

Privacy and Data Protection Policy

1 Purpose

Set out the principles applying to the handling of personal information collected, used, stored and disclosed by LAS; and Outline LAS' adoption of the requirements of Australian Privacy Principles (APP) under the Privacy Act 1988 (Cth).

2 Scope

This Policy applies to all personal information collected and maintained by LAS for all Employees and additional Stakeholders such as Customers, Contractors and Visitors.

This Policy is intended to provide a general overview of our policies in respect of the handling of your personal information.

This Policy works in tandem with the internal Guiding Principles on the Protection of Personal Data of the Liebherr Group.

This Policy applies to any personal information that you provide to LAS, or authorise LAS to collect, in accordance with this Privacy Policy. This includes our website available at: <https://www.liebherr.com/en/int/about-liebherr/liebherr-worldwide/australia/liebherr-in-australia.html>.

3 Policy

3.1 Collection of personal information

- 3.1.1. We may collect your personal information throughout the course of your interaction with us (for example, if you make enquiries about our products, order goods or services from us, subscribe to any mailing list we operate, fill out an online contact form, engage with our online marketing or submit an enquiry to us).
- 3.1.2. LAS will only collect Employee personal information that is necessary for business purposes. The personal information that we may collect and hold about you depends on your dealings with us. Generally, we may collect:
 - your name and address, email address and telephone number;
 - payment details if you acquire paid goods or services from us;
 - your business details or those of the organisation you represent; and
 - other personal information that we require or that you volunteer to us (such as your résumé, details of your qualifications, skills, education provider, work history and residency status in the event that you apply for employment with us).
- 3.1.3. Generally speaking, we collect personal information so that we can provide our products to you or the organisation you represent and ensure that you have convenient access to our products and services.
- 3.1.4. We will collect your personal information directly from you unless it is unreasonable or impracticable to do so. If circumstances require, we may collect personal information about you from Third Parties (such as your Employers, representatives or personal referees) or publicly available resources. All personal information we collect is limited to that which is reasonably necessary for our functions or activities.
- 3.1.5. We receive any personal information that you provide to us about Third Parties on the understanding that we have the relevant individual's consent for us to collect and handle their personal information in accordance with this Privacy Policy.

- 3.1.6. When collecting your personal information, we will take reasonable steps to make you aware of the purposes for which we are collecting it, the types of organisations to which we would usually disclose it, whether we are likely to disclose it to overseas recipients (and where practicable the countries in which they are located), whether there are laws or court/tribunal orders which require or authorise us to collect it, and the main consequences for you if you fail to provide it to us. This Privacy Policy provides these details as they typically apply in most cases, however different details may apply depending on our specific interaction with you. If we do not notify you of such other details, the information in this Privacy Policy applies.
- 3.1.7. If you fail to provide personal information requested by us, or if the personal information you supply is incorrect or incomplete, there may be a range of consequences, for example we may be unable to process or respond to your request or provide our products or services to you. There will not usually be Australian laws or court/tribunal orders which require or authorise us to collect your personal information.
- 3.1.8. We do not generally collect sensitive information. If we do collect sensitive information (which may include race, ethnic origin, political opinions, religious or philosophical beliefs, trade union memberships or details of health or disability) from you, we will only do so with your consent and if the information is reasonably necessary for one of our functions or activities. We will assume you have consented to us collecting, using and disclosing (in accordance with this Privacy Policy) all information that you provide to us, including any sensitive information, unless you tell us otherwise at the time of collection.

3.2 Use of personal information

- 3.2.1. We will generally only use your personal information for the purpose for which we collected it, and for related purposes we consider would be within your reasonable expectations.
- 3.2.2. We generally use personal information for the following purposes (as applicable in the circumstances):
- to provide products and services to you, your organisation or for your or its benefit;
 - to provide information that you request, to respond to your enquiries, or otherwise achieve the purpose for which you have contacted us;
 - to assess any request for commercial credit by you or your organisation;
 - to handle payments for products or services we provide;
 - to provide you with marketing and promotional material regarding our services, including newsletters or other materials;
 - to improve and personalise your experience and content when interacting with our website, and ensure stability and network and information security;
 - to seek feedback from you and perform market research, so that we can gauge your satisfaction with our products and services and evaluate and improve our services;
 - for our general business operations (such as maintenance of our business records and compliance with our legal obligations); and
 - to engage in other activities where required or permitted by law.

