

Introduction

This Privacy Policy applies to the collection, use, disclosure and handling of personal information by Momentum Trains. This Privacy Policy explains how Momentum Trains may collect and use information that we obtain about you, and your rights in relation to your personal information.

Momentum Trains may change its Privacy Policy at any time in its absolute discretion. When Momentum Trains does so, it will upload the updated Privacy Policy to the Momentum Trains website. Changes will take effect when uploaded, and your continuing use of the Regional Rail Project (RRP) Labour Pool and Jobs Portal will be agreement to the changes.

Privacy Policy

Personal information

Personal information is any information (including an opinion) which could be used to identify an individual. For example, personal information may include a person's:

- Name, address, date of birth or phone number;
- Employee record information
- Photographs
- Location information

This is not a complete list and what information is considered "personal" depends on whether a person can be identified or is reasonable identifiable.

Sensitive information

Personal information may also include sensitive information. Sensitive information includes any information or an opinion about an individual's:

- race or ethnicity
- political opinions or associations
- philosophical or religious beliefs
- membership of a professional or trade association
- membership of a trade union
- sexual orientation or practices
- criminal record and health information.

Again, this is not a complete list.

Momentum Trains will not collect sensitive information unless the information is reasonably necessary for one or more of Momentum Train's activities, services or business.

What personal information or sensitive information do we collect?

Personal information that may be collected includes:

- personal details, such as name, mailing address, email address, telephone numbers, age and gender;
- human resource information;
- applications for employment, including information relating to personal skills, work history, experience and details of performance, education, qualifications and skills, professional memberships, hobbies and affiliations;
- details of referees and personal references;
- stated or likely individual preferences, for example an interest in receiving particular investor or marketing publications.

How and when we collect personal or sensitive information

Personal information can be collected orally, in writing, by telephone, by e-mail, via Momentum Trains websites and through other methods of communication.

Situations in which Momentum Trains may collect personal information include:

- recruitment and engagement of employees, including contractors;
- when receiving services from third party suppliers, including subcontractors;
- when providing services to clients or customers;
- when required by law;
- when dealing with certain government agencies;
- when visitors to Momentum Trains' website provide their personal information, such as name and email address; and
- during safety and operational environment monitoring (including video and two-way radio monitoring).

Personal information may also be collected from, and disclosed to, third parties in the course of business activities. For example, steps may be taken to verify that an individual's academic, training and professional qualifications are accurate and complete and, in appropriate circumstances due to the nature of the available position, health checks, credit checks or criminal records checks may be carried out.

An individual has the option, where lawful and practical, not to be identified when communicating or entering into transactions with Momentum Trains (including by the use of a pseudonym). However, in most circumstances, it will be impractical for Momentum Trains to do business with an individual or provide the services required by an individual unless personal information is provided.

Purposes for which we collect, hold, use and disclose personal information

Momentum Trains collects, holds, uses and may disclose personal information where it is reasonably necessary to:

- enable Momentum Trains to carry on its business and activities, and deliver services or information to individuals or to an organisation;
- maintain or establish a business relationship, including as a customer, supplier, contractor, or employee;
- enable Momentum Trains to assist to provide services; or to improve, and better understand preferences in respect of Momentum Trains' services; and,
- fulfil legal or regulatory obligations.

Personal information will be stored in Momentum Trains's systems for immediate business and administration purposes, as detailed above, and may be used or disclosed for the purpose for which it was collected, or for a related purpose which someone may reasonably expect. Sensitive information will only be disclosed for a purpose which is directly related to the purpose for which it was collected.

Momentum Trains may also disclose personal information to third party service providers and business associates, including Momentum Trains' subcontractors and their subcontractors, who provide services in connection with its business. This includes:

- Construcciones y Auxiliar de Ferrocarriles ABN 80 398 386 054;
- CPB Contractors (ABN 98 000 893 667); and
- UGL Rail Services (ABN 58 000 003 136).

Disclosure outside Australia

In some circumstances Momentum Trains may disclose personal information to entities located outside Australia, including to Momentum Trains' subcontractors, third party service providers and business associates.

