

FANTECH GROUP COMPANIES

Privacy Policy

1. Purpose

The purpose of this privacy policy is to:

- clearly communicate the personal information handling practices of the Fantech Group Companies*. Fantech Group's privacy practices comply with the privacy laws relevant to each of the businesses, including the Australian Privacy Principles (**APPs**) as contained in the Australian *Privacy Act 1988* (Cth), and the New Zealand Information Privacy Principles (**IPPs**) as contained in the New Zealand *Privacy Act 2020* (**Privacy legislation**), and
- give individuals a better and more complete understanding of the sort of personal information Fantech Group holds and how we handle that information.

2. Scope

This Privacy Policy applies to personal information collected by each Fantech Group company.

This privacy policy has been developed to follow the 'layered policy' format, which means that it offers layers of greater or lesser detail so people can read as much as they wish and find what they need fast.

If all you want is an overview of our personal information handling practices, you can have a look at our Condensed Privacy Policy ([link](#)). This offers an easy to understand summary of:

- how we collect, use, disclose and store your personal information, and
- how you can contact us if you want to access or correct personal information we hold about you.

If, on the other hand, you are in search of a more comprehensive explanation of our information handling practices, then this policy will provide that information. This document forms the 'detailed' layer of our privacy policy.

Both this Privacy Policy and the Condensed Privacy Policy can be accessed on each business's website and both were last updated September 2021.

3. Definitions

Personal Information - means information and/or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual who is identifiable, whose identity is apparent, or whose identity can reasonably be ascertained, from the information or opinion.

Sensitive Information - a sub-set of personal information, includes information or an opinion about (for example) an individual's racial or ethnic origin, political opinions, political association membership, religious beliefs or affiliations, philosophical beliefs, professional or trade association membership, trade union membership, sexual orientation or practices or criminal record, and includes health information and genetic information.

4. Personal Information Handling Practices

Collection

Fantech Group will only collect personal information by lawful and fair means, in accordance with the Privacy legislation.

Fantech Group usually collects personal information about individuals directly from those individuals or their authorised representative/s. Fantech Group sometimes collects personal information from a third party or from a publicly available source, but only in accordance with the relevant Privacy legislation.

In limited circumstances we may receive personal information about third parties from individuals who contact us and supply us with the personal information of others in documents they provide to us in the course of providing goods and services to those parties.

Fantech Group only collects personal information for purposes which are reasonably necessary for, or directly related to our business, provision of goods and services or activities as permitted under the Privacy legislation. This includes:

- when an individual contacts us asking for information on our goods and services
- when an individual asks to be on an email or mailing list relating to Fantech Group activities, goods and services
- when we collect personal information, including contact details, as part of the daily communication processes including, when individuals email, telephone or hand us their business cards, and
- when we collect personal information from individuals who supply that information by completing a subscription form (either on paper, electronically or by registering on our website) and submitting it to the business.

Generally, we do not collect sensitive or health information. However, we may collect sensitive information from you or about you where there is a legal requirement to do so, or where we are otherwise permitted by law (for example, where we have received your consent).

Fantech Group will ensure that all unsolicited personal information will be afforded the same privacy protection as solicited personal information.

Where unsolicited personal information is received, Fantech Group:

- must determine whether it could have collected the information directly from those individuals or their authorised representative/s, and
- if Fantech Group could not have collected the information, then we will destroy or remove identifying components in the information as soon as practicable, but only if lawful and reasonable to do so.

Individuals have the option of not identifying themselves or of using a pseudonym when dealing with any Fantech Group businesses in relation to a particular matter, unless the use of their true identity is a legal requirement or necessary to complete the enquiry or transaction.

Use and disclosure

Fantech Group only uses personal information for the purposes for which we collect it — purposes which are reasonably necessary for, or directly related to, one or more of our functions (such as the provision of quotations and/or goods), services or activities.

Fantech Group does not give personal information about an individual to Government agencies, private sector organisations or anyone else unless one of the following applies:

- the individual has consented
- the individual would reasonably expect, or has been told, that information of that kind is usually passed to those individuals, bodies or agencies
- it is otherwise required or authorised by law
- it will prevent or lessen a serious and imminent threat to somebody's life or health, or
- it is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of public revenue.

