

## Energy Bay Group Consolidated Privacy Policy

### 1 Our commitment regarding the collection of your personal information

This Privacy Policy applies to Energy Bay Group Pty Ltd (ACN 674 256 467) and each of its subsidiaries, including but not limited to Diamond Energy Pty Ltd (ACN 107 516 334) (**Diamond Energy**), Energy Bay Pty Ltd (ACN 617 406 354) and Quad Sol Pty Ltd (ACN 620 838 119) (together, **Energy Bay, we, us or our**).

We are bound by the *Privacy Act 1988* (Cth) (**Privacy Act**), which includes the Australian Privacy Principles (**APPs**). This policy explains how and why we collect, use, hold and disclose your personal information, as well as how you may contact us to request access to, or correction of, that information or make a complaint regarding privacy.

### 2 What is personal information?

Personal information is any information or an opinion about an identified individual or an individual who can reasonably be identified from the information or opinion. Information or an opinion may be personal information regardless of whether it is true.

### 3 What personal information do we collect and hold?

The information we collect from you may include your name, date of birth, contact details including address, email address, phone number and payment details. This is not an exhaustive list

We may collect information about how you access, use and interact with our websites. This information may include:

- the location from which you have come to the site and the pages you visited; and
- technical data, which may include your IP address, the types of devices you are using to access the website, device attributes, browser type, language and operating system.

We use cookies on our websites. A cookie is a small text file that the website may place on your device to store information. We may use persistent cookies (which remain on your computer even after you close your browser) to store information that may speed up your use of our website for any of your future visits to the website. We may also use session cookies (which no longer remain after you end your browsing session) to help manage the display and presentation of information on the website. You may refuse to use cookies by selecting the appropriate settings on your browser. However, please note that if you do this, you may not be able to use the full functionality of the website.

We sometimes collect sensitive information about you, such as medical information if you apply for employment with us.

Generally, we will only collect sensitive information about you if this is required to enable us to provide our services, consider your application for employment or if we are required to collect it pursuant to law.

#### Diamond Energy Customers

If you are a customer of Diamond Energy, we may collect the personal information listed above (including life support information), plus information relating to your current and previous addresses, financial circumstances, creditworthiness, bank account details and credit card details, credit history, concession or discount entitlement, metering data at your address, and the conduct of your account. This is not an exhaustive list.

#### 4 How is personal information collected?

We collect personal information about you and your interactions with us in a variety of ways, for example when you:

- visit one of our websites (such as <https://energybay.com/>, <https://solarbay.com.au/>, and <https://diamondenergy.com.au/>);
- receive services from us;
- complete an enquiry or application form online;
- contact us, including by telephone, mail or email;
- apply for a job with us;
- have provided information to a third party such as your landlord which is shared with us as part of the services we offer.

We will collect most personal information directly from you when you interact with us or receive services from us. We may also collect personal information from third parties in some circumstances, such as from:

- credit reporting bodies / credit providers;
- authorised persons / representatives;
- owners committees and/or body corporates;
- strata managers;
- electricity retailers and distributors;
- debt collectors;
- government and regulatory authorities, including the Australian Taxation Office; or
- other service providers.

#### 5 Why do we collect, hold and use your personal information?

The personal information we collect may be used for a number of purposes connected with our various business operations, including to:

- provide you with energy related services and promotions for associated offers which may be of value to you;
- gain a better understanding of your electricity needs in order for us to provide you with a better service;
- process your orders or applications, including by carrying out credit checking and scoring (unless we have agreed otherwise);
- provide you with products and/or services you have requested; issue invoices or administer your account;
- consider and process your job application as part of the recruitment process;

- contact you, for example to respond to requests, enquiries or complaints, or if we need to tell you something important, and any other customer care related activities;
- carry out market and product analysis and market our products and services generally;
- manage our relationship with you;
- contact you about our group companies' products and services, or notify you about other related services or promotions from time to time with your consent;
- register your details and allocate or offer you rewards, discounts or other benefits and fulfil any requests or requirements you may have in respect of our loyalty or reward programs and other similar schemes; and
- carry out any activity in connection with a legal, governmental or regulatory requirement, or in connection with legal proceedings.

We do not sell, rent or trade your personal or business information.

