Fyna Foods Privacy Policy

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Fyna Food's Privacy Policy

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Purpose and Scope

This Privacy Policy applies to how the Fyna Foods group (**Fyna**, or **we**, **us** or **our**) may collect, use, store and disclose personal information.

The Fyna Foods group comprises the following entities:

- Fyna Foods Australia Pty Ltd
- Fyna Foods (Vic.) Pty Ltd
- Fyna Foods (Assets) Pty Ltd
- Fyna Foods Property Trust.

Fyna is primarily bound by the Australian Privacy Principles (**APPs**) set out in the *Privacy Act 1988* (Cth) (**Privacy Act**), the Credit Reporting Regime and the Credit Reporting Privacy Code (**CR Code**). The APPs, the Credit Reporting Regime and the CR Code regulate the way that personal information, sensitive information, and credit information is collected, used, disclosed, stored and destroyed, and how an individual may gain access to or make complaints about personal information, sensitive information and credit information held or compiled about them.

This Privacy Policy does not apply to the personal information of Fyna's employees (employees should contact HR for further information).

- In this Privacy Policy: **Personal information** is information or an opinion (including information or opinion forming part of a database), whether true or not, and whether recorded in a material form or not, that specifically identifies an individual, or which can be used to reasonably identify an individual, from the information or opinion.
- **Sensitive information**, a sub-set of personal information, is information or an opinion about an individual's racial or ethnic origin, political opinions, political association membership, religious beliefs or affiliations, philosophical beliefs, professional or trade association membership, trade union membership, sexual orientation or practices or criminal record. Sensitive information also includes health information (eg, allergens or adverse medical events suffered) genetic information, biometric information and biometric templates.
- **Credit Information** includes a range of information and matters relating to an individual's personal credit history and credit worthiness. It also includes "Credit Eligibility Information", which is information and assessments compiled based on your credit information.

This Privacy Policy details how we manage personal information, sensitive information and credit information about individuals.

Our Policy

Collection of Personal Information

In the course of doing business, we predominantly collect business information (for example, from and about our vendors, customers and distributors and third party contractors, etc). However, the collection of personal, sensitive and credit information from and about the individuals with whom we transact is also in some instances necessary or unavoidable (for example, sole traders ,and end consumers who directly engage with Fyna).

From time to time, we may collect personal information from or about individuals in different ways, such as via email, direct mail questionnaires, competitions, product packaging, marketing mailing lists, promotions, inbound and outbound telephone contact with us, inbound and outbound contractual, through customer portals that the customer provides us access with, sales and other correspondence with us, social/digital media such as Facebook, Instagram, LinkedIn and TikTok, employment or work placement applications and through our website.

The kinds of personal information we collect from you or about you depends on the transaction you have entered into with us, the relationship you have with us, or the goods or services you have contracted with us to provide. Information that we may collect that is personal may include: your name, email, address, contact phone number, gender, age, occupation, date of birth, bank account details and credit card details.

For vendors and customers to our business, we may additionally collect information including: drivers licence or other identification document details, credit history, credit references, and guarantor details, etc. The kinds of credit information and credit eligibility information that we commonly collect and hold from you or about you include: your name, date of birth, gender, drivers' licence, or other identification document details, current and 3 previous residential addresses, and other relevant business details set out in our Credit Application. We collect and hold information relating to your personal current credit liabilities, previous credit payments and defaults, current and previous Court proceedings and insolvency actions against you and information about your credit worthiness. This credit information may relate to both consumer and/or commercial credit. We also compile our own, internal credit file about you on the basis of such information. This information relates to an assessment of your personal credit worthiness. We hold reports and information disclosed to us by a credit reporting body (such as Equifax, Experian or Illion). We also compile our own, internal credit file about you on the basis of such information. This information relates to an assessment of your personal credit worthiness.

We may also collect sensitive information from you or about you (such as your health or medical information) where we are authorised or required by law to do so (for example, to conduct fitness for work assessments for our staff and contractors), or you have consented to us collecting that information from you for a particular purpose (for example, to investigate an allergen or adverse medical event that has occurred to an end consumer).

We aim to collect personal information, sensitive information and credit information (as applicable) only directly from you, unless it is unreasonable or impracticable for us to do so. For example, we collect personal information from you or about you from correspondence that you submit to us, and your engagement on our website and social media channels.

However, in some instances we may give or receive personal information, sensitive information

and credit information (as applicable) from you or about you to and from third parties, such as other companies within the Fyna Foods group, associated businesses, our vendors, customers and contractors, government agencies, credit reporting bureaux and mercantile agents.