Data quality

Fantech Group takes steps to ensure that the personal information we collect is accurate, up-to-date and complete. These steps include maintaining and updating personal information when we are advised by individuals that their personal information has changed and at other times as we become aware of any changes.

Data security

Fantech Group takes steps to protect the personal information we hold against loss, unauthorised access, use, modification or disclosure and against other misuse. The measures taken to protect personal information include password protection for accessing our electronic information, paper files being in locked cabinets, access restrictions and conducting staff training on how to protect personal information we hold.

When the personal information that we collect is no longer required, we will destroy or delete it in a secure manner.

Access and correction

When an individual requests access to the personal information we hold about them, or requests that we change that personal information, we will allow access or make the changes unless we consider that there is a sound reason under the Privacy legislation or other relevant law to withhold the information and/or not make the changes.

Fantech Group will provide an individual with written notice if we refuse to correct the personal information as requested by the individual. The written notice will set out:

- the reason for refusal (unless this would be unreasonable)
- the mechanisms available to complain about the refusal, and
- any other matter prescribed by regulation.

If Fantech Group refuses to make a correction, and an individual requests that a statement be attached to the record stating that the information is inaccurate, out-of-date, incomplete, and irrelevant or misleading, we will attach this statement in a way that will make the statement apparent to users of the information.

Fantech Group will respond to a correction request within a reasonable period. We will not charge for making the request, for correcting the information or for associating any statement with the personal information.

Individuals can obtain further information about how to request access or changes to the information we hold about them by contacting us (see below "How to contact us").

If you are listed on one or more of our email lists you can opt out at any time. You can unsubscribe by using the 'unsubscribe' options noted in our emails.

Identifiers

Fantech Group will ensure that we adopt our own identifiers for personal information where it is necessary for operational functions, and will not adopt an identifier assigned by an agency, an agent of an agency acting in this capacity, or a contracted service provider for a Commonwealth contract acting in this capacity.

Disclosure to overseas organisations

Fantech Group will only transfer personal information to an organisation overseas that is part of or is related to the Fantech Group of companies and/or suppliers of goods and services to the Fantech Group, and then only if:

- we know that the recipient is subject to a law, binding scheme or contract which effectively upholds the principles for the fair handling of the information that are substantially similar to those under the Privacy legislation; or
- the individual consents to the transfer; or

- the transfer is necessary for the performance of a contract between the individual and Fantech Group (or related pre-contractual measures); or
- the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the individual between Fantech Group and a third party; or
- the transfer is for the benefit of the individual, and it is impracticable to obtain the consent of the individual, and if it were practicable to obtain consent, the individual would be likely to give it; or
- Fantech Group has taken reasonable steps to ensure that the information will not be handled by the recipient inconsistently with the Privacy legislation.

Fantech Group is also part of the Elta Group of companies. The disclosures described above may also be made, where relevant, to the Elta Group of companies.

The countries in which Fantech Group companies, and/or Elta Group companies, and/or our suppliers are located include the United Kingdom, Australia, New Zealand, Italy, Republic of Ireland, Northern Ireland, South Africa, Malaysia, India, Germany, USA, Spain, China, Taiwan, France, Singapore, Netherlands, Denmark and Thailand.

How to contact us

To obtain further information in relation to this privacy policy, or provide comments, please contact us on:

Email

privacyofficer@fantech.com.au

Facsimile

+61 3 9554 7833attention Privacy Officer

Post

Privacy Officer, 63 Vision Street Dandenong South Vic 3175, Australia.

Complaints and Concerns

We have procedures in place for dealing with complaints and concerns about our practices in relation to the Privacy legislation and any alleged breach of this Policy. We will respond to your complaint in accordance with the relevant provisions of the Privacy legislation.

Our Privacy Officer can be contacted to discuss or attempt to resolve any complaints relating to the collection, storage and use of your personal information. For further information, please contact our Privacy Officer at privacyofficer@fantech.com.au.

5. Information collected online

Cookies and Analytics

When you browse the Fantech Group websites, contact Fantech Group electronically, or engage with Fantech Group on social media, Fantech Group may record geographical tagging, your IP address and statistical data from your activity. Fantech Group may use your personal information to customise and improve your user experience on the websites and other social media platforms.