There are certain safeguards which must be met before Momentum Trains is allowed to transfer personal information outside Australia, which are set out in the Privacy Act. Where personal information is disclosed overseas, all reasonable steps will be taken to ensure that the recipient will handle the information in a manner consistent with the Privacy Act.

Momentum Trains may also use or disclose personal information (including to overseas recipients):

- with the individual's consent;
- where required, authorised or permitted to do so by law; or
- to a person authorised to act on the individual's behalf.

Information may be disclosed to any person as required by law and specifically to any government agency if Momentum Trains believes in good faith that it must do so to comply with the law or that doing so is required to prevent, detect, investigate or remedy improper conduct potentially affecting it.

Confidentiality and Security

Momentum Trains is committed to:

- safeguarding all personal information provided to Momentum Trains;
- ensuring that personal information remains confidential and secure; and
- taking all reasonable steps to ensure that personal privacy is respected.

Momentum Trains maintains physical, electronic and procedural safeguards to protect personal information from misuse, interference, unauthorised access, modification or disclosure, and loss or corruption by computer viruses and other sources of harm. Access to personal information is restricted to those employees, joint venture partners, subsidiary companies and third parties who need to know that information.

Accessing or correcting personal information

In most circumstances, Momentum Trains will make available to an individual upon their request any personal information held about them. Requests to access personal information may be made at any time. Momentum Trains will respond to a request within a reasonable time, and in the manner requested, unless there is a legal or administrative reason preventing Momentum Trains from doing so. In some cases a reasonable fee may be charged for providing access.

Reasonable steps will be taken to ensure the personal information held is accurate, complete, up to date, relevant and not misleading before it is used or shared.

An individual may request that personal information be corrected or supplemented if the individual believes the information held by Momentum Trains is inaccurate or misleading. If Momentum Trains agrees, the change will be made. If Momentum Trains disagrees, Momentum Trains will advise the individual and include a notation on the record that the information's accuracy is disputed.

If personal information changes, or if an individual believes that the personal information held by Momentum Trains is no longer accurate or complete, the individual should contact Momentum Trains' Chief Executive Officer.

Destruction and de-identification of personal information

Records management policies govern the archiving and destruction of records which include personal information. If unsolicited personal information is received, reasonable steps will be taken to destroy or de- identify that personal information.

Use of cookies

A cookie is a small text file downloaded onto a computer or mobile device when a website is accessed, including the Momentum Trains website. Cookies are widely used to make websites work, or work more efficiently, as well as to provide information to the website's owners and third parties.

Cookies allow a website to recognise a computer or mobile device. Cookies do not identify the individual, but do identify the computer or mobile device used to access the Internet, and can therefore be used to collect information about the individual's use of the Internet. Cookies do not allow access to any information stored on the individual's computer or mobile device.

Cookies are used:

- to determine the number and global location of visitors to Momentum Trains's website and to identify how visitors move around the site and, in particular, which pages they visit. This allows Momentum Trains' website and services to be improved;
- to collect information, where available, about a computer or mobile device for system administration purposes, such as IP address, operating system and browser type.

Information collected through the use of cookies will only be used to evaluate Momentum Trains' website effectiveness and to improve user experience. Cookies are not used to identify an individual or to send targeted advertising.

Links to other websites

Momentum Trains' website provides hyperlinks to websites owned and controlled by others. Momentum Trains is not responsible for the privacy practices of these websites. By accessing or using Momentum Trains' website, an individual consents to the collection, use and disclosure of personal information as described in this Policy, as amended from time to time.

Contact details

Momentum Trains can be contacted at:

Project@momentumtrains.com.au or visit Momentum Trains
<https://www.momentumtrains.com.au/contact-us/>

Complaints

If an individual has a question, concern or complaint regarding the way in which personal information is handled, or believes that Momentum Trains has breached its obligations under the Privacy Act or has failed to comply with this Policy, they should make a complaint in writing to Momentum Trains' Chief Executive Officer.

Momentum Trains will review and respond to any complaint as soon as possible, and generally within 30 days of receiving it.

If an individual is not satisfied with Momentum Trains' response, the complaint can be referred to the Office of the Australian Information Commissioner (OAIC). The OAIC will generally only consider a complaint if the individual has first written to Momentum Trains and given Momentum Trains a reasonable opportunity to resolve the complaint (usually 30 days).