We aim not to collect personal information, sensitive information or credit information from you unless you provide it to us voluntarily and knowingly. We do not require you to provide personal information in order to conduct general communications with us and you can always refuse to provide us with such information, however it may limit affect our ability to provide satisfactory responses regarding your enquiry.

The personal information, sensitive information and credit information you provide (or which we collect about you) will be used for the purposes we mention in this policy, or for any other purpose that we state when we collect the information. We collect, hold, use and disclose information where it is reasonably necessary for us to carry out our business functions or activities.

We may collect or share personal information from and with third parties, such as our related entities or third parties supplying our products. We may also ask you to give us personal information about other people, such as your family. In this case, we trust and rely on you informing those people that you have provided their personal information to us and direct them to this Privacy Policy.

Any personal information, sensitive information or credit information collected from you or about you will be collected by lawful and fair means, in accordance with the Privacy Act.

If we receive unsolicited personal information:

- we will assess whether we could have collected the information directly from you or about you in accordance with our Privacy Act rights and obligations; and
- if not, then we will destroy or remove identifying components in the information as soon as practicable (but only if lawful and reasonable to do so).

If we do not collect, hold, use or disclose your personal information, or if you choose not to provide certain personal information to us or do not consent to our collection, holding, use or disclosure of your personal information, then we may not be able to provide answers to your enquiry, complete the transaction you have entered into, or provide the goods or services that you or your organisation have contracted us to provide. For example:

- certain personal information is required for us to process and deliver an order for goods and services;
- disabling some cookies in your browser may mean that you are unable to experience the full functionality of our website.

Use of Information

When we collect your personal information, sensitive information or credit information, we will explain how we will use it, and we will only use it for the stated purpose (this may be explained in our terms and conditions, agreements, etc.

Reason for collecting information

We collect, hold, use and disclose your personal information for purposes related to the operation of our business that you would reasonably expect. These include supply of our

products and services, administrative and accounting functions, fraud checks, payment processing, and data backups. We also collect personal information in order to allow us to better understand our customers and end consumers and to market and promote our products and services. This includes performance reporting, product and service development, marketing and promotions, ongoing newsletter communications, statistical collation and website traffic analysis.

If you specifically agree to follow-up contact by us or have asked to be put on one of our mailing lists, we may contact you from time to time, with things such as product offerings, competitions, etc. You can unsubscribe or opt out from these communications at any time by notifying us.

If you have provided us with any sensitive information for a particular purpose, we will only use it for that purpose.

Fyna will only use the information we receive for the purpose for which it was collected (primary purpose). We will only use the personal information for another purpose (secondary) if:

1) You have consented; or

2) The secondary purpose is related to the primary purpose and you would reasonably expect Fyna to use or disclose the information for the secondary purpose. If the personal information is sensitive information, the secondary purpose must be directly related to the primary purpose of collection; or

3) Provided the information is not sensitive, we will use it for the secondary purpose of direct marketing if:

    a) It is impracticable to seek your consent before the particular use; and

    b) There is no charge for implementing your request to Fyna not to receive direct marketing; and

    c) You have not made a request to Fyna not to receive direct marketing; and

    d) In each direct marketing communication with the individual, Fyna notifies the individual that they may elect not to receive any further direct marketing communications; and

    e) Each written direct marketing communication with the individual by Fyna sets out Fyna's business address, telephone number and email address at which Fyna can be contacted directly; or

4) We reasonably believe that the use or disclosure is necessary to lessen or prevent a serious and imminent threat to an individual's life, health or safety or a serious threat to public health or public safety; or

5) We have reason to suspect that unlawful activity has been, is being or may be engaged in, and uses or discloses the personal information as a necessary part of its investigation of the matter or in reporting its concerns to relevant authorities or persons; or

6) The use or disclosure is required or authorised by or under law; or

7) We reasonably believe that the use or disclosure is reasonably necessary for one or more of the following by or on behalf of an enforcement body:

   a) the prevention, detection, investigation, prosecution or punishment of criminal offences, breaches of a law imposing a penalty or sanction or breaches of a prescribed law; or

   b) the enforcement of laws relating to the confiscation of the proceeds of crime; or

   c) the protection of the public revenue; or

   d) the prevention, detection, investigation or remedying of seriously improper conduct or prescribed conduct; or

   e) the preparation for, or conduct of, proceedings before any court or tribunal, or implementation of the orders of a court or tribunal.

We are authorised or required by various laws to collect certain information from you or about you. This may include for the purpose of fraud checks, assessing your credit application and collecting overdue payments. We will disclose credit information about you to credit reporting bodies for purposes related to assessing your credit worthiness and reporting on payment defaults. We may disclose credit eligibility information to other credit providers and to guarantors, where we have obtained your consent.

