Privacy Policy

1. Purpose

NH Foods Australia (NH Foods) is bound by the Privacy Act 1988 (Cth) (Act), and the Australia Privacy Principles (APPs) set out in the Act, which regulate how we collect, use and disclose *personal information*.

The purpose of the Privacy Policy (the Policy) is to set out how NH Foods collects and manages personal information to comply with relevant legal requirements under the Act.

We may change, vary or modify all or part of this Policy at any time at our sole discretion.

2. Scope

This Policy applies to all current and prospective workers, contractors and customers of NH Foods Australia and its Subsidiaries.

In this policy, when we say "NH Foods" or "the Group", we are referring to NH Foods Australia Pty. Ltd. (NHA) and all its subsidiaries, including:

- Beef Producers Australia Pty. Ltd. - (BPA)
- Oakey Beef Exports Pty. Ltd. - (OBEX)
- Thomas Borthwick & Sons (Australia) Pty. Ltd. - (TBS)
- Wingham Beef Exports Pty. Ltd. - (WBEX)
- Whyalla Beef Pty. Ltd. - (WHB).

When we say 'workers', we are referring to all:

- ongoing, casual and temporary employees and contractors;
- managers;
- volunteers;
- labour hire workers;
- interns; and
- officers (including directors) of NH Foods.

This policy is issued by NH Foods Australia and applies to its Australian operations. Personal information may also be disclosed to NH Foods Ltd., our parent company in Japan, and our other Related Bodies Corporate, as described in section 5 of this Policy.

3. What is personal information?

Personal information is any information, or an opinion, about an identified individual, or an individual who is reasonably identifiable. Information, or an opinion, may be personal information regardless of whether it is true or not, or recorded in a material form or not.

3.1. Purpose of collection, use and disclosure

We collect, hold, use and disclose *personal information* for the following purposes:

- to facilitate the management of our business relationships with distributors, customers and suppliers;

We also collect, hold, use or disclose personal information for the following purposes:

➢ If you are a staff member or contractor:
- to help us manage your employment or engagement;
- for insurance purposes;
- to ensure that we hold relevant Contact information; and
- to satisfy our legal obligations;

➢ If you are seeking employment, to:
- provide you with information about potential work opportunities; and
- help us assess an application for employment submitted by you, or on your behalf;

➢ If you are our customer, to:
- process and deliver Products and Services to you, including, but not limited to:
- preparing and delivering documents (including purchase order forms and other contractual documents);
- managing payments, fees and charges;
- processing payments and administering your account, including to send you account-related reminders;
- collecting and recovering money owed to us; and
- to provide you with information about the Products and Services you requested or inquired about;

➢ In the case of individuals seeking employment and our customers, to:
- personalise and customise your experience with us;
- help us meet our contractual and statutory obligations;
- help us review, manage and enhance our Products and Services, and develop insights used in reports or other content developed by us;
- offer additional benefits to customers;
- communicate with you, including by email, mobile and in-application notifications;
- investigate any complaints about, or made by, you, or if we have reason to suspect you have breached any relevant contractual or statutory obligations;

- outsource a number of services to third party suppliers (including IT and software solution providers); and
- do anything else as required or permitted by any law.

We will not sell, trade, rent or licence your *personal information* to third parties.

3.2. What we collect

Personal information

Personal information we collect about you may include identification information such as:

- Identity information;
- Contact information;
- Financial information;
- Technical information;
- Marketing and Communications information;
- User information;
- Profile information; and
- Passport details and immigration status (where relevant to your employment).

Other information

We may collect other information, such as data relating to your activity on our Platforms, including:

- the Internet Protocol address, or MAC address, and a component of the domain name used to access our Platforms (e.g. .com or .net);
- the type of browser and operating system you used to access our Platforms;
- the date and time you visited our Platforms;
- the web pages you accessed at our Website;
- the time spent on individual pages and our Website overall;
- information about your computer and Internet connections, using cookies;
- when using social media, any information that you allow the social media site to share;
- information regarding your dealings with us, including feedback and insights; and
- information regarding your past or current employment, if you apply for employment with us, interact with us on behalf of your employer, or apply to volunteer with us.

