

MA-SPARES

Military & Aviation Spares Pty Ltd

16 Flint Street, North Ipswich, Queensland, 4305, Australia

Ph: 61 7 3281 8087, Fax: 61 7 3281 9098, E-mail: maspares@ma-spares.com, Web: www.ma-spares.com

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PRIVACY POLICY FOR MILITARY & AVIATION SPARES PTY LTD

1 PURPOSE

Military & Aviation Spares Pty Ltd (MA-Spares) seeks to maintain the privacy, accuracy, and confidentiality of Personal and Sensitive Information that the company collects and deals with concerning its employees, former employees, job candidates, and other individuals including consultants, suppliers, customers etc. MA-Spares has established internal privacy and security measures and established measures with third parties to safeguard this information. This procedure outlines how MA-Spares manages personal information and the reasonable steps it will take to ensure compliance with the framework of the *Privacy Act 1988* (Commonwealth) and specifically, the Australian Privacy Principles.

MA-Spares will also comply with the requirements of applicable State and Territory legislation regarding the handling of personal information, to the extent it is required to do because it is a contracted service provider and specific legislation applying to the handling of health information.

MA-Spares is committed to protecting your personal information and maintaining your trust.

This Privacy Procedure is published on MA-Spares' website in order to meet our obligation under Australian Privacy Principle 1 (APP1) which requires us to set out our policies on the management of personal information in a clearly expressed document which is available to anyone who asks for it. Should you wish to request a hard copy of this procedure, please contact the MA-Spares Finance Director.

2 SCOPE

This procedure applies to MA-Spares, all sites, employees, consultants and job candidates. Where a particular site has a privacy plan or policy in place due to customer requirements with which MA-Spares and its employees and contractors are required to comply and there is an inconsistency between that policy and this document, this policy will prevail to the extent of the inconsistency.

This procedure is not incorporated into and does not form part of the terms and conditions of an employee's contract of employment or any other commercial contract including but not limited to consultant or contractor's contracts.



3 AUSTRALIAN PRIVACY PRINCIPLES

3.1 *Is the information personal information?*

The key types of information to which the *Privacy Act* applies are Personal and Sensitive Information.

Personal information is defined as “*any information or an opinion about an identified individual, or an individual who is reasonably identifiable.*” It does not matter whether the information or opinion is true or not or whether it is recorded in material form or not. Whether a piece of information constitutes personal information depends on the circumstances.

Sensitive Information means information or an opinion about an individual’s racial or ethnic origin, political opinions, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences and practices or criminal record, that is also personal information or health information or genetic information that is not otherwise health information.

3.2 *What classes of information are exempt?*

Under the *Privacy Act*, Employee Records are an exempt class of information and therefore, in respect of those records, MA-Spares is not required to comply with the APPs in respect of that information. However, taking into account the privacy objectives of MA-Spares, MA-Spares will comply with the APPs in circumstances where it is reasonably practicable to do so.

Employee Records in relation to an employee, means a record of personal information relating to the employment of a current or former employee. Examples of personal information relating to the employment of the employee are health information about the employee and personal information about all or any of the following:

- a. the engagement, training, disciplining or resignation of the employee;
- b. the termination of the employment of the employee;
- c. the terms and conditions of employment of the employee;
- d. the employee's personal and emergency contact details;
- e. the employee's performance or conduct;
- f. the employee's hours of employment;
- g. the employee's salary or wages;

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- h. the employee's membership of a professional or trade association;
- i. the employee's trade union membership;
- j. the employee's recreation, long service, sick, personal, maternity, paternity or other leave;
- k. the employee's taxation, banking or superannuation affairs.

3.3 *What rules apply to the collection of personal and sensitive information?*

(a) **Why is information collected?**

Personal Information

With respect to employees, MA-Spares collects personal details from you to the extent necessary to establish and manage the employment relationship, administer payroll, provide benefits, comply with relevant laws and enterprise agreements, obtain visas, work permits, and security clearances, and conduct other employment-related functions such as accounting, audits, and investigations concerning possible breaches of law or company policy. MA-Spares may also obtain information about your job performance from supervisors, trainers, or co-workers, in connection with regular performance evaluations or consideration for promotions, new positions, or other job changes.

