

# Privacy and Credit Reporting Policy

30 April 2020



## 1. About us

This Privacy & Credit Reporting Policy applies to the Nectr Group Companies, including Nectr, a registered business name of Hanwha Energy Retail Australia Pty Ltd ABN 82 630 397 214 (Nectr) and Nectr Distributed Energy Pty Ltd ABN 48 638 767 272 (Nectr DE) (together Nectr Group and may be referred to as “we”, “our” or “us”). Nectr is an electricity retailer and Nectr DE is a distributed energy provider, which operate in different distribution networks in Australia. You can find out more about Nectr and Nectr DE on our website [www.nectr.com.au](http://www.nectr.com.au) (**Website**).

This Privacy & Credit Reporting Policy sets out how Nectr Group seeks to manage personal and credit related information about individuals, including its customers and prospective customers, in accordance with the Privacy Act 1988 (Cth) (the **Privacy Act**), the Australian Privacy Principles (**APPs**) and the Privacy (Credit Reporting) Code 2014 (CR Code). This Privacy & Credit Reporting Policy also explains how we collect, use, store and disclose personal and credit related information.

## 2. Your information is important to us

Your privacy is important to us and we will use reasonable efforts to keep your personal and credit information secure. We aim to be clear and open about what we do with your personal and credit information.

We aim to ensure that we have reasonable security measures in place to protect personal and credit related information. This includes following certain procedures (for example, checking your identity when you phone us) and encoding certain data on our websites.

## 3. What is personal information?

Personal information means information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether or not the information is true.

The Privacy Act provides additional protection to a category of personal information known as “sensitive information”, such as information about your health or ethnicity.

## 4. What is credit information?

Credit information is defined in the Privacy Act and relates to an individual’s credit history, current credit arrangements, credit worthiness and credit-related dealings with Nectr Group.

Credit eligibility information is defined in the Privacy Act and includes:

- credit reporting information, as defined in the Privacy Act, provided by credit reporting bodies about an individual; and
- credit worthiness information about an individual, which we derive from credit reporting information.

## 5. What types of personal and credit information do we collect?

The types of personal and credit information (including credit eligibility information) we collect from or about you depends on your dealings with us and on the requirements of the laws, rules and regulations that apply to us.

This section provides examples of the kinds of personal and credit information we may collect and hold. The examples contained in this Privacy & Credit Reporting Policy are illustrations only and are not intended to be exhaustive.

- We collect the names and contact details (including mobile numbers and email addresses) of our customers and their authorised representatives, of prospective customers and of job applicants, contractors and others.
- We collect key information from our customers and prospective customers such as date of birth, address (supply and mailing if different), meter number, concession details (where applicable), other forms of government approved identification (such as driver's licence or passport), preferred language and payment details. We also collect energy usage and consumption information, such as how much energy you use, what you use it for, when you use it and whether you generate or store energy yourself.
- We collect information related to our customers' life support requirements, including details
- of the life support equipment and medical practitioner confirmations.
- If you apply for a job with us, we will collect information that you provide including name, residential address, postal address, email address, telephone number, academic results and qualifications; expertise and experience, employment history, personal interests, current salary and salary expectations and background information about you, for example whether you have a criminal record.
- We collect information when you interact with us using the channels we make available to you – for example online, direct contact with our staff and social media. When you use our website, your IP address, device identifiers and information about how you use our website such as session information and login attempts is collected. We may use web analytics services to do this. These services may include Google Analytics, Google AdSense, DoubleClick, Adobe or Microsoft.
- When you participate in market research, we may collect information about you and your responses.
- If you're a supplier of goods or services to Nectr Group or are employed or engaged by such a supplier, we may collect personal information about you including your name, job title, business address, email address and telephone number.
- We may collect credit information and credit eligibility information from credit reporting bodies about you when you seek to set up an account with us or if you default in any payment to us. The types of credit information and credit eligibility information we may collect from you include:
  - information about your employer, position held and income;
  - your consumer credit liability information;
  - your repayment history information;
  - information request statements from credit providers, mortgage insurers or trade insurers;
  - default information, payment information, new credit arrangement information, court proceedings information and personal insolvency information about you; and
  - other publicly available information related to your credit-worthiness.

In general, we attempt to limit the sensitive information we collect from you, however there may be circumstances in which we may require sensitive information in order to perform our functions (for example, to ensure continuous service to your property or to assist with translation services). Where we require sensitive information from you, we will first obtain your consent to the collection of such information – except where otherwise allowed by law.