The Fantech Group websites also uses cookies throughout certain areas to help automate certain processes. Cookies are set for the duration of your Internet session (when you close your browser, the cookie is removed). A cookie file is placed in your computer's browser to store your preferences, and contains information that you have supplied yourself.

If you want to delete any cookies that are already on your computer, please refer to the help and support area on your internet browser for instructions on how to locate the file or directory that stores cookies. You do not need cookies enabled on your browser to use the Fantech Group websites.

Fantech Group uses Google Analytics on its websites. Google Analytics uses cookies to help Fantech Group analyse how users use the websites. The information generated by the cookie about your use of the websites is transmitted to and stored by Google. To find out how Google uses data when you use third party websites or applications, please see <https://policies.google.com/technologies/partner-sites>. You may also refuse the use of Google Analytics cookies by opting out from being tracked by Google Analytics with effect for the future by downloading and installing Google Analytics opt-out browser add-on for your current web browser: <http://tools.google.com/dlpage/gaoptout?hl=en>.

A cookie already set by Google Analytics can be deleted at any time via the Internet browser or other software programs. However, please note that if you do this, you may not be able to use all the features of the Fantech Group websites to the fullest extent possible.

Use and disclosure

Fantech Group does not give personal information collected online to other agencies, organisations or anyone else without consent. The only time this may occur without consent would be if the individual would reasonably expect, or has been advised, that information of that kind is usually passed to other agencies, organisations or individuals, or the disclosure is required or authorised by law.

Data quality

We will endeavour to delete or correct any personal information that we hold about you on request, see 'Data quality' above (section 4).

If you are on one of our email lists, you may remove yourself from further contact by clicking the 'unsubscribe' link at the bottom of the email.

Data security

In relation to our own servers, Fantech Group takes all reasonable steps to manage data stored on our servers to ensure data security.

There are inherent risks in transmitting information across the internet and we do not control the security of information collected and stored on third party platforms.

Access and correction

For information about how to access or correct personal information collected on our websites, see 'Access and correction' above (section 4).

Local Laws and Regulation

This Privacy Policy is intended to be in compliance with the privacy legislation applicable in Australia and New Zealand. To the extent the laws of a country prohibit us from using and sharing personal information in a way described in this Privacy Policy, the Privacy Policy and our practices shall be deemed modified to be consistent with such local laws.

6. Files - how we handle specific files containing personal information

6.1 Contacts Lists

Purpose

Fantech Group maintains contact lists which include contact information about individuals who may have an interest in our goods and services, activities, events and product information.

Collection

It is our usual practice to collect personal information in contact lists directly from individuals, for example, where they have asked to be added to a contact list.

Sometimes we may collect personal information from a third party or from a publicly available source, such as a website or telephone directory. We would usually only collect personal information in this way if the individual would reasonably expect us to, or has given their consent. For example, we might collect this information if we thought that the individual (or the organisation they work for) would like to receive information about our goods and services, activities, events and product information and we would only contact this individual in their work capacity.

Use and disclosure

Fantech Group only uses personal information in contact lists for the purpose of providing goods and services to our customers, potential customers and other industry groups and bodies, and for Fantech Group's marketing and promotional purposes.

Fantech Group does not give personal information about an individual to other agencies, organisations or anyone else without consent. The only time this may occur without consent would be if the individual would reasonably expect, or has been advised, that information of that kind is usually passed to other agencies, organisations or individuals, or the disclosure is required or authorised by law.

Fantech Group may need to provide your contact details to delivery companies, mail houses, third party fulfilment contractors, financial institutions and web-hosting organisations, but we will not sell or transfer your information to a third party for marketing purposes without your consent. We may, in the ordinary course of our own business, use contact details to direct market our products and services, see 'Direct marketing' below.

Fantech Group uses a number of online channels, including social networking services, to communicate with individuals and organisations with an interest in our goods and services. The use of these services is governed by the online providers Terms and Conditions and Privacy Policies. All users may be required to supply personal information such as name and email address to use these channels to communicate with Fantech Group. Using these services to communicate with Fantech Group may make some personal information visible to Fantech Group and third parties.

Direct marketing

Fantech Group will only use personal information in contact lists for direct marketing purposes where:

- we collected the information from the individual
- the individual would reasonably expect that their personal information would be used or disclosed for direct marketing
- we have provided a simple means by which the individual can request not to receive direct marketing, and
- the individual has not made such a request.

