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# Privacy Policy

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Adopted by:

**Infigen Energy Limited  
Infigen Energy (Bermuda) Limited  
Infigen Energy RE Limited in its capacity as  
Responsible Entity of Infigen Energy Trust**

**Adopted: 17 December 2009  
Amended: 12 December 2012  
Amended: 19 November 2014**

***THIS POLICY IS CURRENTLY UNDER REVIEW TO REFLECT THE NEW OWNERSHIP OF IBERDROLA AUSTRALIA LIMITED (FORMERLY NAMED INFIGEN ENERGY LIMITED) AND OUR CURRENT INFORMATION HANDLING PROCESSES.***

## **PRIVACY POLICY**

The Infigen Energy group (**Infigen**) comprises:

- Infigen Energy Limited (**IEL**);
- Infigen Energy (Bermuda) Limited (**IEBL**);
- Infigen Energy Trust (**IET**); and
- the subsidiary entities of IEL and IET.

Infigen Energy RE Limited (**IERL**) is the responsible entity of IET. Shares issued by IEL and IEBL, as well as units issued by IET, are stapled together to form Infigen stapled securities. These Infigen securities are quoted on the ASX under the market code 'IFN'.

The Boards of IEL, IEBL and IERL are responsible for the governance and management oversight of Infigen and are collectively referred to as the '**IFN Boards**'.

### **Australian Privacy Principles**

Infigen is bound by the Australian Privacy Principles (**Privacy Principles**) contained in the *Privacy Act 1988 (Cth)* (**Privacy Act**). The Privacy Principles are designed to protect the confidentiality of information and the privacy of individuals by regulating the way personal information is managed. The Privacy Principles cover the following areas:

- Privacy Principle 1 - Open and transparent management of personal information
- Privacy Principle 2 - Anonymity and pseudonymity
- Privacy Principle 3 - Collection of solicited personal information
- Privacy Principle 4 - Dealing with unsolicited personal information
- Privacy Principle 5 - Notification of the collection of personal information
- Privacy Principle 6 - Use or disclosure of personal information
- Privacy Principle 7 - Direct marketing
- Privacy Principle 8 - Cross-border disclosure of personal information
- Privacy Principle 9 - Adoption, use or disclosure of government related identifiers
- Privacy Principle 10 - Quality of personal information
- Privacy Principle 11 - Security of personal information
- Privacy Principle 12 - Access to personal information
- Privacy Principle 13 - Correction of personal information

### **Why does Infigen collect personal information?**

Personal information is collected for a range of purposes reasonably necessary for Infigen's functions and activities, including:

- to understand and meet the needs of customers and provide the products and services they require;
- to manage relationships with securityholders and other stakeholders; and
- to comply with legal and regulatory obligations.

## **Personal information**

The Privacy Act defines 'personal information' as information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- (a) whether the information or opinion is true or not; and
- (b) whether the information or opinion is recorded in a material form or not.

In accordance with the Privacy Principles, individuals that Infigen may collect personal information about include:

- Securityholders;
- Employees;
- Contractors;
- Suppliers;
- Contractor and Supplier personnel;
- Applicants for employment with Infigen; and
- Other people who come into contact with Infigen in the ordinary course of business.

The types of personal information (including historical information) Infigen may collect includes names, contact details, identification information, organisation/employer, position held, information in submitted forms, payment details and enquiry/complaint details. Infigen may also collect personal information about interactions and transactions, including any contact by telephone, email or online.

Information concerning these individuals is collected in a variety of ways, including by way of personal contact during normal business activities, as well as via mail, telephone, email and internet/website.

Infigen is generally not permitted to provide a financial product to an individual without first collecting their personal information.

### **Information collected via Infigen's website**

Upon an individual visiting Infigen's website, Infigen may collect various non-personal information, such as internet protocol (IP) addresses, the date and time of website visits, the web pages reviewed, any documents downloaded and the type of browser and operating system used to access the website.

Where such information is collected, it may be used and disclosed by Infigen, but only in an anonymous, aggregated form where no individuals are identified. However, Infigen reserves the right to use or disclose this information in an attempt to locate an individual where Infigen reasonably believes that the individual may have engaged in any unlawful or inappropriate activity in connection with Infigen and/or Infigen's website, or where Infigen is otherwise required or authorised by law to do so.

### **Use and disclosure of personal information**

In general, Infigen may use or disclose personal information for the following purposes:

- to service securityholders;
- to communicate with contractors and suppliers;

- to enable employees to undertake normal business activities as part of their role;
- to consider applications for employment; and
- to comply with legal obligations.

Also, personal information relating to the personnel of contractors and suppliers of Infigen may be used to assist in the management of that business relationship.

Depending on the issue concerned, Infigen may disclose personal information to:

- service providers and specialist advisers who have been contracted to provide administrative, financial or other services;
- insurers, lawyers, courts, tribunals and regulatory authorities (including the Australian Tax Office and AUSTRAC) as required or authorised by law or in accordance with their reasonable information requests; and
- any person specifically authorised by a particular individual.

### **Management of personal information**

Infigen has implemented appropriate technological and organisational measures to assist in ensuring that personal information held is accurate and up-to-date. However, personal information may change frequently with changes of address and personal circumstances and Infigen will promptly update personal information once notified.