Sensitive information

The Act provides greater protection to certain categories of sensitive information, such as health information. We will only collect, hold, use or disclose any sensitive information about you with your consent, or if you volunteer such sensitive information to us. However, we will not use or disclose to any Third Party your sensitive information except as required or permitted by law.

Employee Records

The APPs do not apply to employee records, as that term is defined by the Act, in certain circumstances. As a result, this Policy does not apply to our treatment of employee records, where the treatment is directly related to a current or former employment relationship between us and an employee.

3.3. How we collect your information

Your *personal information* may be collected:

- when you complete an application, consent to receive marketing materials, during account log in or similar forms via our Platforms, or otherwise;
- when you contact us to submit a query or request;
- when you post information on, or otherwise interact with, the Platforms;
- when you participate in one of our surveys;
- from those who request our Products and Services on your behalf;
- from publicly available sources of information;
- from government regulators, law enforcement agencies and other government entities;
- from business contacts, external service providers and suppliers; or
- by other means reasonably necessary.

3.4. Anonymity

Where practicable, individuals may make general enquiries or deal with us without identifying themselves, or by using a pseudonym.

This option is not available where we are required or authorised by law to identify the individual, or where it is impracticable for us to deal with an unidentified individual. For example, workers and job applicants must provide the identification and other information reasonably required for recruitment, employment, payroll, safety, compliance and related purposes.

3.5. Requests for deletion

You may ask us to delete or de-identify personal information we hold about you. We will consider your request and take reasonable steps to delete or de-identify the information where we no longer need it for any purpose permitted under applicable law.

We may retain the information where it remains reasonably necessary for our business activities, employment or record-keeping purposes, or where its retention is required or authorised by law. We will advise you if we are unable to comply with your request.

4. Social Media Tools & Cookies

4.1. Social Media Tools

We use Facebook, Instagram, LinkedIn and YouTube, and may from time to time use other social media tools.

4.2. Cookies

This section applies to cookies and similar technologies used on our public websites. It does not apply to employee records or determine what information workers must provide when using NH Foods' internal systems.

What are cookies?

A cookie is a small piece of computer code that a website stores on your computer or mobile device when you visit the Website and contains information which helps us identify your browser.

We may use 'cookie' technology to assist us to determine, in the aggregate, the total number of visitors to the Platforms on an ongoing basis, and the types of internet browsers and operating systems used by users of the Platforms. This information is used to enhance the usability and functionality of our Platforms, and for marketing, advertising and analytic purposes.

How and why do we use cookies?

When you visit, access or use our Websites:

- we use cookies and other tracking technologies (together, Cookies) to deliver and improve the Website and display relevant content, products, services and advertising. We use cookies to make your browsing

experience even better. Cookies are used to enhance functionality, for analytics and to personalise content;

- a cookie may record the authentication to allow your member ID to login. We use the information gathered by cookies to identify your web browser so that when you log in on the next occasion, your use of the Website, and other applications and tools on it, is easier and faster, because the Website has remembered your details;
- we may collect data that is associated with your visit and use of the Website, including the pages you visit, the activities you engage in, the preferences you nominate, the applications and tools you use, the purchases you make and the competitions you enter. We may also collect information relating to the computer, mobile phone or other device used to access the Platform, including the device type, the browser, location, IP address and search words used. We may collect, use, disclose and store this information in any of the ways set out in our Policy.

4.3. Third-party cookies

Some of our Website pages display content from external providers (e.g. Facebook, Instagram and YouTube). To view this third-party content, you may first have to accept their specific terms and conditions. This includes their cookie policies, which we have no control over.