Where an individual would not reasonably expect their personal information to be used for direct marketing, or when the information has been collected from a third party, Fantech Group will only use or disclose personal information for the purpose of direct marketing if:

- the individual has consented to the use or disclosure for this purpose, or it is impracticable to seek this consent
- we have provided a simple means by which the individual can opt out of direct marketing and the individual has not opted out, and
- in each direct marketing communication we have included a prominent statement telling the individual that they may request to no longer receive direct marketing, and no request is made.

Individuals have the right to contact Fantech Group to:

- request not to receive direct marketing communications from us
- request us not to disclose their personal information to other organisations for the purposes of direct marketing, or
- request us to provide the source of the individual's personal information.

Fantech Group will comply with these requests within a reasonable period and free of charge, but will not comply with requests to disclose the source of the information if it is impracticable or unreasonable to do so.

Fantech Group also undertakes to abide by other relevant legislation that governs direct marketing.

Data quality

Fantech Group maintains and updates personal information in our contact lists when we are advised by individuals that their personal information has changed. We do regular audits on contact lists to check the currency of the contact information. We will remove contact information of any individual who advises us that they no longer wish to be included on that list and/or lists.

If you are on one of our email lists, you may remove yourself from further contact by clicking the 'unsubscribe' link at the bottom of the email.

Data security

The personal information in the contact lists is stored in password protected electronic media. When no longer required, personal information in contacts lists is deleted from our electronic contact lists.

Routine access to contacts lists is limited to the database operators who have responsibility for maintaining the contacts lists. Other staff members have access to the personal information in contacts lists on a need to know basis.

Access and correction

For information about how to access or correct personal information collected for our contact lists see 'Access and correction' above (section 4).

Administration Files

Purpose

The purpose of administration files is to have applicant and personnel records and to maintain current and past employee information for business and employment related purposes, or where authorised or required by law.

The purpose of keeping records on candidates for employment ("applicant records") is to allow Fantech Group to assess the suitability of candidates for employment.

The Information in these files may include:

- Application(s) for employment, including the employee's résumé, statements addressing the criteria and referee reports
- Any tasks undertaken by the employee during the selection process
- Notes from the interviewer/s during the selection process
- Contact details for the applicant and their referees.

The personal information in these files relates to the employee and may include:

- Application(s) for employment, including the employee's résumé, statements addressing the criteria and referee reports

- Any tasks undertaken by the employee during the selection process
- Notes from the interviewer/s during the selection process
- The employee's employment contract and other records relating to their terms and conditions of employment
- Proof of citizenship or passport details to verify proof of ability to work in Australia or New Zealand
- Copies of academic qualifications and/or confirmation of these qualifications from the issuing body.
- Records of banking, tax and superannuation accounts and identification numbers
- Records relating to the employee's salary, benefits and leave
- Medical certificates or health related information supplied by an employee or their medical practitioner, including pre-employment medicals
- Contact details for employee and next of kin
- Superannuation contributions
- Information relating to the employee's training and development.
- Checklists to ensure all applicable information has been received and complied as required.

Collection

Fantech Group generally collects personal information directly from employees and applicants but may also collect personal information from other sources such as recruitment agents and personnel providers.

Fantech Group may also collect personal information about employees and applicants from third parties when it is relevant to the selection process.

Use and disclosure

Personal information contained in personnel files is only used for the purpose of maintaining current and past employee data and information for business and employment related purposes.

Fantech Group only uses personal information in applicant files for the purpose of assessing and processing applications for employment.

Fantech Group does not give personal information held in these files to other agencies, organisations or anyone else without the consent of the individual, unless the individual would reasonably expect or has been told, that information of that kind is usually passed to those agencies, organisations or individuals, or the disclosure is otherwise required or authorised by law.

Data quality

Fantech Group maintains and updates personal information in our personnel and applicant files as necessary, or when we are advised by individuals that their personal information has changed.

Data security

Fantech Group will take all reasonable steps to ensure that all personnel or application files in its possession are protected against loss, unauthorised access, misuse, disclosure or modification and that only authorised employees have access to such material.

