

# Privacy Policy

Imdex Limited (ACN 008 947 813) and its Related Bodies Corporate (as defined by the provisions of the *Australian Corporations Act 2001* (Cth)) (Imdex) are committed to protecting the privacy of individuals and their personal information in accordance with the *Australian Privacy Act 1988* (Cth) (Privacy Act).

The Privacy Act governs the way private sector organisations collect, use, keep secure and disclose personal information.

This Privacy Policy applies to personal information collected by us. In this Privacy Policy, the expressions “Imdex”, “we”, “us” and “our” are a reference to Imdex Limited and its Related Bodies Corporate.

## How to Contact Us Regarding This Policy

If you have any concerns or complaints about the manner in which your personal information has been collected, used or disclosed by us, we have put in place an effective mechanism and procedure for you to contact us so that we can attempt to resolve the issue or complaint.

We can be e-mailed at [legal@imdexlimited.com](mailto:legal@imdexlimited.com) or write to us at PO Box 1262, Osborne Park, WA 6916 and our General Counsel will then attempt to resolve the issue.

We recommend that you keep this information for future reference.

## 1. Key Concepts and GDPR

### 1.1. WHAT IS PERSONAL INFORMATION?

The Privacy Act defines “personal information” to mean information or an opinion, whether true or not, and whether recorded in a material form or not, about an identified individual or an individual whose identity is reasonably identifiable, from the information or opinion.

### 1.2. WHAT IS SENSITIVE INFORMATION?

- a. Sensitive information is a subset of personal information. In general, we attempt to limit the collection of sensitive information.
- b. We may collect certain types of sensitive information depending on the context and where you have consented to the collection of such information. Generally, we will obtain this type of consent from you at (or around) when we collect the information, but the main type of sensitive information that we may collect (if any) will usually relate to:
  - i. the criminal record of an individual; and
  - ii. the health or medical information about an individual.

This will primarily occur when we seek (or consider) to engage an individual as an employee, contractor or a customer, or otherwise where you volunteer such information or if it is necessary for a purposes of collection set out in paragraph 3.

### 1.3. WHAT IS CONFIDENTIAL INFORMATION AND HOW IS IT TREATED DIFFERENTLY?

- a. Confidential information is a separate concept to “personal information” and “sensitive information”. Personal information and sensitive information are regulated by the Privacy Act whereas confidential information is regulated by general law and contract.
- b. It is important that you understand that Imdex treats confidential information differently to the way it treats non-confidential personal information and sensitive information under this policy.
- c. If Imdex has access to, or collects, any information or data which is confidential, then Imdex will take all possible measures to ensure that information remains confidential and is not disclosed to anyone else unless we have your permission to do so. Generally speaking, any permitted uses or disclosures associated with confidential information and data will be set out in the relevant contract Imdex has with you.
- d. In particular, Imdex will take all reasonable steps to ensure that any confidential data (including all geochemical, image data and spectral data) uploaded to, or collected by, software applications licensed to you by Imdex:
  - i. will not be disclosed to Imdex personnel outside of the responsible Imdex business unit; and
  - ii. will be disclosed only to Imdex personnel bound by confidentiality obligations and who have a “need to know”, in connection with the provision of services to you.
- e. The rest of this policy concerns only “personal information” and “sensitive information”. Please review the terms of your contract(s) with Imdex for more information on how Imdex treats your confidential information.

### 1.4. GDPR

Please note that the [GDPR Privacy Notice Schedule](#) as attached applies to those companies of the IMDEX group established within the European Economic Area and to those IMDEX group companies to the extent they process personal data of EU individuals when offering their goods or services to EU individuals or monitoring their behavior.