## 6. How do we collect your personal and credit information?

Nectr Group may collect personal and credit information (including credit eligibility information) in a number of ways, including:

- from you directly, for example when you provide information about your contact details, date of birth, how you will pay for a product or service or your bank details, by phone or in application forms, or when you submit your personal details through our website;
- directly from you or from your nominated referees, if you apply for a job with us;
- from credit reporting bodies;
- through marketing and business development events;
- through our operations in the energy markets;

- through credit application forms submitted to us;
- from other credit providers;
- government department and agencies;
- through referrals from an existing Nectr Group customer;
- through referrals from Nectr Group business partners;
- through comparator websites you use to compare different available energy plans;
- when you interact with our social media accounts or use our website;
- when you participate in market research;
- when you request to be put on our mailing list or receive promotional or other types of communications from us;
- from your representatives; and
- from publicly available sources of information.

## 7. How we may use your personal and credit information

Nectr Group may use your personal and credit information (including credit eligibility information) in order to:

- verify your identity;
- decide whether to provide or continue to provide any products or services to you on credit and to manage our relationship with you as permitted by Part IIIA of the Privacy Act;
- provide you with the products and services that you have asked for;
- manage and administer the provision of those products and services, including billing, handling payments and refunds, and credit and collections activities;
- develop and improve our products, services and business;
- assess applications for credit arrangements including checking your creditworthiness;
- establish and maintain customer accounts and manage such relationships;
- deal with management, recovery, securitisation and assignment of debts;

- provide information to debt collection agencies for the purpose of recovering debts;
- contact you in any way (including by mail, email, phone, in-person, text or multimedia messages) about products and services offered by us (where permitted by law);
- notify credit providers of a default by you;
- assess credit defaults reported by credit reporting bodies or debt collection agencies;
- respond to applications, questions, requests or complaints you have made to us;
- maintain and update our records and carry out other administrative tasks;
- improve customer experience and conduct market research;
- maintain and develop Nectr Group's business systems and infrastructure, including testing and upgrading of these systems;
- assess your application if you have applied to work with us;
- do business with our suppliers of goods and services;
- assist with your enquiries and complaints;
- investigate and prevent possible fraud and illegal activity;
- comply with laws, including assisting government agencies and law enforcement investigations; and
- use or disclose it as otherwise authorised or permitted by law.

To enable us to assess an application by you for a credit arrangement, we may:

- obtain from a credit reporting body a credit report containing credit information (and credit eligibility) and personal information about you; and
- obtain a report from a credit reporting body and other information in relation to your commercial credit activities.

We may, where you have given consent, give to, and obtain from, any credit provider named in your application for a credit arrangement and any credit provider that may be named in a credit report issued by a credit reporting body, information about your credit arrangements. A credit reporting body may

include information provided by us in reports provided to other credit providers to assist them to assess your creditworthiness.

We may also disclose your credit information (and credit eligibility information) and personal information to credit reporting bodies in relation to credit-related dealings, for example where you have failed to meet payment obligations or commit a serious credit infringement. We may disclose your credit information to the following credit reporting bodies:

### **Equifax Australia Information Services & Solutions Pty Limited**

**Post:** Equifax Public Access, PO Box 964 NORTH SYDNEY NSW 2059

**Phone:** 138 332

**Email:** [customercomplaintsAU@equifax.com](mailto:customercomplaintsAU@equifax.com)

The above credit reporting bodies are required to have a policy about how they manage credit-related personal information. This policy can be accessed on each credit reporting body's website or by contacting them directly

## **8. What happens if we cannot collect your personal or credit information?**

If you choose not to provide us with or allow us to access your personal or credit information, we may not be able to perform our functions or provide you with our services (as described in this Privacy & Credit Reporting Policy). For example, we may not be able to provide the products or services you have asked for or respond to your questions.

If you contact us to make a general inquiry about our business, you may not have to identify yourself or provide any personal information unless you require us to get back in touch with you at a later stage or if you would like us to send you further information.

## **9. Direct marketing**

We may use your personal information to tell you about products or services that we think you might be interested in where:

- you have consented to us doing so; or

- it is otherwise permitted by law.

We may send you marketing messages in various ways, including by mail, email, telephone, SMS, and digital marketing including advertising through our websites, social media or third-party websites. By doing so, Nectr Group is able to update you about our products, services and special offers.

