

# Privacy Policy



## 1. Policy Overview

This Policy describes how EDL deals with personal information of third parties and individuals who interact with EDL – this includes customers, suppliers, business partners, commercial counterparties, landowners, industry associations, contractors, job applicants and general users of EDL’s website / electronic portals (in this Policy “you”, “your” and similar).

EDL recognises the importance of privacy and is committed to protecting relevant personal information consistent with this Policy.

## 2. EDL Group companies covered by this Policy

This Policy covers the EDL group, comprising Energy Developments Pty Ltd ACN 053 410 263 (which is also the controller of your personal data unless otherwise stated in this Policy or otherwise stipulated by a local law) and all of its subsidiary entities globally (“EDL”, “we”, “us”, “our” and similar) and EDL’s operations in Australia, the UK, USA, Canada and Greece.

## 3. Key definitions

In this Policy:

“**personal information**” means any information relating to an identified or identifiable natural person. This includes where you can be identified, directly or indirectly, including by reference to an identifier (for example, a name or email address, or an online identifier such as a unique device identification number);

“**process**” and “**processing**” means the various things we may do with personal information – including using, disclosing, holding, recording, storing, transferring or otherwise handling personal information; and

“**sensitive personal information**” means the subset of personal information which is considered to be more private than other types of personal information, which, depending on jurisdiction, can include information about someone’s racial or ethnic origin, political opinions, religious beliefs or affiliations, health or medical conditions, genetic information, biometric information, sexual orientation, criminal record, trade-union membership and political association membership.

## 4. Types of personal information collected by EDL

EDL collects and processes different types of personal information depending on how you interact with us. For example, EDL may collect personal information which shows who you are or is linked to you as a result of your interactions with EDL, including through an online website or portal. In some limited circumstances EDL may also collect sensitive personal information relating to you.

The types of personal information that we collect about you may include:

- Contact details – such as your home and business address, email address and phone number;

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- Identification data – including your first name, middle name, birth / maiden name, last name, marital status, gender, preferred pronouns, title, job title, date of birth and photographic or video images;
- Usage information – information we collect when you use our websites or portals, such as server log information (eg your IP address, browser type/language/settings, operating system, time zone, access times and any referring addresses) and location information;
- (For job applicants) Recruitment-related information – including your location, qualifications, employment history, interests, types of roles you are interested in, your work application form and resume or CV. If you progress through the interview process, we may also collect interview notes, references, results of any psychometric and/or physical assessment and fitness for work tests and background checks (including criminal records checks), your work visa and other information to verify your identity and right to work, and your tax file or social security number (or similar government related identify details, however described), and information needed to verify your identity such as your drivers licence, passport or health card details (eg Medicare in Australia); and
- Other information – this includes other details regarding our interactions and transactions with you and information about access and attendance to our premises and physical assets (such as security records about times of entry and exit, and information collected through CCTV or sign-in or induction processes), details about your use of our assets, communications with you (including complaints or concerns raised by you or any feedback or survey responses that you provide to us) and other information you voluntarily provide to EDL.

In relation to sensitive personal information, the nature of our business as a distributed energy company means that EDL generally does not need to collect sensitive personal information about you to operate our business. However, in certain circumstances, EDL may collect sensitive personal information about you if it is reasonable / reasonably necessary to do so (such as health or medical information, criminal history checks, or your racial or ethnic origin) – refer to section 6 (How EDL processes personal information) below for more details about how EDL processes sensitive personal information in particular.

## 5. How EDL collects your personal information

EDL primarily collects personal information:

- **Directly:** such as when you subscribe to a news alert or request information from us, including through an enquiry/contact type form on a website or online portal, or if you interact with us via social media or other online services, or where you are a job applicant and you provide us with your personal information in connection with seeking a job or enquiring about potential employment with EDL; or
- **Indirectly:** such as from your interactions with us (such as by monitoring your use of our website or other online portals).

In some cases, we may also collect personal information about you from third parties (such as recruitment agencies or background check agencies) for the purposes set out in this Policy.

## 6. How EDL processes personal information

### General

EDL processes personal information to conduct our business – this includes managing our contractual relationships, engaging in recruitment activities, monitoring access to our websites and online portals, managing safety and security risks, and complying with our legal obligations. EDL also processes sensitive personal information where you have provided your consent or where this action is necessary for EDL to comply with its legal obligations.