Opt out/Block Cookies

If you do not want us to use Cookies, you can stop them, or be notified when they are being used, by adopting the appropriate settings on your browser. You can set most modern browsers to prevent any Cookies being placed on your device, but you may then have to manually adjust some preferences every time you visit a website/page. If you do not allow cookies to be used, some or all of the Website functions might not be accessible to you.

Associated metadata

Sometimes information that you upload is provided with associated metadata. If you do not want us to use the metadata, you must remove it before uploading it onto the Website.

Removing Cookies

You can delete all Cookies that are already on your device by clearing the browsing history of our browser. This will remove all cookies from all websites you have visited.

Acceptance

By using the Website, you agree that we can use Cookies as described in this policy at any time.

Queries

If you have any further queries or requests, please contact us at info@nh-foods.com.au.

4.4. Direct Marketing

We will offer you a choice as to whether you want to receive direct marketing communications about our Products and Services. If you choose not to receive these communications, we will not use your personal information for this purpose.

- We will otherwise only use or disclose your personal information for the purposes of direct marketing if:
- we collected the information from you;
- it is reasonable in the circumstances to expect that we would use or disclose the information for direct marketing purposes;
- we provide you with a simple means to 'opt-out' of direct marketing communications from us; and
- you have not elected to 'opt-out' from receiving such direct marketing communications from us.

4.5. Opt-out

You may opt out of receiving such communications by contacting us using our contact details set out in this Policy.

5. Disclosure

5.1. How we disclose

We may disclose personal information to:

- Third Party Service Providers who perform functions or provide Products and Services on our behalf;
  relevant regulatory bodies in the industry in which we, or you, operate;
- our professional advisors, including our accountants, auditors and lawyers;
- NH Foods Ltd., our parent company in Japan, and our other Related Bodies Corporate;

- persons authorised by you to receive information held by us;
- a government authority, law enforcement agency, pursuant to a court order or as otherwise required by law; or
- a party to a transaction involving the sale of our business, or its assets.

5.2. Overseas disclosure

We may disclose personal information to NH Foods Ltd., our parent company in Japan, and our other overseas Related Bodies Corporate, as well as other overseas recipients where reasonably required for our business operations or to provide our Products and Services.

Overseas recipients that may handle or process your data include (but are not limited to) the server hosts of our email services, cloud storage services and the Platforms.

5.3. Reasonable protections

If we send your personal information to overseas recipients, we will take such steps as are reasonable in the circumstances to ensure there are arrangements in place to protect your personal information as required by the APPs.

5.4. GDPR

If we become aware that you are a citizen of, or are located within, the European Union at the time at which we collect Personal Data about you, or at the time at which we propose to transfer Personal Data about you overseas, we will take steps to ensure that we comply with Articles 45 to 49 of the GDPR in relation to the transfer of your Personal Data overseas.

However, you acknowledge that as we conduct our business from, and predominantly within, Australia, you are required to provide us with written notice of our need to comply with the GDPR in relation to your Personal Data if you wish for us to take steps that are not already set out in this Policy.

6. Access & Correction

6.1. Access

If you require access to your *personal information*, please contact us using our contact details set out in this Policy. You may be required to put your request in writing and provide proof of identity.

6.2. Response to access request

If you make a request for access to *personal information*, we will:

- respond to your request within a reasonable period after the request is made; and
- if reasonable and practicable, give access to the personal information as requested.

We may refuse to give you access to your *personal information* if one of the exceptions in APP 12.3 exists, e.g. where denying access is required or authorised or authorised by or under an Australian law or a court order.

6.3. Refusal of access

If we refuse to give access to the *personal information*, we will give you a written notice that sets out, at a minimum:

- our reasons for the refusal (to the extent it is reasonable to do so); and
- the mechanisms available to complain about the refusal.

6.4. Correction

We request that you keep your personal information as current as possible. If you feel that information about you is not accurate, or your details have changed, or are about to change, you can contact us using our contact details set out in this policy and we will correct or update your *personal information*.