If you have been or are likely to be the victim of fraud (including identity fraud), and a credit reporting body holds credit information about you, then under the consumer credit laws, you have rights to request that the credit reporting body puts in place a ban period on your consumer credit report. The ban period can last for 21days after you make this request. You can contact the credit reporting bodies for further information, and to action this request.

Visitor Management System

We have implemented a visitor management system at each of our sites. When you visit our premises, we will collect the following personal information: full name, mobile phone number, email address, the company you represent, your signature, and your photograph for identification purposes, displayed on a visitor badge.

We collect this visitor information to facilitate your efficient, secure and safe access to our premises and to ensure appropriate communication between visitors and staff. Specifically:

- Visitor names and photographs are used to generate identification badges for on-site security and verification.
- Mobile telephone numbers and email addresses are shared with the designated staff member to enable direct contact.
- Visitor logs, including signatures and visitor details, are maintained for operational, legal and safety purposes.

Our visitor management system is provided by an Australian-based service provider, and the personal information contained in our visitor management system is stored within Australia.

Automated Decisions

We do not make decisions solely through the use of automated decision platforms or to substantially and directly assist with decisions, which may affect your rights or interests. If we are to make a decision solely through the use of an automated decision platform, we will notify you directly.

CCTV

Fyna has installed or may install surveillance devices in communal spaces. In these locations signage is in place at the entry of the facility which states surveillance devices are used in common areas of the establishment and/or in the outside vicinity. Recordings of surveillance feed is retained and is only reviewed if there is a complaint or an incident to assist with investigation. Fyna does not allow surveillance equipment to be installed in toilets or change rooms due to nature of their use.

Storage of your information

Information Protection

While no online service is 100% secure, we work very hard to protect personal information about you against unauthorised access, use, alteration, or destruction, and take reasonable measures to do so. We have included reasonable security safeguards for electronic copy records. Reasonable technical and organisational safeguards include:

- using passwords to restrict computer access and requiring regular changes to passwords for our employees;
- establishing different access levels for our employees and so, your personal information can remain restricted;
- using secured systems to store information such as outlook, google drive and SAP software;
- hosting our website with a secure webhost that monitors servers for potential vulnerabilities and attacks;
- keeping up to date with our website software; and
- policies and procedures for guidance to ensure our employees are competent in this area.

Who we share your information with

We won't share any personal information, sensitive information or credit information you give us with anyone outside of Fyna except when required or permitted by law, and with our suppliers and contractors (such as our advertising, promotional agencies, technology providers, service providers, professional advisors (e.g. accountants, debt collectors and mercantile agents, HR consultants, lawyers, etc.) or our related entities that need to have access to the information to provide products or services to us, or on our behalf, or as you have requested. We protect your personal information, with appropriate security measures, and we require our

suppliers and contractors outlined above to comply in a similar fashion.

Under the Privacy Act and under an emergency declaration, we may be asked or required to share and/or handle a limited amount of personal information to prevent or reduce the risk of harm in an emergency or disaster that affects Australians either in Australia or overseas. We will do so in accordance with the requirements of the Privacy Act, and the particular conditions of the relevant declaration.

Destruction and de-identification

We take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed for any purpose for which the information may be used or disclosed.

As an example, our destruction and de-identification methods may include:

- Paper records being placed in security bins and shredded; or
- Electronic records being deleted from all locations to the best of our ability or encrypted and/or places beyond use.

Anonymity

We will provide you with the option of not identifying yourself when entering into transactions or dealing with us. Except when it is impracticable or when required or authorised under an Australian law, or court/tribunal order (for example, credit checks, fraud checks and processing payments).

Access and correction of information

We take reasonable steps to ensure the personal information we use or disclose is accurate, complete and up to date, having regard to the purpose of the use or disclosure. To assist us to keep our records up to date, please notify us of any changes to your personal information.

Access to your personal information will be provided unless there is a sound reason under the Privacy Act or other relevant laws. Other situations in which access to information may be withheld include:

- In the case of providing access would pose a serious and imminent threat to the life or health of any individual;
- It has an unreasonable impact upon the privacy of other individuals;
- The request for access is frivolous or vexatious;
- The information relates to existing or anticipated legal proceedings between Fyna and the individual;
- Providing access would be unlawful; denying access is required or authorised by law;
- Access would reveal evaluative information in connection with commercially sensitive decision-making process, etc.

You have rights to request access to personal information we hold about you. You also have rights to request we update and/or correct the personal information we hold about you. In most cases, we expect that we will be able to comply within 30 days of receiving your requests. However, if we do not agree to provide you access or to correct the information as requested,

we will give you written reasons why.