## **6 Do we use your personal information for marketing?**

Personal information collected from you will only be used to send commercial electronic messages if your consent to receive marketing material has been obtained.

If at any time you no longer wish to be notified about other services or promotions offered by us, please let us know directly using the contact details below, or opt-out using the unsubscribe facility in the commercial electronic message.

## **7 Will personal information be disclosed to anyone else?**

We may transfer or disclose your personal information to our related companies. We may also disclose your personal information to third parties in the conduct of our business, so that they may perform services for us or on our behalf.

Your personal information may be disclosed to:

- service providers, to enable them to provide services to us (as explained in more detail below);
- additional account holders or your authorised representative;
- other energy retailers (if you decide to move to another retailer);
- companies that manage the distribution of your energy;
- financial institutions and/or payment services providers (for payment processing);
- credit reporting bodies and other credit providers;
- debt collection agencies, government and regulatory authorities (where required or authorised by law);
- property owners and/or their agents; and
- owners committee and/or body corporate managers.

Examples of service providers to which we may disclose your personal information include information technology suppliers, meter reading and maintenance contractors, debt collection agencies, marketing and advertising agencies and contractors, mailing and logistics providers and our professional advisors (such as accountants, auditors and lawyers).

We may, if necessary, disclose your personal or business information where authorised or permitted by law to do so, including for the purpose of law enforcement or energy market requirements.

If the ownership or control of all or part of our business changes, we may transfer your personal information to the new or prospective owner.

## **8 Do we disclose personal information to overseas recipients?**

In some circumstances, recipients of your personal information including service providers may be located overseas. Those recipients are likely to be located in Singapore, the USA and the EU. If your personal information is held in other overseas countries in the future, we will update this statement.

## **9 Credit Reporting Policy**

Where Diamond Energy provides products or services to you on credit (that is, where you will pay for those products or services after they are provided to you), Diamond Energy is a credit provider for the purposes of the Privacy Act.

Diamond Energy's [Credit Reporting Policy](#) describes how it complies with its credit reporting obligations under the Privacy Act.

## **10 How we hold and keep secure your information**

We store information in different ways, including hard copies and electronically. We maintain security measures designed to protect the personal information we hold from misuse, interference or loss, and from unauthorised access, modification or disclosure. These security measures include:

- Confidentiality requirements for employees and contractors;
- Document archive storage security, systems access and site access restrictions; and

## **11 How can you access and correct your personal information?**

Under the Privacy Act, you have a right to seek access to information which we hold about you. You also have the right to ask us to correct information about you which is inaccurate, incomplete, or out of date. There are some circumstances in which we are not required to give you access to your personal information.

If you wish to gain access to or request correction of your personal information, or you have any queries on how your personal information is handled by us, please forward your request or query to us at:

Attention: The Privacy Officer

Energy Bay Group Pty Ltd

Level 16, 167 Macquarie Street Sydney NSW 2000

Or via email to: [info@energybay.com](mailto:info@energybay.com) or [customerservice@diamond-energy.com](mailto:customerservice@diamond-energy.com)

There is no charge for requesting access to your personal information, but we may require you to meet our reasonable costs in providing you with access (such as photocopying costs or costs for time spent on collating large amounts of material).

We will respond to your requests to access or correct personal information in a reasonable time and will take all reasonable steps to ensure that the personal information we hold about you remains accurate, up to date and complete.

## **12 Our privacy complaints handling process**

If you believe that your privacy rights have been breached or you have a complaint in relation to our handling of your personal information, please contact us using the details in section 11 above and provide details of the incident.

We will treat your complaint confidentially, investigate your complaint and aim to ensure that your complaint is resolved within a reasonable time. We will notify you of the outcome of your complaint.

If you are not satisfied with our response or our proposed resolution of your complaint, then you may lodge a formal complaint with the Office of the Australian Information Commissioner (for more information, please see <http://www.oaic.gov.au>).

## **13 Changes to our privacy policy**

We may update this Privacy Policy from time to time, including where necessary due to a change in law, or a change in the way we handle personal information.

You may obtain a copy of our current Privacy Policy from any of our websites (which is effective from the date of posting) or by contacting us using the contact details above.

This Privacy Policy was last updated in January 2025