Specific examples for Employees include:

- In order to work on certain mine sites, Customers require the following information such as name, age, job classification; and, home address.
 - In order to submit payments to an Employee's chosen superannuation fund, LAS is required to provide the Employee's application form details, which includes the Employee's, name, date of birth, tax file number; commencement date; and home address.
 - In order to provide an Employee with a fleet card or similar, LAS is required to provide personal information which includes the Employee's: name; address; date of birth; and driver's license details.
 - In order for the novated lease Supplier to provide an Employee with a novated lease, LAS is required to provide personal information which includes the Employee's full name; E-mail address, residential address; gross remuneration, position held, length of employment with LAS, duration of employment contract with LAS and date of cessation of contract. The information will not be provided to the novated lease Supplier unless they have permission from the Employee for the information to be released.
 - Employee personal information may be disclosed to State, Territory or Federal government authorities in relation to road related infringements.
 - To the extent permitted by law, LAS reserves the right to monitor or audit Employee use of its information systems and access electronic communications or information stored on LAS or group systems.
- 3.2.3. By providing us with your personal information, you consent to us using your personal information for these purposes.
- 3.2.4. You agree that we may send you marketing or promotional material by post or by electronic means (including email and SMS). You may request not to receive such material from us by contacting us via the contact information below, using the contact form on our website or by using the opt-out function provided for in those communications. If you do not opt-out in any of these ways you will be taken to have consented to receiving such communications from us.

- 3.2.5. There are no consequences of opting-out of receiving our marketing and promotional communications except that you will no longer receive them, and you may elect to re-join our marketing list at a later stage if you wish.
- 3.2.6. Where we propose to use your personal information for a purpose other than as outlined above, we will seek your permission (unless we are required or permitted by law to do so without seeking consent).

3.3 Storage of personal information

- 3.3.1. We use technical and organisational security measures to ensure that your personal information is protected against loss, inaccurate alteration or unauthorised access by Third Parties. We will generally seek to ensure that only authorised persons have access to your personal information to the extent necessary within the scope of the purposes described above.
- 3.3.2. Generally, we will take reasonable steps to destroy or permanently de-identify your personal information as soon as it is no longer required by us. We may retain your personal information where we are required or permitted to do so by law, such as for Insurance, legal or Corporate Governance purposes and for the prevention of Fraud. Your personal information may also be retained in our back-up records.
- 3.3.3. The Fair Work Act 2009 (Cth) requires all Employers to keep certain personal information about Employees in their Employee records.
- 3.3.4. Personal information stored by LAS, relating to an Employees current or former employment, isn't covered by the APP's. This however, is only when used by us directly in relation to your employment. This information includes:
- The Employee's personal and emergency contact details;
 - Information about Terms and Conditions of employment;
 - Wage or Salary details;
 - Leave balances;
 - Records of work hours;
 - Records of engagement, resignation or termination of employment;
 - Information about Training, performance and conduct;
 - Taxation, banking or superannuation details; and
 - Union, professional or trade association membership information.

3.4 Disclosure of personal information

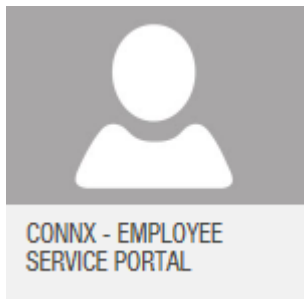
- 3.4.1. We will generally only disclose your personal information for the purpose for which we collected it, and for related purposes we consider would be within your reasonable expectations.
- 3.4.2. We may disclose your personal information to certain Suppliers that provide services to us (for example, market research companies, data processing companies or other Service Providers). We generally ensure such organisations are contractually required to ensure that information we disclose is used only for the limited purposes for which we provide it.
- 3.4.3. We will not disclose your personal information to overseas recipients except with your consent or where we are required or authorised to do so by law, other than our related bodies corporate located overseas, including in Germany and Switzerland, in order to comply with reporting and other corporate obligations. LAS will use reasonable endeavours to ensure that personal information transferred overseas from the country where you are based is protected in accordance with this Privacy Policy and the applicable privacy legislation.

3.5 Access to and correction of personal information

- 3.5.1. LAS makes every effort to keep personal information up-to-date. You may contact us to request access to personal information we hold about you, or correction of that personal information if you believe it is inaccurate, out-of-date, incomplete, irrelevant or misleading.
- 3.5.2. We may refuse to allow access or to amend your personal information if we are legally required or entitled to do so. If we do so, we will provide you with written reasons for the refusal (unless it is unreasonable to do so) together with information about the options available to complain about the refusal.
- 3.5.3. We may require you to pay certain costs in order to access your personal information held by us. We will advise the amount payable (if any) once we have assessed your application for access. We will not however charge a fee for you to lodge a request for access to or correction of your personal information.
- 3.5.4. If you lodge a request for access to your personal information, we may fulfil that request in any of a range of ways (for example, by supplying you with a copy of that personal information or providing you with the opportunity to inspect our records). We may require you to comply with certain Procedures before we allow access to or amendment of your personal information to ensure the integrity and security of information that we hold.

Depending on the nature of your request, this may include completing a personal information request form or otherwise verifying your identity to our satisfaction.

