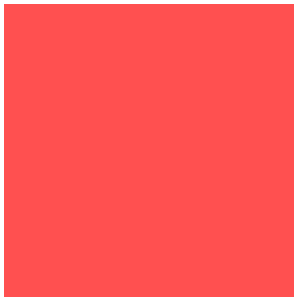




PY-SH-0013

Kestrel Policy



Privacy

Status: Approved and authorised by Chief Executive Officer

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Business Owner: Senior Legal Counsel

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1. Purpose

We understand the importance of keeping personal information provided to us by individuals private, whether that information is provided by our employees, individuals with whom we do business, visitors to and users of our website or otherwise.

1.1 What does this Policy Do?

This Privacy Policy is aligned with the Australian Privacy Principles ('**APP**') as set out in the Privacy Act 1988 (Cth) ('**Privacy Act**'). It describes how we handle your personal information to ensure the management of your personal information is done in an open and transparent way.

1.2 Terminology

References to:

- "Kestrel Coal Resources ", "Kestrel", "we", "us" or "our" in this policy mean Kestrel Coal Resources Pty Ltd, Kestrel Coal Pty Ltd, Kestrel Coal Group Pty Ltd (all of Queensland, Australia) and all holding companies, subsidiaries and related bodies corporate of those companies registered in Australia;
- "policy" means this Privacy Policy.

2. Scope

This policy applies to all individuals interacting with Kestrel including, but not limited to, customers, website visitors, employees, contractors, and suppliers.

3. Collection of Personal Information

3.1 Types of Personal Information We Collect

We collect and use various types of personal information depending on how you interact with us. This may include information about you which makes you identifiable. In some cases, it will include more private "sensitive information" as described below.

The types of information we may collect about you includes:

- Contact details – Your home and business address, email address, telephone number and next of kin details;
- Identification information – Your name, gender, job title and date of birth;
- Employment related information – Your qualifications, employment history; resume, interests, criminal records, health and safety information/records; skills and experience,
- E-Business information – Your login information, IP addresses and records of your use of our website and portals necessary for you to do business with us.

3.2 Sensitive Information

Certain types of personal information are considered by law to be more private and sensitive than others and its collection is subject to special conditions. By law, this type of information is called "sensitive information", which includes:

- (a) health information about an individual; or
- (b) genetic information about an individual that is not otherwise health information; or that is also personal information; or
- (d) biometric information that is to be used for the purpose of automated biometric verification identification; or
- (e) biometric templates; or
- (c) 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 orientation or practices;
 - criminal record;

We will only use sensitive information where you have consented to its use and the usage is reasonably necessary for any of Kestrel's functions or activities or in cases where its collection and use are permitted or required by law.

3.3 How We Collect Personal Information

We will primarily collect personal information from you either directly (such as through our website, in-person interactions, phone conversations, and written communications) or indirectly from your other interactions with us (such as by monitoring your use of our website and business systems).

In some cases, we may also collect personal information about you from third parties. Those third parties include recruitment agencies, the company that employs you if you work as a contractor, health providers and firms providing training and induction services. If we collect your personal information from third parties, we will take reasonable steps to ensure that those third parties have obtained your consent or are otherwise legally permitted to disclose such information.

4. Use and Disclosure of Personal Information

4.1 Principal Purposes of the Handling of Personal Information

We collect, use and disclose personal information to conduct our business, which includes the primary purposes of:

- Managing and improving our business operations;
- Contacting and communicating with you (this may be via email, phone, SMS, post)
- Managing employment, performance and recruitment of staff and contractors.

- Communicating with customers, suppliers, contractors and employees;
- Complying with legal obligations;
- Providing products and services to customers;
- Managing our contractual relationships;
- Marketing and promotional activities with consent;

We will not use or disclose personal information for any secondary purpose without your consent, unless such use or disclosure is required or authorised by law.

4.2 We May Share Your Personal Information with Various Parties

4.2.1 Overseas Disclosures

The Australian companies in the Kestrel group of companies have owners located and incorporated overseas (Indonesia, Hong Kong, Malaysia, Cayman Islands). Kestrel also owns and operates the Kestrel Coal Mine in joint venture with a company which has its parent company located in Japan.