For other individuals, such as consultants and contractors, suppliers, customers etc, MA-Spares may collect and use personal information in order to carry out the functions associated with the contract in which it has entered into with you.

MA-Spares will collect personal information from you by lawful and fair means and not in an unreasonably intrusive way and it will use your personal information only for the particular purpose that you provided it, or for a directly related purpose. MA-Spares may otherwise use your personal information where that other use is:

- required or permitted by law; or
- with your express or implied consent.

If it is necessary to collect personal information from someone other than the individual concerned, MA-Spares will take reasonable steps to inform the individual that the information has been collected.



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Sensitive Information

MA-Spares will not collect sensitive information about you unless you have provided consent and the collection is reasonably necessary for MA-Spares' functions and activities (solely to be determined by MA-Spares) unless an exception applies. Those exceptions are permitted general situations and permitted health situations as defined under the *Privacy Act*.

If MA-Spares receives unsolicited personal information, it will deal with that information in accordance with APP2.

(b) *Anonymity and pseudonymity*

MA-Spares will provide individuals with the option of remaining anonymous or by the individual using a pseudonym when dealing with MA-Spares unless it is not practicable or lawful to do so. MA-Spares will not place an individual at a disadvantage by dealing anonymously with a person or via means of a pseudonym.

For an individual to be anonymous, it must be possible for the individual to avoid giving personal information or identifiers to MA-Spares. For example a person may raise an ethics complaint anonymously without identifying themselves.

An individual can also deal with MA-Spares by way of a pseudonym which could be a different name, a term or simply a descriptor different to their ordinary name.

3.4 *How will MA-Spares deal with the personal information?*

Some of the personal information MA-Spares maintains will be kept in paper files, while other data will be included in computerised files and databases. In either case, the information will be made available for the purposes mentioned above and on a business-need-to-know basis, to responsible management, human resources, accounting and other corporate staff, and to third parties providing services under contract to MA-Spares, such as payroll processors. Certain information will also be reported to government authorities, for example as required by law for tax or other purposes. Personal information may also be released to parties to which you have consented MA-Spares providing information to in respect of you.



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3.5 Will my information be transferred overseas?

Yes, in certain circumstances MA-Spares will be required to transfer your personal information to MA-Spares related bodies corporate overseas such as for example, Military & Aviation Spares LLC based in the United States, or to third party contract providers who are providing services to MA-Spares. That information will be transferred for purposes related to why it was collected, for example, purposes directly related to your employment or engagement.

In circumstances where the information is transferred internally within the MA-Spares' group overseas or externally to a third party provider, MA-Spares will take reasonable steps to ensure that the recipient does not breach the APPs in relation to that information to the extent that the APPs apply to that information (for example, employee records will be exempt) unless you have given your consent for that information to be transferred. Information transferred overseas may include your name, address, date of birth, passport details and position related information etc.

3.6 What will MA-Spares do to ensure personal information is kept safe and secure?

MA-Spares will ensure that processes and procedures are in place to protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure. MA-Spares will ensure that processes and procedures are in place to destroy or permanently de-identify personal information if it is no longer needed for any permitted purpose.

3.7 How can you access or correct personal information?

MA-Spares will ensure that processes and procedures are in place to ensure that the personal information it collects, uses or discloses is accurate, complete and up to date.

You have the right to request access to the personal information you provide, and to correct or update your personal information. This right is subject to certain exceptions allowed by law. MA-Spares will, upon your request, and subject to applicable privacy laws, provide you with access to your personal information that is held by it. However, please identify, as clearly as possible, the type/s of information requested. That request should be made to the MA-Spares' Finance Director.