If you want to check the information we have collected to make sure that all the details we have are correct, you can contact us in writing:

- At the address listed 70-74 Star Crescent, Hallam or
- Online via the website “contact us” tab at www.fyna.com.au.

Upon request, we'll make a copy of the personal information we hold available to you as soon as practical (subject to appropriate verification of your identity). You may also always change your preference for follow-up contacts, or advise us of changes in your details (such as address or phone number) just by writing or calling us at any time.

Transfer of data outside of Australia

We may disclose personal information about an individual to overseas recipients in certain circumstances, such as marketing, IT support, freight providers, storing information on third party provider services located overseas, particularly Asia Pacific, European Economic Area, India, South Africa, Philippines, United States, New Zealand, Ireland, China and Singapore.

Fyna has taken reasonable steps to not disclose an individual’s personal information to an overseas recipient unless:

(a) it is necessary to complete the transaction, function, or activity for you; or

(b) we have the individual’s consent (which may be implied); or

(c) we have satisfied ourselves that the overseas recipient is compliant with the APPs, or a similar privacy regime; or

(d) the country has been listed by the Australian Government as a “white-listed” country that provides substantially similar privacy protections; or

(e) we form the opinion that the disclosure will lessen or prevent a serious threat to life, health or safety of an individual or to public safety; or

(f) we are taking appropriate action in relation to suspected unlawful activity or serious misconduct.

Cookies and IP addresses

We use "cookie" technology on our websites. We use a temporary session cookie to enable you to use certain features on our websites. When you exit your browser, these temporary cookies are eliminated. Another type of cookie can be stored on your computer by your browser. When you log in, this type of cookie tells us whether you've visited Fyna before or are a new visitor. The cookie doesn't obtain any personal information about you or provide us with any way to contact you, and the cookie doesn't extract any information from your computer. The cookie assists us to identify site features in which you may have the greatest interest, so that we can provide more of what you may want. Many web browsers can be configured so that they will not store cookies.

Our websites may make use of the IP addresses of your computer primarily for the following

purposes:

- to identify the cause of and to resolve any technical problems;
- for the purposes of site administration; and
- to verify unique or valid entries for a competition in accordance with the terms and conditions for that competition.

When you contact us through our website via our contact forms, your email address may be recorded in our system, and your information and record of the interaction may be recorded in our Customer Relationship Management system.

Use of other information

While any personal information provided to us is subject to our Privacy Policy, all other information you communicate to us through the Internet (including any remarks, suggestions, ideas, graphics or any other material) becomes and will remain our exclusive property and you grant to us ownership and unrestricted rights to use in any such material (including, but not limited to, product or advertising ideas), without compensating you or anyone else for them.

If requested by Fyna, you will provide any consent or any other things reasonably required by us to use this material.

Data breaches

If we suspect that a data breach has occurred, we will undertake an assessment into the circumstances of the suspected breach within 30 days after the suspected breach has occurred. Where it is ascertained that a breach has occurred and where required under the Privacy Act, we will notify the Privacy Commissioner and affected individuals as soon as practicable after becoming aware that a data breach has occurred, in accordance with our legal requirements.

Under law and under an eligible data breach declaration, we may be asked or required to share and/or handle a limited amount of personal information to prevent or reduce the risk of harm to individuals whose personal information has been or may have been breached.

Changes to this Privacy Policy

From time to time, we may change this Privacy Policy. You should periodically review this policy to ensure that you are familiar with the most current version. Please refer to the revision date located at the front of this document.

Employees and Recruitment Related Information

The Privacy Act does not apply to an act done or practice engaged in by Fyna in relation to:

- A current or former employment relationship between Fyna and the individual; and
- An employee record held by Fyna relating to the individual (includes personal information relating to the employment relationship and may include information, such as recruitment/termination information, terms and conditions of employment, health and banking details).

This exemption does not apply to an applicant(s) who is/are unsuccessful in securing a role(s)

with Fyna. In those cases, we will take all the necessary steps to ensure proper collection, use, storage, disclosure of and access to information in accordance with the Privacy Act and other applicable laws.

Contacting Us/Privacy Requests and Complaints

You can ask us questions about our Privacy Policy, and our privacy and data protection practices. If you wish to view your personal information file, or for any other complaints or concerns regarding personal information held by Fyna, please contact us.

You can contact us in the following ways:

Direct Mail: The Privacy Officer

70-74 Star Crescent, Hallam

Phone: (03) 9215 4200 - (8:45am to 4:45pm AEST/AEDT, Monday through Friday)

Email: privacy@fyna.com.au

Internet: Via “Contact Us” tab at www.fyna.com.au

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