

PRIVACY POLICY

Sojitz Australia Limited (ABN 16 000 213 132) is committed to the protection of personal information that relates to you in accordance with the Australian Privacy Principles (APPs) as set out in the Privacy Act 1988 (Cth) (**Privacy Act**). This policy explains how we handle personal information relating to individuals so as to ensure we meet our obligations under the *Privacy Act*.

Terminology

In this policy the expressions "we", "us" and "our" are a reference to Sojitz Australia Limited.

The expression "personal information" is used in this policy to refer to 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.

Any reference to us assuming an obligation under the *Privacy Act* or other privacy legislation can be interpreted as a reference to us also procuring our subcontractors to undertake a reciprocal obligation to the extent relevant.

Consent

By electing to do business with us, you will be deemed to consent to us collecting, using and disclosing your personal information in a manner consistent with this privacy policy.

Kinds of information collected

We only collect personal information to the extent that this is reasonably necessary for one or more of our functions or activities.

This includes the following kinds of information:

- (a) the name, job title, postal address, email address, telephone number and information regarding the job, of business partners where it is relevant during the course of doing business;
- (b) the name, job title, postal address, email address, telephone number and information regarding the job, of individuals where it is relevant during the transfer of commodities and services concerning our business;
- (c) the name, job title, postal address, email address, telephone number, information regarding previous jobs, educational details, citizenship or immigration information and/or other information regarding personal preferences where it is relevant, of applicants for employment with us; and
- (d) the name, job title, postal address, email address, telephone number, information regarding previous jobs, educational details, citizenship or immigration information and/or other information regarding personal preferences where it is relevant, of current and former employees.

Method of Collection

Our preference is to collect personal information about an individual directly from that individual unless it is unreasonable or impracticable for us to do so.

Information will generally be collected from the following sources:

- (a) our business partners;
- (b) other organisations with whom we have dealings;
- (c) government agencies;
- (d) recruitment agencies;
- (e) information or service providers; or
- (f) publicly available records.

If you provide personal information about other individuals to us, you must ensure that you have informed those individuals that you are providing their personal information to us and that you have obtained their consent and advised them of our privacy policy.

Purposes of collection

Purposes for which we may collect personal information include, but are not limited to:

- (a) conducting our business, such as when engaging in negotiations, consultations, settlements and the receiving and placing of orders for goods and services;
- (b) transferring commodities and services concerning our business;
- (c) insurance or other regulatory purposes and as permitted to do so by law;
- (d) sending invoices or reminder notices and processing requests of, and applications to, us;
- (e) recruitment;
- (f) employment;
- (g) any other purpose for which this information was provided to us;
- (h) any purpose related or ancillary to any of the above; or
- (i) any other activity consistent with our Memorandum and Articles of Association.

You have the option to deal with us anonymously or by using a pseudonym. However you acknowledge that where this is impractical (for example when you enter into a contract with us) or where the law or a court order provides otherwise, we are not required to provide these options to you.

If you choose not to provide your personal information to us, we may not be able to undertake certain activities for you such as providing you with requested information, products or services.

Use and disclosure

We will not use or disclose personal information for the purposes other than those connected with the primary purpose of collection, or a reasonably related secondary purpose which we believe you should reasonably expect.

Secondary purposes might include disclosure to maintenance personnel or other third party contractors (including outsourced and cloud service providers) who may be unable to avoid

accessing personal information in the course of providing technical or other support services to our company.

Depending on the nature of your relationship with us, we may disclose your personal information to our shareholders, officers and employees, other businesses within our group of companies, service providers who assist us in our business operations and recruitment activities (including third party service providers), government agencies, other third parties (including parties that we engage to process transactions under our business, provide you with goods or services on our behalf or who are connected with or involved in our relationship with you), or otherwise as required by law.

Direct marketing

We will not use or disclose personal information for the purposes of direct marketing to you unless:

- (a) you have consented to receive direct marketing materials; or
- (b) you would reasonably expect us to use your personal details for this purpose; or
- (c) we believe you may be interested in the material but it is impractical for us to obtain your consent.

In every instance, we will ensure that our direct marketing material incorporates an option for you to elect to receive no further such communications.