The purposes for which we process your personal information will depend on the type of personal information collected and the context in which it was collected, and the primary purposes for which we process personal information are as follows:

- managing safety and security risks – this includes managing and monitoring access and use of our premises and sites, safety and security at our sites (including through the use of CCTV and in-office and online inductions), and our IT environment (including monitoring electronic communications) and the wellbeing (including relating to health matters) of people at our sites;
- business-related purposes – this includes negotiating, managing, and fulfilling our contracts with customers, suppliers and third parties (including e-commerce transactions), managing business relationships, administering real estate leases and licences, conducting clearance procedures, managing accounts and records, supporting corporate social responsibility activities, resource planning and workforce management, activities and operations, internal investigations, and debt administration;
- managing our relationship with you;
- to provide information, services, assistance or products that you may have requested or communicated interest in;
- to seek feedback from you about our interactions with you;
- marketing and public relation purposes, including analysing the characteristics of visitors to our website / portals;
- website / portal administration and internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes;
- to fulfill our obligations to employees;
- recruitment-related purposes, including considering you for career opportunities with EDL and inviting you to participate in recruitment processes or if you approach EDL seeking employment; and
- to comply with legal and regulatory obligations – this includes meeting obligations imposed under law; responding to lawful requests from governments and public authorities; and responding to potential or actual litigation.

We may also collect and process your personal information for any other purposes for which you have provided your consent or if there is another lawful basis for undertaking those activities.

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If we do not collect your personal information, it may affect our ability to perform these functions or achieve the primary purposes set out above to the extent otherwise beneficial to you.

## Information collected online

**Cookies:** Our websites and portals may use cookies. When you interact with EDL online, we may collect and process your personal information through cookies, which are small pieces of data stored on the web browser of your device. The cookies are used by us for site administration, analysis purposes, and to deliver tailored content.

If you prefer not to utilise cookies, you can configure your browser settings not to accept them. However, please be aware that disabling cookies may result in some of our online services being disabled or unavailable.

Cookies can record information about your visit to help EDL better understanding your needs. For example, this data may be collected and used to infer demographic information about you using various web analytic technologies. Additionally, EDL may utilise performance tracking technology, such as conversion tags, to monitor your behaviour on our websites. General user traffic and performance tracking data are collected on an aggregate level to generate statistics that assist EDL in improving the quality and relevancy of its online infrastructure and services.

**Note:** Our websites and portals may include links to other websites. Please be aware that EDL is not responsible for the privacy practices or the content of these external websites. The privacy practices and cookie processes applicable to other websites may differ significantly from ours. Therefore, it is advisable you familiarise yourself with the privacy policy of non-EDL linked websites before using them.

**Wi-Fi:** Some of EDL's premises have 'guest' type Wi-Fi services made available by EDL. If you use Wi-Fi services provided by EDL, then EDL may collect certain information, including but not limited to:

- Device information: MAC address, device type, and operating system;
- Connection details: IP address, connection duration, and usage patterns; and
- Location data: In some cases, we may collect location data if you have consented to share it on your device.

## Purpose of Data Collection:

The data collected through our Wi-Fi network is used for the following purposes:

- Providing and maintaining Wi-Fi services;
- Analysing and improving the performance, security, and functionality of the network;
- Understanding user behaviour and preferences to enhance your overall experience with our services; and
- Complying with legal and regulatory obligations

We do not sell or lease your personal information to third parties. However, in some instances, we may share certain data with trusted third-party service providers who assist us in delivering and improving our Wi-Fi services.



If you prefer not to have your data collected through our Wi-Fi network, you can choose not to connect to it or disable the Wi-Fi feature on your device. However, please note that some of our services may require Wi-Fi connectivity to function properly.

## **Sensitive Personal Information**

In relation to sensitive personal information, as noted above, the nature of our business means that EDL generally does not need to collect sensitive personal information to operate our business – however, EDL may collect and process sensitive personal information about you in the following circumstances:

- where you have consented; or
- where otherwise permitted by applicable laws and regulations.

## **7. How EDL can share your personal information**

We may share your personal information within our corporate group as well as with third parties involved in the running of our business and your authorised representatives. This may involve sharing information across national borders.

### **Disclosures within the EDL corporate group**

We may share your personal information (which may sometimes include sensitive personal information) within the EDL corporate group with EDL entities which require the information for the purposes described in this Policy, including sharing your personal information with EDL entities in countries other than where the information was originally collected, including information being transferred to EDL's corporate office in Brisbane, Australia for co-ordinated or centralised corporate use. EDL will implement formal data transfer agreements containing approved standard data protection clauses where this is required by law (eg where required for transfer from the UK and from Greece under UK or European data protection laws).