6.5. Response to correction request

If you otherwise make a request for us to correct your *personal information*, we will:

- respond to your request within a reasonable period after the request is made; and
- if reasonable and practicable, correct the information as requested.

6.6. Refusal to correct

If we refuse a request to correct *personal information*, we will:

- give you a written notice setting out the reasons for the refusal and how you may make a complaint; and
- take reasonable steps to include a note with your *personal information* of the fact that we refused to correct it.

6.7. Restriction

If you are a citizen of, or are located within, the European Union at the time at which we collect *Personal Data* about you, or at the time at which you make a relevant request, we will take steps to ensure that we comply with a request by you to restrict the use of your *Personal Data* pursuant to Article 18 of the GDPR. You acknowledge that, depending on the nature of the restriction you request, we may be unable to provide you with some or all of our Services (or any part of any Service) if we comply with your request. In such circumstances, we will advise you of our inability to provide, or continue to provide, you with the relevant Services, and if you confirm that you would like us to proceed with your request, we may terminate a relevant agreement or other document with you in relation to our Services.

7. Security & Protection

7.1. Security

We store your *personal information* on a secured server behind a firewall and use security software to protect your *personal information* from unauthorised access, destruction, use, modification or disclosure. Only Authorised Personnel may access your *personal information* for the purposes of disclosure as set out above.

We will take reasonable steps to destroy or de-identify personal information when we no longer need it for any purpose permitted under applicable privacy laws, unless its retention is required or authorised by law.

7.2. Obligation to notify

Please contact us immediately if you become aware of, or suspect, any misuse or loss of your *personal information*.

8. Data Breaches

8.1. Compliance

We are required to comply with the Notifiable Data Breaches scheme under Part IIIC of the Act.

8.2. Investigation and assessment

If we become aware that there are reasonable grounds to suspect that a Data Breach in respect of *personal information* held by us may have occurred, we will carry out a reasonable and expeditious assessment of whether there are

reasonable grounds to believe that the relevant circumstances amount to an eligible data breach.

8.3. Undertaking

If we become aware that there has been an eligible data breach in respect of *personal information* held by us, and the *personal information* relates to you, or you are at risk from the eligible data breach, we will ensure that either we, or a relevant APP entity that is the subject of the same eligible data breach:

- prepare a statement that complies with subsection 26WK(3) of the Act;
- provide a copy of the statement to the Office of the Australian Information Commissioner (OAIC); and
- if it is practicable, notify you of the contents of the statement, or otherwise publish a copy of the statement on the Website and take reasonable steps to publicise the contents of the statement, as soon as practicable after the completion of the statement.

9. Complaints

If you have a complaint about how we collect, use, disclose, manage or protect your *personal information*, or consider that we have breached the Act or APPs, please contact us using our contact details below. We will respond within 14 days of receiving the complaint.

9.1. Response and resolution

Once the complaint has been received, we may resolve the matter in the following ways:

- Request for further information: We may request further information from you. Please provide us with as much information as possible, including details of any relevant dates and documentation. This will enable us to investigate the complaint and determine an appropriate solution.
- Discuss options: We may discuss options for resolution with you, and if you have suggestions about how the matter might be resolved, you should raise these with our Privacy Officer.
- Investigation: Where necessary, the complaint will be investigated. We will try to do so within a reasonable time frame. It may be necessary to contact others in order to proceed with the investigation into your complaint.
- Conduct of our employees: If your complaint involves the conduct of our employees, we will raise the matter with the employees concerned and seek their comment and input in the resolution of the complaint.

9.2. Notice of decision

After investigating the complaint, we will give you a written notice about our decision.

9.3. OAIC

You are free at any time to lodge a complaint directly with the OAIC, by mail, fax or email. For more information, please visit the OAIC website at oaic.gov.au.

