

INGAL CIVIL PRODUCTS PRIVACY POLICY

Introduction

Industrial Galvanizers Corporation Pty Ltd ACN 000 545 415 (trading as Ingal Civil Products) ('**ICP**') is bound by the *Privacy Act 1988* (Cth), as amended from time to time ('**Privacy Act**') and the 13 *Australian Privacy Principles* ('**APPs**') contained in the Privacy Act, which set clear standards for the collection, access, storage, use and disclosure of the personal information we obtain as part of ICP's businesses operations. In the course of ICP's business in Australia, there may be circumstances where ICP collects personal information and this ICP Privacy Policy ('**Policy**') has been developed to ensure that such information is handled respectfully, sensitively, securely and in compliance with the APPs. ICP is committed to complying with the Privacy Act in relation to all personal information it collects.

About the ICP Privacy Policy

This Policy sets out the broad controls which ICP has adopted to govern the way it collects and uses personal information, the circumstances in which it might disclose personal information to third parties, how persons can access their personal information held by ICP and what they can do if they are unhappy with ICP's treatment of their personal information.

This Policy applies to any individuals in respect of whom ICP currently holds, or may in the future collect, personal information.

What information does the ICP Privacy Policy apply to?

In this Policy:

- "Personal information" means information or an opinion about an identified individual or an individual who is reasonably identifiable, whether true or not, and whether recorded in a material form or not.
- "Sensitive information" means information or an opinion about a person'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, or health, genetic or biometric information. Sensitive information is a subset of personal information.

What information is not personal information?

Information where ICP has removed any reference to a person, so that the person cannot be reasonably identifiable from the information, is not personal information. ICP may use this information for its own purposes and commercial gain. For example, the fact that a certain number of users aged 30-35 have accessed a ICP website is not personal information.

What kinds of personal information does ICP collect?

The kinds of personal information collected and held by ICP includes (depending on the circumstances) names, addresses, telephone numbers, email addresses, details about a person's work experience and other qualifications, date of birth, age, gender, marital status, driver's licence details, bank account details, credit card details, financial information, photographs and video footage.

ICP may also collect information about people from their access to the ICP website for statistical purposes. This information is usually anonymous and ICP does not use it to identify individuals. However, due to the nature of internet protocols, such information might contain details that identify individuals, such as their IP address, internet service provider, directing web page and activity on our website.

How and when does ICP collect personal information?

ICP collects personal information in a variety of ways in the course of conducting its businesses, including:

- providing goods and services and related information to customers, entering agreements with customers, and administering customer accounts;
- receiving order forms or credit applications from customers or potential customers;
- engaging suppliers, contractors and other personnel;
- responding to telephone or in-person questions regarding our products, services, accounts and our business;
- mail correspondence, emails or other electronic means;
- interacting with people via our websites;
- conducting trade promotions and competitions; and
- security video surveillance at ICP sites.

Where reasonable and practicable, ICP will collect personal information directly from the person and inform the person that this is being done. However in some circumstances, it is necessary for ICP to collect personal information through third party service providers or agents, from a source of publicly available information (e.g. a telephone book), from an employer (e.g. where a contractor provides personal information about its staff), or from other third parties (including credit reporting bodies, the Australian Securities & Investments Commission and land title offices) in relation to credit checks, property searches and company extracts.

At or soon after the time when ICP collects personal information, ICP will take reasonable steps to ensure that the person is aware of which ICP company has undertaken the collection, the purpose(s) of the collection, the main consequences (if any) if the information is not collected, the types of organisation (if any) to which the information may be disclosed (including those located

INGAL CIVIL PRODUCTS PRIVACY POLICY

overseas), any law that required the particular information to be collected, and the fact that this Policy contains details on access, correction and complaints.

If ICP receives personal information that ICP has not requested (unsolicited information) and ICP determines that ICP could not have collected that information under the APPs if ICP had requested it, then ICP will destroy or de-identify the information if it is lawful and reasonable to do so.

Where practicable, you may deal with ICP anonymously or by pseudonym.