Personnel and payroll files are stored electronically with password protection and in locked cabinets in paper form (in the HR office which is locked out of normal business hours). Past employee files are archived and stored in locked cabinets.

Applicant files are stored electronically with password protection and in locked cabinets in paper form. Fantech Group will destroy all applicant paper data once the position has been finalised, unless the applicant is expressly

advised that Fantech Group will retain the applicant data for future opportunities. The applicant is able to access, provide changes and request deletion of their applicant records, see 'Access and correction' above (section 4).

The following staff members have access to personnel and applicant files on a need to know basis:

- Directors
- Managers and/or supervisors
- Staff involved in the recruitment and selection process
- Regulatory Affairs Manager
- Human Resources staff.

Access and correction

For information about how to access or correct personal information collected for application files see 'Access and correction' above (section 4).

Current and past employees' personnel files are exempt from the Privacy legislation (in Australia) and therefore are not accessible to the individual, however, should correction of the information contained in the personnel files be required the new information needs to be supplied to the Human Resources Department in the required format.

6.2 Credit and Financial Files

Purpose

Fantech Group maintains credit applications which may include contact information about individuals who may have applied for credit for their business to trade with Fantech Group businesses.

Collection

It is our usual practice to collect any personal information required in credit applications directly from individuals, for example, where they have asked for credit and supplied a completed credit application form.

Sometimes we may collect personal information from a third party or from a publicly available source, such as Equifax, or similar credit reporting bodies. We would usually only collect personal information in this way if the individual would reasonably expect us to, or has given their consent. For example, we might collect this information if we were trading with a sole trader who has requested credit with Fantech Group.

Use and disclosure

Fantech Group only uses personal information in credit applications for the purpose of providing credit for the supply of goods to our customers and potential customers.

Fantech Group does not give personal information about an individual to other agencies, organisations or anyone else without consent. The only time this may occur without consent would be if the individual would reasonably expect, or has been advised, that information of that kind is usually passed to other agencies, organisations or individuals, or the disclosure is required or authorised by law.

Data quality

Fantech Group maintains and updates personal information in credit applications when we are advised by individuals that their personal information has changed. We do regular audits on credit applications to check the currency of the contact information. We will remove contact information of any individual who advises us that they no longer wish to be included on that list and/or lists, see 'Data quality' above (section 4).

Data security

The personal information in the credit application is stored in password protected electronic media and/or in locked cabinets in paper form.

Credit applications are filed and stored on password protected electronic media which are contained in our accounting software and/or in locked cabinets in paper form.

Routine access to credit applications is limited to the database operators who have responsibility for maintaining the credit applications. Other staff members have access to the credit applications on a need to know basis.

Access and correction

For information about how to access or correct personal information collected on our credit applications see 'Access and correction' above (section 4).

APPROVED:

Mark Rickard
Group Chief Executive Officer for Elta Group

*** The Fantech Group Companies in Australia and New Zealand comprise of:**

Fantech Pty. Ltd. ACN 005 434 024 – see below individual websites

Fantech (HVAC) <https://www.fantech.com.au/>
Fantech (energy recovery Australia) <https://energyrecovery.com.au/>
Fantech Trade <https://fantechtrade.com.au/>
Fantech Capital HVAC <https://www.fantechcapitalhvac.com.au/>
Systemaire <https://systemaire.com.au/>
Air Design <https://airdesign.com.au/>
Elta Applied Technology <https://eltafans.com.au/>

Idealair Group Pty. Ltd. ACN 097 258 154 – see below individual websites

Idealair Group
<https://idealairgroup.com.au/>
Major Air
<https://majorair.com.au/>

Burra Sheetmetal Pty. Ltd. ACN 145 706 065 – see below individual website

<http://burrasteel.com.au/>

Fantech (NZ) Limited NZBN: 9429047027404 – see below individual websites

Fantech (HVAC) <https://www.fantech.co.nz/> (redirects to Australian site)
Fantech Trade <https://www.fantechtrade.co.nz/> (redirects to Australian site)
Fantech (energy recovery New Zealand) <https://mvhr.co.nz/>

Smooth-Air Products Ltd NZBN: 9429039226723 – see below individual website

<https://www.smooth-air.co.nz/>

NCS Acoustics Limited - NZBN 9429032126303 - see below individual website

<https://www.ncsacoustics.co.nz/>