## 2. Collection of Your Personal Information

- 2.1. We only collect personal information that is necessary for what we do and we hold the personal information we collect within our own data storage devices or with a third party provider of data storage. The type of information we may collect from you depends ultimately upon the purpose of collection and we set out the general purposes of collection at paragraph 3 below.
- 2.2. The general categories and types of information we may collect includes employee and contractor information, customer information, supplier information and shareholder information, including but not limited to the following:
  - a. your contact information such as full name (first and last), e-mail address, current postal address, delivery address (if different to postal address) and phone numbers;

- b. information verifying your identity and contact information, such as your date of birth and proof of your date of birth (including, but not limited to, driver's licence, passport, birth certificate);
  - c. details relating to your engagement (if applicable) or your previous engagement, including, without limitation, any additional information you may provide us if you have applied for employment with Imdex or if you are engaged as a contractor by Imdex;
  - d. if you are supplier to us or a customer requesting products or services from us, then any relevant credit information as well as contact, supply, payment or billing information (including but not limited to bank account details, direct debit, credit card details, billing address, repayment information and invoice details), the details of which are set out in our Credit Reporting Policy;
  - e. details relating to the shareholding and transfer(s) of shareholding that are necessary for the efficient trading, management and administration of Imdex shareholdings;
  - f. your opinions, statements and endorsements collected personally or via surveys and questionnaires, including but not limited to your views on the products and services offered by Imdex;
  - g. any usernames and passwords if you are using any of our services; and
  - h. any personal information linked, or related to, any drilling, geological or mineral services provided or the data collected in connection with the provision of such services.
- 2.3. As much as possible or unless provided otherwise under this Privacy Policy, we will collect your information directly from you. If we collect details about you from someone else, we will, whenever reasonably possible, make you aware that we have done this and why.
- 2.4. Depending upon the reason for requiring the information, some of the information we ask you to provide may be identified as mandatory or voluntary. If you do not provide the mandatory information, we may be unable to effectively provide our services to you.

### **3. How We May Use and Disclose Your Personal Information**

- 3.1. We will only use or disclose your personal information for the primary purposes for which it was collected or as consented to and/or as set out below.
- 3.2. You consent to us using and disclosing your personal information to facilitate a purpose in connection with:
- a. if required, the verification of your identity;
  - b. the provision of our products and services to you;
  - c. the use of your personal information collected in accordance with paragraph 2.1, in the administration and management of Imdex;
  - d. the administration, management and improvement of our products and services, including charging, billing, credit card authorisation and verification, checks for

financial standing, credit-worthiness (including but not limited to undertaking an assessment for credit loss and obtaining credit references, if applicable), fraud and collecting debts and business systems and infrastructure, the details of which are set out in our Credit Reporting Policy;

- e. the trading, management and administration of shareholdings held by our shareholders in Imdex;
  - f. marketing, updates and promotional activities by us and our related bodies (including by direct marketing messages);
  - g. the sale, and matters in connection with a potential sale, of our business or company to a third party; and
  - h. any other matters reasonably necessary to continue to provide our products and services to you.
- 3.3. We may also use or disclose your personal information and in doing so we are not required to seek your additional consent:
- a. when it is disclosed or used for a purpose related to the primary purposes of collection detailed above and you would reasonably expect your personal information to be used or disclosed for such a purpose;
  - b. if we reasonably believe that the use or disclosure is necessary to lessen or prevent a serious or imminent threat to an individual's life, health or safety or to lessen or prevent a threat to public health or safety;
  - c. if we have reason to suspect that unlawful activity has been, or is being, engaged in; or
  - d. if it is required or authorised by law.
- 3.4. In the event we propose to use or disclose such personal information other than for reasons in paragraphs 3.1, 3.2, and 3.3 above, we will first seek your consent prior to such disclosure or use.

## **4. The Types of Organisations to Which We May Disclose Your Personal Information**

- 4.1. We may disclose your personal information, except for employee related information, to organisations outside of Imdex. Examples of organisations and/or parties that your personal information may be provided to include:
- a. offshore service providers, if any;
  - b. related entities and subsidiaries of Imdex; and
  - c. our contractors, suppliers, distributors and agents, including but not limited to software and technology developers, who assist us in providing our products and services to you.
- 4.2. We take such steps as are reasonable to ensure that these organisations and/or parties are aware of the provisions of this Privacy Policy in relation to your personal information.

- 4.3. Please see Section 4 of Imdex’s Credit Reporting Policy for details in relation to the types of organisations your credit information may be disclosed to.

