

## Asia Pacific Data Centre Group

# PRIVACY POLICY

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## 1. Commitment to the Policy

- 1.1 The Asia Pacific Data Centre Group (**APDC Group**) comprises Asia Pacific Data Centre Holdings Limited (**APDC Holdings**) and Asia Pacific Data Centre Limited (**APDC Limited**) as responsible entity for Asia Pacific Data Centre Trust (**APDC Trust**). APDC Limited holds Australian Financial Services Licence (**AFSL**) No 426 503.
- 1.2 The shares of APDC Holdings and the units of APDC Trust are stapled and listed on the Australian Stock Exchange (**ASX**).
- 1.3 The APDC Group recognises the importance of privacy issues.
- 1.4 The Board of APDC Holdings (**Board**) and senior management of APDC Group are committed to complying with the Australian Privacy Principles (**APPs**), which form part of the Privacy Act 1988 (Cth), and any registered privacy code that binds APDC Group. The APPs prescribe standards for the collection, disclosure and handling of personal information.
- 1.5 We may amend our Privacy Policy from time to time. If we do, we will post the new version of the Privacy Policy on our website.

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## 2. Purpose of this Policy

- 2.1 This Privacy Policy tells you how we aim to manage the personal information that we collect, use and disclose and how to contact us if you have any queries. This Privacy Policy should be read subject to any overriding provisions of law or contract.

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## 3. What is Personal Information?

- 3.1 Personal information is information or an opinion about an identified individual or an individual who is reasonably identifiable, whether the information or opinion is true or not, and whether the information is recorded in a material form or not.

Examples of personal information include your name and address, phone number and email address.

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## 4. Collection of Personal Information

- 4.1 We collect personal information to fulfil related administration functions (for example, statements, payments) for security holder relationship purposes, to enter into contracts, and to administer marketing or promotional campaigns.
- 4.2 If you do not provide your personal information we may not be able to provide certain products or services. However, we will not generally refuse to deal with you if you do not disclose your identity unless it is lawfully required and/or necessary to provide personal information to provide the requested service.

- 4.3 The kinds of personal information we collect and store will depend on what products and services you request from us or we provide to you. It may include:
- (a) personal information you give us when you request our services including name, mailing address, telephone numbers, email addresses;
  - (b) information you give us to process payments (e.g. bank details, broker account details, Australian Business Number);
  - (c) communications between you and us by mail or electronic means; and
  - (d) if you are applying for a position, we will collect information as outlined in the section 7 below headed "Employment Applications".
- 4.4 Other information we collect may include sensitive information such government identifiers (e.g. your Tax File Number), or information about your health, residency status or criminal records. This is usually for provision of a specific service or compliance with lawful authority. You consent to this collection.
- 4.5 We may collect your personal information directly from you, or from third parties including our related entities, contractors or agents. You consent to this collection from third parties.
- 4.6 We may collect non-personal information (for example, the identity of your internet browser, your IP address) to optimise our products and services including our website. We may use and disclose this type of information for analytical and statistical purposes.

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## **5. Use of Personal Information**

- 5.1 We collect your personal information so that we can use it for our functions and activities, which include, amongst other things:
- (a) providing you with products or services as requested by you;
  - (b) administrative processes necessary to provide you with products and services;
  - (c) addressing any feedback or complaints you may have;
  - (d) answering any questions you may have;
  - (e) any purposes for which it was requested and directly related purposes;
  - (f) planning, researching, developing, improving and promoting products or services offered, or that may be offered, by us or our related entities; and/or
  - (g) processing and considering your employment application (refer to the "Employment Applications" section below).
- 5.2 By providing us with your personal information, you consent to receiving marketing and promotional material from us and our agents and contractors. In the event that you do receive marketing material from us or our agents or contractors and you do not wish to receive further material, you may remove your details from our mailing list by notifying our Privacy Officer as set out at the end of this document. If such a request is received by us, we will update our records appropriately, within a reasonable time.

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## **6. Disclosure of Personal Information**

- 6.1 Any personal information collected from or about you may be disclosed by us:
- (a) to our employees, professional advisors and other contractors who assist us with our business (for instance IT service providers or marketing service providers);
  - (b) to any entity to which we are required or authorised by or under law to disclose such information;
  - (c) to others that you have been informed of at the time any personal information is collected from you (e.g. your securities broker);
  - (d) to our related entities, contractors or agents or third parties with which we have a contractual relationship for the purposes set out in the section 5 above headed "Use of Personal Information", or for other purposes related to the purpose for which the information is collected; and
  - (e) with your consent (express or implied) or where permitted or required by law.
- 6.2 If we do disclose your personal information, we aim to require the recipient to protect your information in the same way we do.
- 6.3 APDC Group is not likely to disclose personal information overseas. Nonetheless, if disclosure of personal information is required to an overseas location, then we take reasonable steps to ensure that the receiving party has a commitment to protect that personal information in accordance with the standards required by the Privacy Act.

