAIC)	The OAIC is the independent national regulator for privacy and freedom of information.
Personal information or data	Information or opinion, whether true or not, about a person whose identity is apparent, or can reasonably be ascertained, from the information or opinion – that is recorded in any form. For example, a person’s name, address, phone number and date of birth (age). De-identified information about employees can also be personal information.
Personal data	As defined under the GDPR, means any information relating to an identified or identifiable natural person residing in the EU. An identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, psychological, genetic, mental, economic, cultural or social identity of that natural person.

Privacy Officer	Means the person appointed by Linfox from time-to-time to manage all inquiries and complaints arising under this policy. The Privacy Officer may delegate the management of any or all of the inquiries and complaints arising under this Policy to the Privacy Coordinator.
Processing or Process	Means any activity that involves the use of personal information. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data including organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing also includes transmitting or transferring personal information to third parties.
Sensitive information	Information or opinion about a set of specific characteristics, including a person's racial or ethnic origin, political opinions or affiliations, religious beliefs or affiliations, philosophical beliefs, sexual preferences or practices; or criminal record. It also includes health information.
Serious harm	"Serious harm" to an individual may include physical, psychological, emotional, financial or reputational harm. Assessment of whether harm is serious will depend on the likelihood of the harm eventuating for individuals whose personal information was part of the data breach and the consequences of the harm.
Unauthorised access/disclosure	Occurs if Linfox, whether intentionally or unintentionally, makes personal information accessible or visible to others outside the organisation and releases that information from its effective control in a way that is not permitted by the <i>Privacy Act 1988</i> (Cth). This includes an unauthorised disclosure by an employee of the company.
we (us, our, ours)	Linfox
you (your, yours)	Any individual who discloses personal information to Linfox.

6 Responsibilities

6.1 Policy Management

The Board of Directors has overall responsibility for this policy and in ensuring that we comply with all our privacy obligations.

Approval of the Policy is vested with the Board.

Reviews of the Policy are the responsibility of the Privacy Officer and will be conducted annually. This is to ensure that the policy remains consistent with all relevant legislative requirements.

6.2 Policy Implementation

The Chief Executive Officer (CEO) will have the primary day-to-day responsibility for the implementation of this policy, monitoring its use and ensuring that the appropriate processes and procedures are in place, and amended as appropriate, to ensure it can operate effectively.

The Privacy Officer is responsible for:

- conducting regular staff training on our obligations under the APPs, including correct policies and processes for handling personal information;
- handling any complaints or questions as they arise under this policy;
- actioning any reasonable requests for personal information;
- maintaining records of the personal information we hold;
- handling any internal privacy issues; and
- respond to any data breaches that occur.

All employees have an obligation to implement the APPs established by the Privacy Act and any similar legislation in their day-to-day practices by complying with such laws and their obligations under this policy in the course of collecting, managing, using, disclosing and securing Personal Information and data.

7 Procedure

The Data Breach Procedure provides additional detail to give practical effect to aspects of the Privacy Policy.

8 References

Legislation

- *Privacy Act 1988* (Cth)
- *Privacy Amendment (Notifiable Data Breaches) Act 2017* (Cth)
- *Spam Act 2003* (Cth)
- Regulation EU (2016/679) – General Data Protection Regulation

Policies

- Workplace Behaviour Policy
- Fraud and Corruption Control Policy
- Data Breach Procedure

Other documentation

- n/a

9 Appendices

Appendix 1: Summary of the Australian Privacy Principles

Appendix 1: Summary of the Australian Privacy Principles

The Office of the Australian Information Commissioner has provided the following summary of the Australian Privacy Principles.

APP 1—Open and transparent management of personal information

Ensures that APP entities manage personal information in an open and transparent way. This includes having a clearly expressed and up to date APP privacy policy.

APP 2—Anonymity and pseudonymity

Requires APP entities to give individuals the option of not identifying themselves, or of using a pseudonym. Limited exceptions apply.

APP 3—Collection of solicited personal information

Outlines when an APP entity can collect personal information that is solicited. It applies higher standards to the collection of “sensitive” information.

APP 4—Dealing with unsolicited personal information

Outlines how APP entities must deal with unsolicited personal information.

APP 5—Notification of the collection of personal information

Outlines when and in what circumstances an APP entity that collects personal information must notify an individual of certain matters.

APP 6—Use or disclosure of personal information

Outlines the circumstances in which an APP entity may use or disclose personal information that it holds.

APP 7—Direct marketing

An organisation may only use or disclose personal information for direct marketing purposes if certain conditions are met.

APP 8—Cross-border disclosure of personal information

Outlines the steps an APP entity must take to protect personal information before it is disclosed overseas.

APP 9—Adoption, use or disclosure of government related identifiers

Outlines the limited circumstances when an organisation may adopt a government related identifier of an individual as its own identifier, or use or disclose a government related identifier of an individual.

APP 10—Quality of personal information

An APP entity must take reasonable steps to ensure the personal information it collects is accurate, up to date and complete. An entity must also take reasonable steps to ensure the personal information it uses or discloses is accurate, up to date, complete and relevant, having regard to the purpose of the use or disclosure.

APP 11—Security of personal information

An APP entity must take reasonable steps to protect personal information it holds from misuse, interference and loss, and from unauthorised access, modification or disclosure. An entity has obligations to destroy or de-identify personal information in certain circumstances.

APP 12—Access to personal information

Outlines an APP entity's obligations when an individual requests to be given access to personal information held about them by the entity. This includes a requirement to provide access unless a specific exception applies.

APP 13—Correction of personal information

Outlines an APP entity's obligations in relation to correcting the personal information it holds about individuals.