## 5. Direct Marketing

- 5.1. You expressly consent to us using your personal information, including any email address you give to us, to provide you with information and to tell you about our products, services or events or any other direct marketing activity (Direct Marketing Communications) which we consider may be of interest to you.
- 5.2. Without limiting paragraph 5.1, if it is within your reasonable expectations that we send you Direct Marketing Communications given the transaction or communication you have had with us, then we may also use your personal information for the purpose of sending you Direct Marketing Communications which we consider may be of interest to you.
- 5.3. If at any time you do not wish to receive any further Direct Marketing Communications from us, you may ask us not to send you any further information about products and services and not to disclose your information to other organisations for that purpose. You may do this at any time by using the “unsubscribe” facility included in the email or by contacting us at [legal@imdexlimited.com](mailto:legal@imdexlimited.com) or write to us at PO Box 1262, Osborne Park, WA 6916.

## 6. Credit Information and our Credit Reporting Policy

### 6.1. CREDIT INFORMATION GENERALLY

The *Australian Privacy Act 1988* (Cth) contains provisions regarding the use and disclosure of credit information, which applies in relation to the provision of both consumer credit and commercial credit.

### 6.2. CREDIT INFORMATION AND IMDEX

- a. As we provide terms of payment of accounts which are greater than 7 days, we are considered a credit provider under the Privacy Act in relation to any credit we may provide you (in relation to the payment of your account with us).
- b. When you apply for trade account, we may need to carry out credit reference checks in relation to you. One of the checks undertaken will include, but will not be limited to, obtaining a credit report about you.

### 6.3. CONSENT

To the extent necessary, you give your express voluntary consent to Imdex to obtain one or more credit reports about you, from one or more credit reporting bodies. We, or our credit provider, use credit related information for the purposes set out in Sections 2 and 3 above and our Credit Reporting Policy which includes, but is not limited to, using the information for our own internal assessment of your credit worthiness.

### 6.4. STORAGE AND ACCESS

- a. We will store any credit information you provide us, or which we obtain about you, with any other personal information we may hold about you.

- b. You may request to access or correct your credit information in accordance with the provisions of Section 9 and the provisions of our Credit Reporting Policy.

#### 6.5. COMPLAINTS

Please see Section 11 and the provisions of our Credit Reporting Policy if you wish to make a complaint in relation to our handling of your credit information.

#### 6.6. CREDIT REPORTS AND CREDIT REPORTING BODIES

We obtain credit reports from credit reporting bodies. More information about this is set out in our Credit Reporting Policy (including information about how those credit report bodies can be contacted).

#### 6.7. OUR CREDIT REPORTING POLICY

Please see our [Credit Reporting Policy](#) for further information as to the manner in which we collect, use, store and disclosure credit information.

## 7. Cross Border Disclosure

The following paragraphs 7.1 to 7.4 do not apply to employee information. Employee information will only ever be disclosed or transferred outside of Australia, if required by law or with the employee's approval.

- 7.1. Any personal information provided to Imdex may be transferred to, and stored at, a destination outside Australia, including but not limited to the United States of America, Canada, Chile, Brazil, Peru, Mexico, South Africa, United Kingdom, Romania, United Arab Emirates, Germany and Indonesia where we utilise overseas data and website hosting facilities or have entered into contractual arrangements with third party service providers to assist Imdex with providing our goods and services to you. Personal information may also be processed by staff or by other third parties operating outside Australia who work for us or for one of our suppliers, agents, partners or related companies, on a need-to-know basis.
- 7.2. By submitting your personal information to Imdex, you expressly agree and consent to the disclosure, transfer, storing or processing of your personal information outside of Australia. In providing this consent, you understand and acknowledge that countries outside Australia do not always have the same privacy protection obligations as Australia in relation to personal information. However, we will take steps to ensure that your information is used by third parties securely and in accordance with the terms of this Privacy Policy.
- 7.3. The Privacy Act 1988 requires us to take such steps as are reasonable in the circumstances to ensure that any recipients of your personal information outside of Australia do not breach the privacy principles contained within the Privacy Act 1988. By providing your consent, under the Privacy Act 1988, we are not required to take such steps as may be reasonable in the circumstances. However, despite this, we acknowledge the importance of protecting personal information and, as set out above, have taken reasonable steps to ensure that your information is used by third parties securely and in accordance with the terms of this Privacy Policy.
- 7.4. If you do not agree to the transfer of your personal information outside Australia, please contact us via the details set out at the top of this document.