If you don't want to receive direct marketing messages, you can opt out by:

- emailing us at [privacy@nectr.com.au](mailto:privacy@nectr.com.au);
- calling us on 1300 111 211 and letting us know; or
- following the instructions in any marketing communication you receive from us (for example, using the 'unsubscribe' link in an email or responding to an SMS as instructed).

Please note that we may still send you important administrative and safety messages even if you opt out of receiving marketing communications.

You have the right to request that the credit reporting bodies identified in this Privacy & Credit Reporting Policy do not use your credit reporting information for the purposes of pre-screening of direct marketing. You also have the right to request that the above credit reporting bodies do not use or disclose your credit reporting information if you believe on reasonable grounds that you have been, or are likely to be, the victim of fraud (i.e. if you suspect someone may use your identity to apply for credit). You must contact the credit reporting bodies directly for these requests.

## **10. Disclosure of your personal and credit information to third parties**

We may disclose your personal and credit information for any of the reasons outlined above.

We may also disclose your personal and credit information (including credit eligibility information) to third parties who may include:

- credit providers and credit reporting bodies (for credit related purposes such as credit-worthiness checks, credit rating checks, credit provision and financing);
- third party suppliers who assist us in performing our functions and activities, for example customer service, installation and maintenance services,

analytical services, marketing and communications, promotions, administrative support, information technology services and website maintenance;

- our financial advisers, consultants, accountants, insurers, legal advisers, auditors and other professional services providers;
- debt collection agencies for the purpose of collecting overdue payments;
- external dispute resolution bodies;
- organisations involved in our payments systems including financial institutions, merchants and payment organisations;
- energy market organisations, like energy distributors, other energy retailers, metering service providers and the Australian Energy Market Operator;
- regulators and law enforcement agencies;
- organisations who manage Nectr Group's business and corporate strategies, including those involved in any transfer/sale of all or part of its assets or business (including accounts and trade receivables);
- any company of which we are a subsidiary, within the meaning of the Corporations Act 2001 (Cth); and
- other organisations as required or authorised by law or an order of a court/tribunal, or where you have given your consent.

## 11. Overseas disclosure

When you provide your personal and credit information to us it may be transferred to our service providers as outlined above, including those located outside of Australia. For example, we may disclose your personal information to our third party service providers in the United Kingdom, the United States of America, Canada, South Korea and the Philippines

If we transfer your personal or credit information (including credit eligibility information) outside of Australia, we will take reasonable steps to ensure that the overseas recipient complies with all applicable laws in relation to their handling of such personal and credit information.

## 12. Our website and cookies

New technologies let us combine information we have about our customers and users with data from other sources, such as third-party websites or the Australian Bureau of Statistics.

We also collect information about people that does not identify them, such as website and advertising analytics, and data from service providers. We analyse this data to help us learn more about our customers and improve our products and services.

Please note that communications over the internet, such as emails and web mails (messages sent through a website), are not protected unless they have been encrypted. We cannot accept responsibility for any unauthorised access or loss of personal or credit information that is beyond our control.

On our website, 'cookies' are generally used to study how people use our site. A cookie is information that is stored on your computer's hard drive that records how you have used a website. It helps us improve and upgrade our website based on your requirements. This means that when you go back to our website, it can give you customised options based on the information it has stored about your last visit.

If you do not want us to use cookies in your browser, you can set your browser to disallow cookies or to let you know when a website attempts to put a cookie on your computer. Then again, you may not be able to use some of the products or services on our website without cookies.

We may monitor and record our communications with you (including phone conversations, online chats and emails) for quality assurance and compliance.

You should be aware that when you are on our website, you could be directed to other sites that are beyond our control. These other sites may send their own cookies to users, collect data or solicit personal information.

## 13. How we hold your personal and credit information

Nectr Group takes reasonable precautions to protect the personal and credit information (and credit eligibility) it holds from:

- misuse, interference and loss; and
- unauthorised access, modification or disclosure.

Some examples of the precautions Nectr Group takes include:

- We use reasonable efforts to use secure systems and environments to hold your information.
- We aim to only keep your information for as long as we need it. When we no longer need personal information, we take reasonable steps to destroy or de-identify it unless there is a legal requirement for us to retain it.
- We have technology that aims to reasonably prevent malicious software or viruses and unauthorised persons from accessing our systems
- We use reasonable efforts to control where information is stored and who has access to it.
- We work in a secure office building, which requires authorised ID cards to access our office.