- 3.5.5. We will take reasonable steps to ensure that the personal information that we collect is accurate, up-to-date and complete and the personal information we use and disclose is accurate, up-to-date, complete and relevant. If we are satisfied that any personal information we hold about you is inaccurate, out-of-date, incomplete, irrelevant or misleading, we will amend our records accordingly.
- 3.5.6. Employees may access & update certain areas of their payroll and superannuation personal details by access the ConnX link on the SharePoint:



Other areas can be viewed, and changes, modification or correction advised by contacting the Payroll Manager.

Employees may access their motor vehicle personal details and notify of any change, modification or correction by contacting the National Procurement Manager on (08) 8344 0237 or VoIP 11237.

Please notify us by contacting if your personal details change so that we may keep our records current.

3.6 Data Protection

3.6.1. Electronic information:

LAS' information technology systems routinely hold, process and store significant amounts of personal and business-related data.

LAS may monitor its websites for internal management purposes and use analytics to gather statistics about how our websites are used. A web cookie is a small string of text sent from a website and placed on user's hard drive by the user's web browser during data exchange that happens when a browser visits a website. Cookies allow a website to store information on your machine and retrieve it later. There may be cookies and tracking in some Liebherr sites and systems in order to:

- Create anonymised user statistics and analytics for the site or system;
- Manage transactions across multiple pages;
- Remember your preferences.

Some Liebherr web pages may also contain embedded content from non-Liebherr sites, those sites may also contain cookies. You should refer to those non-Liebherr sites for their privacy policies. The Liebherr website may also provide links to websites outside of the Liebherr's web domain. LAS is not responsible for the content, cookies or privacy practices of such external websites.

3.6.2 Data privacy:

Information collected through our website, including through automated Processes and technologies such as cookies, is collected consistently with this Privacy Policy.

If you provide any personal information to us via online services (including by email), or if we provide such information to you by such means, the privacy, security and integrity of this information cannot be guaranteed during its transmission unless we have indicated beforehand that a particular transaction or transmission of information will be protected (for example, by encryption).

3.6.3. Data breach:

If a data breach or suspected data breach occurs, we will undertake a prompt investigation, which will include an assessment of whether the incident is likely to result in serious harm to any individuals. In such a situation we will comply with the requirements of the Act which may require notification to the Office of the Australian Information Commissioner (OAIC) and affected individuals. Please contact us if you have reason to believe or suspect that a data breach may have occurred, so that we can investigate and, if necessary, undertake appropriate containment, risk mitigation and notification activities as required.

3.7 Complaints

- 3.7.1. If you have a complaint about the way in which we handle your personal information, or you believe that a breach of your privacy has occurred, please contact us using the contact information below or using the contact form on our website.
- 3.7.2. Your complaint will be considered and dealt with by our nominated representative, who may escalate the complaint internally within our organisation if the matter is serious or if necessary to resolve it.
- 3.7.3. Please allow us a reasonable time to respond to your complaint. If you are not satisfied with our resolution, you may make a complaint to the OAIC whose contact details can be found at: <http://www.oaic.gov.au/>.

3.8 Changes to our Privacy Policy

- 3.8.1. We reserve the right to amend this Privacy Policy at any time. We publish our current Privacy Policy on our website, and you may obtain a copy of our Privacy Policy from our website or by contacting us.

3.9 Contact information

- 3.9.1. If you would like further information about the ways we manage your personal information, please contact us at privacyLAS@liebherr.com.

3.10 Additional Rights and Obligations

- 3.10.1. This Privacy Policy applies in addition to, and does not limit, our rights and obligations under the New Zealand Privacy Act 2020 and the Australian Privacy Act 1988 (Cth) (each as amended or replaced from time to time) or any specific authorisation that you provide to LAS when you interact with us or use our website or other services.
- 3.10.2. You are not required to provide us with any personal information that we request. However, if you do not do so, we may not be able to provide certain services to you.

4 Responsibilities

All Employees, Contractors, Subcontractors, and Customers are required to comply with relevant privacy legislation and this Policy on the use and protection of personal information.

Authorised Employees with access to personal information are required to take reasonable steps to protect personal information from misuse, interference and loss as well as unauthorised access, modification or disclosure.

5 Definitions

Refer to IN LAS 104 34162 or ([CLICK HERE](#)) to access the list of definitions

6 Standards and Reference Documents

IN LAS 103 37487 Personal Information Collection Statement

PO LAS 103 30295 Code of Business Conduct

Privacy Act 1988 (Cth)

Fair Work Act 2009 (Cth)

Guiding Principles on the Protection of Personal Data (Internal)

7 Appendices

IN LAS 103 37487 Personal Information Collection Statement

8 Revision Log

Revision	Author	Change description
2	Michael Zhou	Minor formatting update as well as inclusion of data protection section and checked for compliance with the Privacy Act. Transfer to new template
1	Andrew Schultz	New document

Functional Area Department
LAS – Finance & Administrations

Reviewer	Owner
None	None