Accordingly, it is likely that some of the recipients to whom we may disclose your personal information may be based in these overseas locations.

Kestrel uses software and systems that are provided, managed and supported by a number of different suppliers that have staff and offices in geographic areas outside of Australia. Some of these suppliers are SAP and Microsoft. The countries from which these services may be provided include Germany, United States of America, India, Philippines, Singapore, Japan.

These locations may change from time to time depending on the services that Kestrel uses and the delivery arrangements with the supplier.

If we need to disclose personal information to parties located overseas, we will take steps as are reasonable in the circumstances to ensure those parties use that information in a manner that is consistent with the Australian Privacy Principles.

5. Storage of Personal Information

We will store your personal information for as long as required by our business operations or relevant laws. If we no longer require the use of your personal information, we will take reasonable steps to destroy or permanently de-identify it.

Your personal information may be stored electronically or in physical storage at our premises or through third party storage facilities. If third parties are used to store your personal information they are required to comply with our procedures and policies which protect the privacy of personal information or to put in place security measures which are equivalent to our privacy protection measures.

6. Security of Personal Information

We have security measures in place to protect personal information from unauthorised access, disclosure, alteration, or destruction.

We employ physical, technical, and administrative safeguards to secure the privacy, confidentiality and integrity of your personal information from point of collection to point of destruction.

We train our workers in the principles and practice of keeping personal information private and apply relevant information security policies and procedures designed to keep your personal information secure.

7. Access To and Correction of Personal Information

Under Australian Privacy Principle (APP) 12, you have the right to request access to your personal information held by us and to request corrections to any inaccuracies under the Privacy Act. Requests for access or correction should be made in writing (see the section of this policy with the heading: 'Privacy Complaints').

Your rights to access personal information under APP 12 operate alongside and do not replace your rights to access personal information under other laws and formal procedures, including under the Freedom of Information Act 1982.

8. Privacy Complaints

8.1 How to Contact Us

Kestrel Coal Resources Privacy Officer	Details
Postal Address	Level 22, 10 Eagle St, Brisbane QLD 4000
Email address	Privacy.officer@kestrelcoal.com
Telephone	+61 7 3557 3000

8.2 You Must Lodge Your Complaint with Us First

If you consider we have mishandled your personal information you need to complain to us before you lodge a complaint with the Office of the Australian Information Commission ("OAIC").

To lodge a complaint with us, you need to do the following:

- Make your complaint in writing (by post or by email using the contact details provided above);
- Send your complaint to our Privacy Officer. (email is preferred)
- In your written complaint provide:
 - your full name and brief details of your association with Kestrel;
 - details of the alleged mishandling of your personal information (what happened, when it happened) and why you consider your personal information was mishandled by us;
 - details of any consequence of the alleged mishandling of your personal information;
 - your contact address, email and phone number.

We will respond to your complaint within 30 days.

8.3 Lodging a Complaint with the OAIC

If we do not respond to your complaint or if our response is not satisfactory, you may lodge a complaint with the OAIC.

The OAIC details on how to lodge a complaint can be found on its website at www.oaic.gov.au/privacy/privacy-complaints/lodge-a-privacy-complaint-with-us.

The OAIC Enquiries Line is (1300 363 992)

9. Updates to this Policy

This policy may be updated by us from time to time as necessary to reflect changes to: our business and circumstances; applicable laws or to our privacy compliance practices. The latest version of this policy will be available online through our website.

10. Revision History

Rev	Date	Reason for Issue	Originator	Checked	Approved
0	30/09/2024	Approved and authorised for use	Leo Hopsick	Shaun Hay Jess Roberson	Shane Hansen
A	23/09/2024	Issued for review – new document for the importance of keeping personal information provided to KCR by individuals private, whether that information is provided by our employees, individuals with whom we do business, visitors to and users of our website or otherwise.		Leo Hopsick Shaun Hay Jess Roberson Shane Hansen	