## 14. Accessing and correcting your information

You have a right to ask for access to the personal and credit information we hold about you. If you would like to request access to the personal information we hold about you or you have any comments about our Privacy & Credit Reporting Policy, please email us at [hello@nectr.com.au](mailto:hello@nectr.com.au) or write to us at our Post address as listed in Section 15, at the end of this Policy.

You can also ask us to update or correct the personal and credit information we hold about you. Before we give you access to, or correct, your information we will need to confirm your identity.

Your personal and credit information will usually be available within 30 days of your request. If there's a fee for accessing your personal or credit information, we'll confirm the amount before providing the information.

Nectr Group will take reasonable steps to correct any credit-related personal and credit information that we learn is inaccurate, incomplete, irrelevant, misleading or no longer up-to-date. This will generally occur by an individual notifying Nectr Group of any change in their information, typically by contacting us using the details at the end of this Policy.

Additionally, Part IIIA of the Privacy Act allows individuals to obtain confirmation of whether or not we hold credit eligibility information about them, as well as gain access to, or correct, the personal information we hold in certain circumstances.

In some cases, we are able to refuse to give you access or only give you access to certain information for example if we reasonably believe that giving you access may have an unreasonable impact on the privacy of other individuals.

## 15. Making a privacy complaint

Customer Care is your first point of contact if you have a concern about your privacy or a complaint about how we've handled your information. You can contact the team using the contact details listed below.

Once we've received your complaint, we will investigate and let you know what we find and how long it may take to resolve.

You can read more about how we handle complaints in our Complaints Handling Policy and Procedures, available on our website at [nectr.com.au/complaints-handling-policy/](https://nectr.com.au/complaints-handling-policy/)

If you're not satisfied with how we have managed your complaint, you can lodge a formal complaint with your energy ombudsman or the Office of the Australian Information Commissioner (OAIC). Their contact details are as follows:

### Energy & Water Ombudsman NSW

**Online:** [www.ewon.com.au](http://www.ewon.com.au)

**Email:** [omb@ewon.com.au](mailto:omb@ewon.com.au)

**Freecall:** 1800 246 545

**Freefax:** 1800 812291

**In person:** Level 11, 133 Castlereagh Street, Sydney NSW

**Mail:** Reply Paid 86550, Sydney South NSW 1234

### Energy & Water Ombudsman QLD

**Online:** [www.ewoq.com.au](http://www.ewoq.com.au)

**Free call:** 1800 662 837

**Fax:** (07) 3087 9477

**Email:** [complaints@ewoq.com.au](mailto:complaints@ewoq.com.au)

**In person:**

Level 16/53 Albert St, Brisbane City QLD 4000

**Mail:** PO Box 3640, South Brisbane BC QLD 4101

**Office of the Australian  
Information Commissioner**

**Phone:** 1300 363 992

**Online:** [www.oaic.gov.au](http://www.oaic.gov.au)

**Email:** [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

**In person:**

Office of the Australian Information Commissioner  
Level 3, 175 Pitt Street, Sydney NSW

**Mail:** GPO Box 5218, Sydney NSW 2001

## 16. Amendments to this Privacy & Credit Reporting Policy

We may update our Privacy & Credit Reporting Policy when our practices change and the most up-to-date version of the Privacy & Credit Reporting Policy will be published on our website. The changes to this Privacy & Credit Reporting Policy will be effective from the date it is published. By continuing to access or use our products or services after the changes become effective, you agree to the terms of the changed Privacy & Credit Reporting Policy.

Our Privacy & Credit Reporting Policy can be found at [nectr.com.au/privacy/](http://nectr.com.au/privacy/)

## 17. Contacting us

**Phone:** 1300 111 211

**Email:** [privacy@nectr.com.au](mailto:privacy@nectr.com.au)

**In person:** Nectr, Level 25, NorthPoint Tower,  
100 Miller Street, North Sydney 2060

**Post:** Nectr, PO Box 1957 North Sydney 2059

If you're deaf or hard of hearing, or have difficulty speaking, you can use the National Relay Service (TTY) on 133 677. This is available for the cost of a local call and you can give them Nectr's number (1300 111 211). To use the Speak & Listen service, please call 1300 555 727.

For help using an interpreter, you can contact the Translating and Interpreting Service (TIS) on 131 450 between 9am to 5pm on Monday to Friday.

If you need to contact us about something else, you can find out how on the "Contact us" page on our website.