### **Disclosures outside the EDL corporate group**

We may also need to share your personal information (which may sometimes include sensitive personal information) with:

- people you have authorised to interact with us on your behalf (such as recruitment agencies);
- third parties who provide services we use to run our business, such as external service providers which assist EDL to perform HR, information technology and other shared services functions, or which provide IT services (including cyber security services) or which provide security for EDL sites or systems;
- prospective purchasers of all or part of our business;
- our shareholders;
- our professional advisors (such as our lawyers and accountants); and
- government authorities or other persons where obliged to do so by an applicable laws or regulations.

If we need to disclose personal information to third parties in a different country to where the information was collected, we will take steps to ensure that there is a lawful basis for the disclosure and that the disclosure complies with all applicable laws. This may include entering into a legally binding contract with the recipient under which they are obliged to handle your information in accordance with applicable laws. EDL does not sell personal information to entities outside the EDL Group.

## 8. How we store and protect your personal information

EDL takes appropriate measures as required by relevant laws with the objective of ensuring that your personal information is kept secure.

EDL has procedures and technologies in place to maintain the security of your personal information from the point of collection to the point of destruction or anonymisation. EDL also takes steps to train our workers about applicable information security practices and procedures that are designed to keep your personal information secure. We will investigate and take appropriate action if we become aware of any failure to comply with these practices and procedures.

EDL generally stores personal information which we collect in electronic databases and these databases are generally hosted in the same countries where EDL operates eg Australia, UK, US and Canada. EDL may also use externally operated cloud based enterprise resource planning (ERP) systems which have their own dedicated data centres (typically located in Australia). Where EDL uses third parties to store and process your personal information we ensure that the third party agrees to put in place robust security measures at least equivalent to EDL's security measures.

Our aim is to keep personal information for no longer than is necessary for the purposes described in this Policy or as otherwise required by law.

If you are a job applicant, and your application is unsuccessful, we may retain your personal information relating to the job application for 12 months for the purposes of considering you for other roles at EDL although EDL may delete this personal information earlier at its discretion. Deletion of personal information may be selective where appropriate – eg with an unsuccessful job applicant, EDL may delete the CV provided but retain limited personal information verifying when and where you accessed EDL premises for an interview for safety and compliance purposes. Further, if you are an unsuccessful job applicant, you may request that we delete your personal information from our database by emailing us at [privacy.matters@edlenergy.com](mailto:privacy.matters@edlenergy.com).

## 9. Your rights and choices

You have rights relating to your personal information which EDL holds and you can contact EDL if you want to request EDL to correct your personal information if you think there is an error or otherwise if you have concerns about how EDL is or may be holding or handling your personal information.

You may also have country specific legal privacy / personal information rights in relation to your personal information that we hold about you depending on the country where you are based. EDL is committed to responding to all requests we receive from individuals wishing to exercise their rights in relation to any information we hold in accordance with applicable data protection laws on a timely basis.

If you wish to access, correct or update any personal information that we hold about you, please send a request to [privacy.matters@edlenergy.com](mailto:privacy.matters@edlenergy.com).

If you are concerned about how we are dealing with your personal information, then you may have the right to complain to an applicable data protection authority depending on which country you are located in or which privacy / personal information laws apply to the situation.

Before raising a complaint with a data protection authority, we welcome the opportunity to consider and respond to your issue by sending a request to [privacy.matters@edlenergy.com](mailto:privacy.matters@edlenergy.com).

## 10. Country-specific provisions

Additional privacy rules and restrictions relating to our management of your personal information may apply in some countries where we operate. Where the laws of a country set a lawfully binding requirement or standard or other matter of detail then EDL will apply and comply with that lawfully binding standard in relation to that country, including to the extent that there is any inconsistency with this Policy.

### Australia: Privacy Act

This Policy does not apply to certain types of information which are not covered by the Australian Privacy Act 1988 (Cth) (Privacy Act), including certain employee records in relation to our current or former employees. However, if personal information we have collected in relation to current or former employees is within the scope of the Privacy Act, then this Policy applies to that personal information to the extent required by the Privacy Act.