## 8. Data Quality and Security

- 8.1. We have taken steps to help ensure your personal information is safe. You will appreciate, however, that we cannot guarantee the security of all transmissions of personal information, especially where the Internet is involved.
- 8.2. Notwithstanding the above, we will take reasonable steps to:
  - a. make sure that the personal information we collect, use or disclose is accurate, complete and up to date;
  - b. protect your personal information from misuse, loss, unauthorised access, modification or disclosure both physically and through computer security methods; and
  - c. destroy or permanently de-identify personal information if it is no longer needed for its purpose of collection.
- 8.3. However, the accuracy of personal information depends largely on the information you provide to us, so we recommend that you:
  - a. let us know if there are any errors in your personal information; and
  - b. keep us up-to-date with changes to your personal information (such as your name or address).

## 9. Access to and Correction of Your Personal Information

- 9.1. You are entitled to have access to any personal information relating to you which we possess, except in some exceptional circumstances provided by law. You are entitled to access and such information.
- 9.2. If you would like to access, or correct any records of personal information we have about you, please contact us on the details set out at the top of this policy.

## 10. Anonymity and Pseudo-Anonymity

To the extent practicable and reasonable, we will endeavour to provide you with the option of dealing with Imdex on an anonymous basis or through the use of a pseudonym. However, there may be circumstances in which it is no longer practicable for Imdex to correspond with you in this manner and your personal information may be required in order to provide you with our products and services or to resolve any issue you may have.

## 11. Resolving Privacy Complaints

### 11.1. COMPLAINTS GENERALLY

We have put in place an effective mechanism and procedure to resolve privacy complaints. We will ensure that all complaints are dealt with in a reasonably appropriate timeframe so

that any decision (if any decision is required to be made) is made expeditiously and in a manner that does not compromise the integrity or quality of any such decision.

#### 11.2. CONTACTING IMDEX REGARDING COMPLAINTS

a. If you have any concerns or complaints about the manner in which we have collected, used or disclosed and stored your personal information, please contact us by:

- Telephone: +61 (0) 8 9445 4010
- Email: [legal@imdexlimited.com](mailto:legal@imdexlimited.com)
- Post: PO Box 1262, Osborne Park, WA 6916

b. Please mark your correspondence to the attention of the Privacy Officer.

#### 11.3. STEPS WE TAKE TO RESOLVE A COMPLAINT

In order to resolve a complaint, we:

- a. will liaise with you to identify and define the nature and cause of the complaint;
- b. may request that you provide the details of the complaint in writing;
- c. will keep you informed of the likely time within which we will respond to your complaint; and
- d. will inform you of the legislative basis (if any) of our decision in resolving such complaint.

#### 11.4. REGISTER OF COMPLAINTS

We will keep a record of the complaint and any action taken in a Register of Complaint.

## 12. Consent, Modifications And Updates

#### 12.1. INTERACTION OF THIS POLICY WITH CONTRACTS

This Privacy Policy is a compliance document prescribed by law rather than a legal contract between two or more persons. However, certain contracts may incorporate all, or part, of this Privacy Policy into the terms of that contract. In such instances, Imdex may incorporate the terms of this policy such that:

- a. certain sections or paragraphs in this policy are incorporated into that contract, but in such a way that they do not give rise to contractual obligations onto Imdex, but do create contractual obligations on the other party to the contract; and
- b. the consents provided in this policy become contractual terms provided by the other party to the contract.

#### 12.2. ACKNOWLEDGEMENT

By using our website or by accepting the terms of one of our terms and conditions which refer to this Privacy Policy, you are acknowledging and agreeing:

- a. to provide the consents given by you in this Privacy Policy; and
- b. that you have been informed of all of the matters in this Privacy Policy.



### 12.3. MODIFICATIONS AND UPDATES

We reserve the right to modify our Privacy Policy as our business needs require. We will take reasonable steps to notify you of such changes (whether by direct communication or by posting a notice on our website). If you do not agree to our continued use of your personal information due to the changes in our Privacy Policy, please cease providing us with your personal information and contact us via the details set out at the top of this document.

## **GDPR PRIVACY POLICY SCHEDULE**