Please note also that even if you have requested not to receive further direct marketing communications, we may nevertheless continue to provide you with information about changes to our terms and conditions for the supply of goods or services, questionnaires and other factual information. This form of communication is not regarded as "direct marketing" under the *Privacy Act*.

Storage of data and overseas disclosure

Typically, we will store personal information on our information technology systems or in paper files.

Personal information may be disclosed to any member of our group entities and related bodies corporate ("Sojitz Group Companies"), as permitted by the *Privacy Act*.

A list of current Sojitz Group Companies with whom personal data may be shared and their locations is available in the following hyperlinks:

- <https://www.sojitz.com/en/corporate/network/> (with respect to entities constituting Sojitz Corporation's operating bases)
- <https://www.sojitz.com/en/corporate/group/> (with respect to entities constituting Sojitz Corporation's major group companies)

Your personal information may also be transferred overseas when the third parties with whom we may share it (as described in this policy) are located overseas.

In addition, it is possible that we, or our subcontractors, will utilise cloud technology in connection with the storage of personal information, and it is possible that this may result in off-shore storage.

It is not practicable for us to specify in advance the location of every service provider with whom we deal. It is possible that information will be transferred to a jurisdiction where you will not be able to seek redress under the *Privacy Act* and that does not have an equivalent level of data protection as Australia. We will not be accountable for how these overseas recipients handle your personal information. By providing your personal information to us, you consent to our disclosure of your personal information to these parties. If you have any concerns regarding the transfer of your personal information overseas please contact us using the details provided below.

Cookies & similar technology

We use browser cookies on the Sojitz Corporation website (www.sojitz.com) on which this policy is available. Browser cookies enable us to collect information about the frequency and length of visits to our website. You can disable the cookie function by viewing your browser tools. We do not collect any personal data about you through this process.

Employee records

In accordance with the *Privacy Act*, this policy does not apply to our acts and practices directly related to a current or former employment relationship between us and an employee, and an employee record held by us relating to the employee.

If, nevertheless, we transfer employee records offshore for any reason, we will comply with cross-border restrictions set out in the *Privacy Act* which apply to the overseas transfer of personal information.

Data security

We will take reasonable steps to protect the personal information which we hold from misuse or loss and from unauthorised access, modification or disclosure. We will destroy or de-identify personal information once we no longer require it for our business purposes.

You should be aware that no data transmission over the Internet can be guaranteed as totally secure. Although we strive to protect such information, we do not warrant the security of any information that you transmit to us over the Internet and you do so at your own risk.

Openness

From time to time, we may change our policy on how we handle personal information or the types of personal information which we hold. You may obtain a copy of our current policy by contacting us on the details below.

Access, correction and further information

We will take such steps as are reasonable to ensure that the personal information which we collect remains accurate, up to date and complete.

We will provide you with access to your personal information held by us unless we are permitted under the *Privacy Act* to refuse to provide you with such access. Please contact us via the details below if you:

- (a) wish to have access to the personal information which we hold about you;
- (b) consider that the personal information which we hold about you is not accurate, complete or up to date; or
- (c) require further information on our personal information handling practices.

Contact Details: Sojitz Australia Limited, Level 11, 115 Pitt Street, Sydney NSW 2000, Tomomi Arii, (e-mail: arii.tomomi@sojitz.com)

There is no charge for requesting access to your personal information but we may require you to meet our reasonable costs in actually providing you with access.

If you consider that the information which we hold about you is inaccurate, out of date, incomplete, irrelevant or misleading, we will take reasonable steps, consistent with our obligations under the *Privacy Act*, to correct that information if you so request.

We will respond to all requests for access and/or correction within a reasonable time.

Complaints

If you have a complaint about the way in which we have handled any privacy issue, including your request for access or correction of your personal information, you should advise us via the above contact details.

If you remain unsatisfied with the way in which we have handled a privacy issue, we suggest you approach an independent advisor or contact the Office of the Australian Information Commissioner for guidance on alternative courses of action which may be available. We will provide our full cooperation in the event that you elect to pursue this course of action.

Changes to this Policy

We may, from time to time, review and update this policy including to take into account new laws, regulations and technology. You may obtain a copy of our current policy from our website or by contacting us at the contact details above.