Collection of sensitive information

ICP will not collect sensitive information unless the person to whom it relates consents to the collection and the information is reasonably necessary for one or more of ICP's functions or activities, except where the collection is required or authorised by law, is necessary to prevent or lessen a serious and imminent threat to the person's (or another person's) life or health or is necessary in relation to legal proceedings (current, anticipated or potential), or another permitted exception in the Privacy Act applies.

Purposes of collection and use of personal information

The use to which we can put personal information depends on the reason for which it was collected.

ICP generally uses your personal information to provide its products and services to customers. ICP may also use personal information to:

- process transactions and administer accounts;
- address and resolve queries, claims or complaints;
- assess creditworthiness (for example, obtaining credit history information) or undertake other (ongoing) checks/reviews;
- advise customers of developments or changes to our products and/or services;
- market, advertise or otherwise promote ICP's products and/or services;
- seek participation (on a voluntary basis) in advertising campaigns, events, launches, customer testimonials and focus groups;
- undertake market research in relation to ICP's products and services;
- improve ICP's website, products and services; and
- operate its business and comply with legal obligations.

Use of personal information for direct marketing

If ICP intends to engage in direct marketing using or disclosing a person's personal information which was collected from someone other than that person or ICP collected that information directly from you but you would not reasonably expect us to use or disclose the information for such purposes, then we must first obtain your consent, unless an exception applies.

In circumstances where direct marketing is permitted under the Privacy Act, ICP will use an opt-out procedure in all our marketing communications. Similarly, all subsequent direct marketing you receive from us will include an opt-out procedure. A person may at any time request ICP not to use their personal information for sending direct marketing material to that person.

Please note that we will also comply with other laws that are relevant to marketing, including the *Spam Act 2003* (Cth), the *Do Not Call Register Act 2006* (Cth) and the *Competition and Consumer Act 2010* (Cth).

Disclosure of personal information

ICP respects the privacy of personal information and we will take reasonable steps to keep personal information it collects strictly confidential.

Generally, ICP will only disclose personal information for the primary purpose for which it was collected (e.g. the delivery of goods to the person) and for any related secondary purpose that ICP could reasonably be expected to use the personal information or that is related to that primary purpose, with consent or as permitted by the Act or the APPs.

Disclosure to third parties

ICP will disclose personal information to third parties in circumstances where the disclosure could be reasonably expected. Where such a disclosure is necessary, ICP will use reasonable endeavours to require that the third party undertake to treat the personal information in accordance with the APPs.

These third parties may include services providers, contractors, banks, professional advisers, courts, tribunals, regulatory authorities, other companies and individuals for the purpose of:

- complying with obligations under any contract with a customer, or as required by law;
- enabling those third parties to perform services on ICP's behalf, such as deliveries, addressing queries or complaints, sending correspondence, providing updated ASIC and/or property searches and processing payments; and
- recovering debts where a customer fail to pay for products.



INGAL CIVIL PRODUCTS PRIVACY POLICY

These third parties will have access to personal information as required to perform these services, but ICP will not authorise them to use that personal information for any other purpose.

ICP may also disclose personal information to its related entities and business partners, such as auditors, financial services or insurance companies, in order for them to offer products and services to those individuals, or credit reporting agencies, in order for them to produce credit reports.

Otherwise, ICP will only disclose personal information to third parties without the consent of the person to whom it relates if the disclosure is:

- necessary to protect or enforce ICP's legal rights or interests or to defend any claims;
- necessary to prevent or lessen a serious threat to a person's health or safety;
- required or authorised by law; or
- permitted by another exception in the Privacy Act.

You have the right to tell us that you do not wish us to send information to you other than for the primary purpose for which we collect your personal information. We will always attempt to ensure our disclosure of personal information to other organisations is carried out in a manner which does not personally identify individuals.

Under no circumstances will ICP sell personal information without the consent of the person to whom it relates.

Cross border disclosures

ICP is a wholly owned subsidiary of Valmont Industries, Inc ("**VI Inc**"). As part of its normal operations, ICP may disclose personal information to VI Inc or other related Valmont group company operating in Australia or overseas in countries that may vary from time to time, but includes the United States of America and Singapore, subject to the provisions of the Privacy Act. In such circumstances, the related company will only use the personal information for the same purposes for which ICP is authorised to use the personal information.