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## **7. Employment Applications**

- 7.1 If you apply for employment with us, then generally the type of personal information we collect about you is any information contained in your application including name, mailing address, telephone number, career history and your education details.

We may also obtain information about you from other sources including your previous employers or nominated referees. Other information we collect may include sensitive information such as information about your health or any criminal record that you may have. You consent to this collection.

This personal information is collected for any one or more of the following purposes:

- (a) to assess you for a position with us or a related entity;
  - (b) to assess whether you are suitable to progress to each stage of the recruitment process; and
  - (c) to store your information for any future job opportunities.
- 7.2 We may disclose your personal information to:
- (a) organisations that provide us with services such as conducting competency or psychometric testing;
  - (b) referees or previous employers;
  - (c) recruitment agencies or related entities acting on our behalf;

- (d) our related entities;
- (e) law enforcement agencies to verify whether you have a criminal record; and
- (f) educational or vocational organisations to verify your qualifications.

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## **8. Access to and Correction of Personal Information**

- 8.1 It is important to us that the personal information we hold about you is accurate, complete and up-to-date, and we will take reasonable steps to ensure your information is kept current.
- 8.2 If we suspect that your personal information is redundant or incorrect, we may contact you to re-state or correct the information.

### **8.3 Access**

Privacy laws give you certain rights to request access the personal information we hold about you. To request access to your personal information, please contact the Privacy Officer named below. We ask that you put your request in writing and you will need to verify your identity before we disclose the information requested.

There are some circumstances where those laws do not require us to provide such information. If we deny you access in certain circumstances to your personal information we will provide you a written notice setting out the reasons (unless it would be unreasonable to provide those reasons).

### **8.4 Correction**

If, upon receiving access to your personal information or at any other time, you believe the personal information we hold about you is inaccurate, incomplete or out of date, please notify us immediately. We will take reasonable steps to correct the information so that it is accurate, complete and up to date.

If we refuse to correct your personal information, we will provide you with a written notice that sets out the reason for our refusal (unless it would be unreasonable to provide those reasons) together with information about the mechanisms available to you to make a complaint.

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## **9. Security and Currency of Personal Information**

- 9.1 The security of your information is a priority for us so it is our policy to take reasonable steps to protect your personal information from misuse, loss, interference, unauthorised access, modification or disclosure, including through appropriate electronic and physical security measures. Although we strive to protect such information, we cannot ensure or warrant the security of any information.
- 9.2 When personal information is no longer required, reasonably practicable steps are taken to destroy or de-identify the information.

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## **10. Notifiable Data Breaches**

- 10.1 If there is a suspected or actual data breach which may compromise personal information, APDC Group will promptly undertake an assessment of the incident. Where relevant, immediate steps will be taken to contain the breach. These steps may include limiting any

further access or distribution of the affected personal information, or the possible compromise of other personal information.

- 10.2 If the unauthorised access, disclosure or loss of personal information is likely to cause serious harm to one or more individuals and the likely risk of serious harm has not been prevented by remedial action, APDC Group will notify affected individuals and the Office of the Australian Information Commissioner as soon as practicable. The notification will include APDC Group's identity and contact details, a description of the incident, the kind/s of information concerned and any recommended steps for affected individuals.
- 10.3 Following any data breach incident, APDC Group will undertake a review process to help prevent future breaches

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## 11. Further Information or Complaints

- 11.1 Please contact the Company Secretary of APDC Holdings (below) if you have any queries or complaints about the personal information that we hold about you or the way we handle that personal information. We will investigate your complaint and respond within a reasonable time.

Address: Company Secretary  
Asia Pacific Data Centre Group Holdings Limited  
Level 8, 56 Pitt Street  
Sydney NSW 2000

Telephone: 02 8405 8860

Email: [info@asiapacificdc.com](mailto:info@asiapacificdc.com)

- 11.2 For further information about privacy generally, or if you are dissatisfied with the way we have handled your complaint, you can contact the Office of the Australian Information Commissioner:

Telephone: 1300 363 992

Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

Web: [www.oaic.gov.au](http://www.oaic.gov.au)

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