Infigen will take all reasonable steps to ensure that all personal information held is accurate. Infigen will correct personal information held by it if requested by the relevant person or if otherwise identified by Infigen. If Infigen believe the information being held is incomplete or out of date, Infigen may also seek to correct or complete its records by gathering data from other sources such as from public records.

Infigen employees and contractors who handle personal information will comply with the requirements of the Privacy Act and the Privacy Principles.

### **Security of Information**

Infigen stores information in various ways, including in hardcopy and in electronic form. Infigen ensures this information is securely held by Infigen and by any third party service provider that stores or has access to such information. Where information is stored in electronic form, technological controls are in place to protect such information, including the use of firewalls and data encryption. Notwithstanding appropriate precautions, no data transmission over the internet can be guaranteed to be completely secure.

### **Disclosure of personal information to overseas recipients**

For appropriate business related purposes Infigen may occasionally share personal information with third parties located, or with operations in, other countries. Where relevant, Infigen requires these third parties to comply with the Australian Privacy Principles, although where this Privacy Policy applies it is acknowledged that: (a) they may not always comply with those obligations or those obligations may differ from Australian privacy laws; (b) Infigen will not be accountable for the third party under the Privacy Act; (c) individuals may not be able to seek redress under the Privacy Act; and (d) the third party may be subject to foreign laws.

## **Additional information for particular individuals and contexts**

### ***Securityholders***

Securityholders of Infigen may be required to provide tax file numbers to Infigen or Infigen's outsourced security registrar. Infigen will ensure tax file numbers, if required to be held, are kept securely on the security register. In accordance with Australian taxation laws, Infigen may provide certain advice to the Australian Tax Office, including distribution/dividend information. Infigen are also required or authorised to collect certain information about securityholders under laws including the Taxation Administration Act 1953 (Cth) and the Corporations Act 2001 (Cth). Infigen collect, use and disclose personal information of securityholders to manage these investments with Infigen and to provide securityholder services.

In accordance with the Corporations Act, Infigen is required to grant individuals access to Infigen's securityholder register from time to time. The securityholder register sets out securityholders' names, addresses and IFN stapled security holdings. Infigen may provide information from the securityholder register to meet specific requests, such as identifying the major securityholders. Securityholder information is not knowingly disclosed for purposes other than those which Infigen considers to be in the interests of the securityholders or is otherwise disclosed in accordance with the law.

Infigen may also disclose personal information to another person or company who have been authorised to be contacted on the securityholder's behalf. In these circumstances, identification will be required for such authorised agents.

### ***Employee exemption***

The Privacy Act exempts organisations, including Infigen, from the requirement to comply with the Privacy Principles in relation to the handling of current or former employees' records where those records relate directly to the employment relationship. One implication of this exemption is that employees do not have an automatic right to access information concerning them held by an employer.

### ***Job Applicants***

Individuals applying for a position with Infigen may also have information collected about their qualifications, experience, character, screening checks (including health, references, background, directorship, financial probity, identity, eligibility to work, vocational suitability, drugs/alcohol and criminal record checks). Infigen collect, use and disclose this personal information to assess job applications, conduct screening checks and consider and contact individuals regarding other positions. Infigen may exchange this personal information with academic institutions, recruiters, screening check providers, professional and trade associations, law enforcement agencies, referees and current and previous employers. Without this personal information Infigen may not be able to progress these job applications.

### ***Sensitive information***

Sensitive information is information or an opinion about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices, criminal record or health information. Infigen will obtain consent prior to collecting, using or disclosing any sensitive information, unless the collection of the information is required by Australian law.

## **Keeping information accurate and up to date**

### ***Accessing and correcting personal information***

Under the Privacy Principles a person has the right to obtain a copy of any personal information which a company may hold and to advise the company of any perceived inaccuracy. Infigen will consider requests to change or correct information and will advise the individual of the action taken.

### ***How can you contact Infigen about privacy?***

You can contact Infigen to:

- seek more information or to request a copy of this policy;
- update or correct personal information;
- ask about accessing or correcting the personal information held by Infigen, or
- make a privacy related complaint

Individuals can contact Infigen in one of the following ways:

#### ***Head Office***

Level 22, 56 Pitt Street  
Sydney, NSW 2000, Australia  
Phone: +61 8031 9900  
Fax: +61 2 9247 6086

or by filling in our online enquiry form:

<http://www.infigenenergy.com/contact-us.html>

It should be noted that in circumstances prescribed by the Privacy Act, access may be refused to personal information where, for example, providing access would be unlawful or would have an unreasonable impact upon the privacy of other individuals.

### **Complaints about an interference with privacy**

Complaints about any action of Infigen that allege a breach of this Privacy Policy or the Privacy Principles will be treated confidentially and respectfully. To raise any concerns in relation to privacy please contact Infigen via the contact channels listed above. Infigen take privacy-related complaints very seriously and will act promptly to respond to any such complaints. Normally Infigen will respond within 7 working days from receiving a complaint to advise what actions are being taken in respect of the matter.

Refer to the Complaints Handling Policy on Infigen's website for further details regarding the complaints process.

### **Updates to this Policy**

Infigen's Privacy Policy will be reviewed from time to time to take account of new laws and technology, changes to our operations and practices and the changing business environment.