Consistent with Australian Privacy Principle 2 (anonymity and pseudonymity), you have the option of not identifying yourself, or of using a pseudonym, when dealing with EDL in relation to particular matters, except to the extent EDL is required or authorised by or under an Australian law, or a court/tribunal order, to deal with individuals who have identified themselves or it is impracticable for EDL to deal with you if you have not identified yourself or you have used a pseudonym, and in this regard EDL considers that health and safety rules require that EDL is able to identify you if you are attending an EDL workplace. EDL will also act in accordance with Australian Privacy Principle 4 (dealing with unsolicited personal information) if EDL receives your personal information where EDL did not solicit the information.

### United Kingdom/Greece: GDPR

This section applies if you are located in the United Kingdom or Greece or if the UK GDPR or the EU GDPR otherwise applies to our processing of your personal information. The information in this section applies in addition to the other information provided in this Policy. Energy Developments (UK) Ltd (a UK company which is wholly owned subsidiary of EDL and in this section being “EDL UK”) is the “controller” of your personal information where this section applies. EDL UK will only process your personal information where we have a legal basis for doing so. This means we will process your personal information:

- where necessary in connection with the entry into or performance of a contract between you and us;
- to comply with our legal obligations;

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- where necessary for the legitimate interests of EDL UK or a third party, provided that your fundamental rights do not override such interests; or
- you have given us your consent. Where you have consented, you will always have the option to withdraw this consent at any time.

Where we rely on legitimate interests to process your personal data, those interests will generally be the following interests:

- the operation and administration of our business;
- the recruitment of personnel;
- the creation and maintenance of business records relating to our suppliers, customers and personnel;
- to procure, implement and use information technology services (including cloud storage solutions); and
- the development and expansion of our business.

Unless we notify you otherwise, you are not obliged to provide your personal information to EDL UK. However, we may not be able to offer services to you which require the processing of personal data if you do not provide us with personal information which we request. We will also be unable to consider candidates for roles if we are not provided with personal information which is necessary to assess the candidate.

You have the following rights in respect of your personal information, in circumstances which are prescribed by law:

- right to request access to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it;
- right to request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected;
- right to request erasure of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below);
- right to object to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes;
- right to request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it; and
- right to request the transfer of your personal information to another party.

If you wish to exercise any of your data protection rights or have a question relating to our processing of personal data, please contact us using the following email address: [GDPR.UK@edlenergy.com](mailto:GDPR.UK@edlenergy.com). You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may



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charge a reasonable fee if your request is clearly unfounded or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

You can also request a copy of the documented safeguards that we have put in place relating to the sharing of personal information across national borders, including the applicable EDL Group data transfer agreement(s).

You also have the right to make a complaint to your national data protection supervisory authority. In the UK, the supervisory authority is the Information Commissioner's Office ([www.ico.org.uk](http://www.ico.org.uk)), and in Greece the supervisory authority is the Hellenic Data Protection Authority ([www.dpa.gr](http://www.dpa.gr)).

## United States of America

This section applies if you are located in the USA in a jurisdiction which is subject to relevant state privacy laws and the additional information in this section describes EDL's collection and use of personal data specifically relating to US residents and rights afforded to these residents under respective state privacy laws relevant to EDL's business.

EDL may collect, through the various sources described within Sections 5 and 6 of this Policy, personal information that could reasonably be linked, directly or indirectly, with a particular consumer. However, EDL does not collect or process sensitive personal information to infer characteristics about a consumer. EDL does not sell any personal information nor does EDL share personal information with third parties for cross-context behavioral advertising purposes. EDL may disclose some consumer personal information to third parties for various business purposes as explained in this Policy. EDL does not knowingly share the personal information of consumers under 16 years of age.

You may, to the extent permitted by applicable law, make the following requests:

- to know what personal information EDL has collected about you, how it was collected, and for what business purposes;
- to know the categories of third parties to whom your personal information was disclosed by EDL and for what business purposes;
- to have the personal information EDL has collected about you deleted, subject to exceptions; and
- to correct inaccurate personal information.

You also have the right to not receive discriminatory treatment by EDL for exercising your consumer privacy rights conferred by respective state privacy laws.

You may contact EDL for the purpose of exercising your US consumer privacy rights using the contact details described in Section 12 of this Policy.

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## 11. Updates to this Policy

We may update this Policy from time to time to reflect our current information handling practices, to take account of new laws and technologies or the changing business environment, and to reflect changes to our operations and practices.

When we do so, the updated Policy will be available on the EDL website.

## 12. Contact details

If you have any questions about this Policy, you can contact us at [privacy.matters@edlenergy.com](mailto:privacy.matters@edlenergy.com).

A handwritten signature in black ink, appearing to read 'J Harman', is positioned above the printed name.

James Harman, Chief Executive Officer

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