Where ICP discloses personal information outside Australia, it will take such steps as are reasonable in the circumstances to ensure the overseas recipient does not breach the Privacy Act or APPs. Where reasonably practicable, ICP will first seek consent to such cross-border disclosure. Please note that where consent to such cross-border disclosure is provided, ICP will be exempt from the requirements of the Privacy Act in relation to such disclosed information. Where it is not reasonably practicable for ICP to obtain consent we will otherwise comply with the requirements of the Act.

Information Security

Personal information collected by ICP is held in a variety of formats, including hard copy format and on ICP's computer systems.

ICP will take all reasonable steps to ensure that all personal information held by ICP is secure from any unauthorised access or disclosure. However, ICP does not guarantee that personal information cannot be accessed by an unauthorised person (e.g. a hacker) or that unauthorised disclosures will not occur.

ICP will take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed for the purposes for which ICP is authorised to use it.

Accessing and correcting personal information

ICP will take reasonable steps to ensure the accuracy and completeness of the personal information we hold. However, if a person believes that any personal information that we hold about them is inaccurate or out of date, then they should contact ICP in writing using the contact details listed on the ICP website.

A person may request to access, correct or update personal information about them held by ICP. Such a request must be made in writing to the address below.

ICP will grant a person access to their personal information as soon as possible, subject to the circumstances of the request.

A request to access personal information may be rejected if:

- the request is unreasonable or the Privacy Act or APPs permit or require ICP to decline that request;
- the request is frivolous or vexatious;
- providing access would have an unreasonable impact on the privacy of another person;
- providing access would pose a serious and imminent threat to the life or health of any person;
- providing access would prejudice ICP's legal rights; or
- there are other legal grounds to deny the request.

Generally, access to or correction of personal information will be provided free of charge, however ICP may charge a fee for reasonable costs incurred in giving access to an individual's personal information. The fee (if any) will be disclosed prior to it being levied.

INGAL CIVIL PRODUCTS PRIVACY POLICY

Complaints

If a person wishes to complain about a breach by ICP of this Policy, the APPs, the Credit Reporting Code or other breach of privacy a complaint may be lodged in writing by post or by email to the address set out below.

ICP takes all complaints seriously and any further action after our initial response to you will vary depending on the nature of your complaint. However, receipt complaints will be acknowledged and ICP will endeavour to deal with complaints and provide a response within 30 days of receipt of the complaint. Where a matter requires a more detailed investigation it may take longer to resolve. ICP will provide progress updates if this is the case and may seek further information. ICP may refuse to investigate and deal with a complaint if it is considered to be vexatious. If a person is dissatisfied with the outcome of their complaint, they may seek further internal review by an officer of ICP who was not previously involved in the complaint.

If a person is still dissatisfied with the outcome of their complaint, they may take the complaint to an external dispute resolution provider (in the case of a complaint in relation to credit-related personal information) that applies to ICP and/or the Office of the Australian Information Commissioner for resolution.

Changes to the ICP Privacy Policy

From time to time it may be necessary for us to review and revise our privacy policy. ICP reserves the right to change this Policy at any time. We will notify you about changes to this privacy policy by posting an updated version on our website www.ingalcivil.com.au.

Additional information regarding Credit Information

This Policy also applies in relation to ICP's collection and use of credit information of individuals, in connection with commercial credit provided by ICP.

The types of credit information that ICP collects and uses for the purpose of assessing an application for commercial credit and administering a commercial account include:

- names, addresses and other contact details of accountholders and guarantors (both prospective and current);
- bank account details;
- driver's licence details;
- financial information; and
- information on the assets held by an individual.

Such information is collected from the relevant individual and from credit reporting bodies, as well as from publicly available information. ICP uses the information collected to create an internal credit assessment report.

ICP may disclose credit information to credit reporting bodies as required to maintain internal credit assessment activities.

Our Contact Details

Managing Director

Ingal Civil Products

57-65 Airds Road, Minto NSW 2566

Phone: 1300 4 INGAL or +61 2 9827 3333 | Facsimile: +61 2 9827 3300 |

Internet: www.ingalcivil.com.au