MA-Spares will deal with your request to provide access to your personal information in a reasonable time - usually 30 days of your request. If the request for information you make contains large volumes of documents, MA-Spares may seek to recover its reasonable costs incurred in supplying you with access to this information.



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MA-Spares may decline your request and will provide brief reasons if:

- MA-Spares reasonably believes that giving access would pose a serious threat to the life, health or safety of an individual or to public health and public safety;
- Giving access would have an unreasonable impact on the privacy of others;
- The request is vexatious or frivolous (solely to be determined by MA-Spares);
- Information relates to existing or anticipated legal proceedings between MA-Spares and the individual;
- Giving access would reveal the intentions of MA-Spares in relation to negotiations with the individual in such a way as to prejudice those negotiations;
- Giving access would be unlawful;
- Denying access is required or authorised by or under an Australian law or a court or tribunal;
- MA-Spares has reason to suspect that unlawful activity or misconduct of a serious nature that relates to MA-Spares functions or activities has been or is being engaged in and giving access would likely prejudice the taking of appropriate action in the matter;
- Giving access may prejudice enforcement activities;
- Giving access would reveal evaluative information generated within MA-Spares in connection with a commercially sensitive decision making process.

Where an individual is able to establish that their personal information held by MA-Spares is not accurate, complete and up-to-date, MA-Spares will take reasonable steps to correct the information. If MA-Spares does not agree that the information requires correction, where requested to do so by the individual MA-Spares will keep a statement with the information recording the individual's concern.

MA-Spares will provide the individual concerned with reasons for any denial of access or a refusal to correct personal information.



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4 COMPLAINT HANDLING

All complaints related to the handling of personal or sensitive information must be referred to MA-Spares' Finance Director. If an individual's complaint is unable to be resolved internally, the individual may approach the Office of the Australian Information Commissioner (OAIC). Where a complaint has been made to the OAIC, MA-Spares will refer the matter to the Managing Director.

You can obtain further general information about your privacy rights and privacy law from the Office of the Australian Information Commissioner by:

- calling their Privacy Hotline on 1300 363 992
- visiting their web site at <http://www.privacy.gov.au>
- writing to:

The Australian Information Commissioner

GPO Box 5218

Sydney, NSW, 1042

5 COMPLIANCE

Failure to comply with the obligations under this procedure may lead to disciplinary action being taken by MA-Spares. Such disciplinary action may result in termination of employment or your engagement with MA-Spares.

6 RESPONSIBILITIES

6.1 Management

Management will take reasonably practicable steps to ensure that:

- All personal information is handled in accordance with this procedure and applicable legislative requirements;
- All employees within their area of responsibility are aware of the requirements for handling and protecting personal information;
- MA-Spares Privacy Procedure is made available to the public on request or by means such as a link on the MA-Spares web site;
- All web pages that are developed to provide information to the public include a link to the MA-Spares Privacy Procedure; and



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- Communications with the public where personal information is collected, contain a statement in accordance with 3.1 above and advice on how individuals may obtain a copy of the Privacy Procedure should they wish to do so.

Before disclosing personal financial information, for other than normal business purposes, MA-Spares staff will:

- Positively identify the person seeking the information, the organisation that they represent and the purpose for which it is being sought;
- Seek the consent of the individual concerned, unless the individual has given prior consent; and
- Maintain a record of all of all instances where personal information is provided to another person or company.

6.2 Finance Director

The Finance Director is responsible for ensuring that all information systems that process, store or communicate personal information comply with, as a minimum, the MA-Spares Cyber Security, IT Acceptable Use and IT Server Security Policies.

The Finance Director shall ensure that all applications hosted on MA-Spares network to support people and payroll functions:

- Provide the facility to manage the user access control policy for the application;
- Require, as a minimum, a user ID and password to authenticate a user prior to allowing access to the application;
- Do not allow passwords to be “remembered” by the user’s desktop.

6.3 Employees

All MA-Spares employees must promptly report any suspected breach of this procedure or the Act.