10. Contact

Please forward all correspondence in respect of this Policy to:
Privacy Officer
NH Foods Australia Pty Ltd
Level 1, 107 Mount Street,
North Sydney, New South Wales 2060
Phone: +61 2 8918 0000
Email: info@nh-foods.com.au

11. Definitions

Except where the context otherwise provides or requires:

- the terms 'we', 'us' or 'our' refers to NH Foods Australia Pty Ltd ABN 87 001 548 401 and its Related Bodies Corporate;
- the terms 'you' or 'your' refers to a current or prospective employee, a user of the Platforms and/or a customer to whom we provide the Products and Services, or any other person from whom we collect personal information or data directly or indirectly; and
- terms italicised and defined in the Act have the meaning given to them in the Act

Terms	Definitions
Authorised Personnel	Our employees, or any Third Party Service Provider who has been duly authorised by us to access your *personal information*.
Contact Information	includes billing address, postal address, email address and telephone numbers (these details may relate to your work, the company that you work for, or such other personal contact details that you provide to us).
Data Breach	unauthorised access, modification, use, disclosure, loss, or other misuse of personal information held by us.
Financial Information	includes bank account and other payment method details.
GDPR	Regulation (EU) 2016/679 of the European Parliament and of the Council of April 27th, 2016 (most commonly referred to as the General Data Protection Regulation, or GDPR).
Identity Information	includes your first name, maiden name, last name, username or similar identifier, your job function, your employer, or department.
Marketing & Communications Information	includes your preferences in receiving marketing from us, and your communication preferences. This may include information about events to which you or your colleagues are invited, and your personal information and preferences, to the extent that this information is relevant to organising and managing those events.

Personal Data (as defined under Article 4 of the GDPR)	any information relating to an identified or identifiable natural person. An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier, or to one or more factors specific to the identity of that natural person.
Platforms	means all or any of the relevant platforms, electronic interfaces and websites that are owned, provided and/or operated from time to time by us (including, but not limited to, the Websites), regardless of how those websites are accessed by users (including via the internet, mobile phone, mobile applications or any other device or other means).
Products	includes, but is not limited to, food products such as fresh meats, and any other goods advertised on our Website or brochures from time to time.
Profile Information	includes your username and password, your interests, preferences, feedback, survey responses, and all other information you provide through your use of the Products and Services, or otherwise through your contact or correspondence with us.
Related Bodies Corporate	has the meaning given to that term in section 50 of the Corporations Act 2001 (Cth).
Services	includes the supply, processing and export of foods, including the Products, and any other services advertised on our Websites or brochures from time to time.

Technical Information	includes (as relevant): • The Internet protocol (IP) address or MAC address used to connect your computer to the internet, your login information, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform; • Information about your visit to our Website, such as the full Uniform Resource Locators (URL), clickstream to, through and from our Website (including date and time), services viewed or searched for, page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), methods used to browse away from a page, any phone number used to call our central switchboard number, and direct dials or social media handles used to connect with our fee earners or other employees; and Location data which we may collect through our Website and which provides your real-time location in order to provide location services (where requested or agreed to by you) to deliver content or other services that are dependent on knowing where you are. This information may also be collected in combination with an identifier associated with your device to enable us to recognise your mobile browser or device when you return to the website/App.
Third Party	means any party other than NH Foods Australia Pty Ltd and its Related Bodies Corporate.
Third Party Service Provider	means any third party service provider engaged by us to perform functions or provide Products and Services on our behalf.
User Information	includes information about how you use our Website, as well as personal information which can include Identity and Contact information of your employees or employers, or other third persons about whom we need to collect personal information by law, or under the terms of a contract we have with you.

Website	means www.nh-foods.com.au and any other websites established, owned, operated or used by us from time to time, including, but not limited to, the following websites: • www.wildriverswagyu.com.au • www.oakeypremiumwagyu.com.au • www.angusreserve.com.au • www.naturesfreshnaturalbeef.com.au • www.manningvalleynaturallybeef.com.au • www.omugibeef.com.au