

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

- 1.1 Diamond Energy Pty Ltd ABN 97 107 516 334 (“we”, “us” or “our”) understands the importance you place on privacy. We respect and commit to protect the privacy of our customers, shareholders and all who we deal with in our business.
- 1.2 This is why we are committed to complying with the laws that protect all your personal and sensitive information. In this Privacy Policy we have outlined how Diamond Energy complies with the requirements of the *Privacy Act 1988 (Cth)*, including the Australian Privacy Principles.

## **2. What personal information will we collect?**

- 2.1 Personal information means any information that can identify you. This may include your name, date of birth, current and previous addresses, telephone/mobile numbers, email address, financial circumstances, creditworthiness, bank account details and credit card details, credit history, concession or discount entitlement, and the conduct of your account. We may collect this information about you or your business for the purpose of supplying you with energy and other energy related products
- 2.2 Generally, we will only collect sensitive information about you if this is required to enable us to provide our services. If we need sensitive information, we will ask for your consent when we collect this information.

## **3. How is personal information collected and stored?**

- 3.1 We may collect personal information about you online from an application form or orally if you call our offices or speak directly with our staff or in writing if you contact our staff by mail.
- 3.2 We will take reasonable steps to ensure the security of personal information held from such risks as loss or unauthorised access, destruction, use, modification or disclosure.

## **4. How is personal information used?**

- 4.1 We will use your personal information only for the main business purposes for which it was collected. We do not sell, rent or trade your personal or business information.
- 4.2 We may if necessary, disclose your personal or business information for reasons of law enforcement, energy market requirements, regulatory, safety and public wellbeing.
- 4.3 We may exchange your information with our related body corporates, agents and contractors (such as mail houses, data processing analysts and debt collection agencies).
- 4.4 The personal or business information we collect may be used for a number of purposes connected with our business operations, these include:
  - i. Provide you with the energy related services and promotions for associated offers which may be of value to you;
  - ii. Gain a better understanding of your electricity needs in order for us to provide you with a better service;
  - iii. Processing your orders or applications, carrying out credit checking and scoring (unless we have agreed otherwise);
  - iv. Providing you with products and/or services requested; billing you or administering your account;
  - v. Dealing with requests, enquiries or complaints and other customer care related activities;
  - vi. Carrying out market and product analysis and marketing our products and services generally;
  - vii. Contacting you about our group companies' products and

services;

- viii. Registering your details and allocating or offering you rewards, discounts or other benefits and fulfilling any requests or requirements you may have in respect of our loyalty or reward programs and other similar schemes; and
  - ix. Carrying out any activity in connection with a legal, governmental or regulatory requirement of us, or in connection with legal proceedings.
- 4.5 Where you have agreed, the personal information we collect from you may be used by us or our associated businesses to:
    - i. provide you with our services or with other information you have requested;
    - ii. notify you about other related services or promotions from time to time; or
    - iii. manage our relationship with you.
  - 4.6 Personal information collected from you will only be used to send commercial electronic messages if your express permission has been obtained.
  - 4.7 If at any time you no longer wish to be notified about other services or promotions offered by us, please let us know.

## **5. Will personal information be given to anyone else?**

- 5.1 We may disclose your personal information to third parties in the conduct of our business.
- 5.2 Some of these third parties act on our behalf, and if this is the case we ask that these third parties hold, use and disclose your personal information in accordance with the Privacy Act.
- 5.3 These third parties may include 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 (for payment processing), credit reporting bodies and other credit providers, government and regulatory authorities (where required or authorised by law) and other service providers.
- 5.4 Examples of service providers 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 disclose your personal information to these service providers for the purpose of their work and, equally, and these service providers may provide us with personal information they have collected from you in the course of providing the relevant products or services. In some circumstances, service providers may be located overseas.

## **6. Your credit information and our Credit Reporting Policy**

- 6.1 Where we provide products or services to you on credit (that is, you will pay for those products or services after we start providing them to you), we are a credit provider for the purposes of the Privacy Act. This section of our Privacy Policy is our Credit Reporting Policy, which sets out how we will collect, use, hold and disclose your credit information.
- 6.2 We may collect your credit information from you or from third parties, including from credit reporting bodies and other credit providers, in order to assist us in determining whether we will provide our services to you on credit.
- 6.3 The type of credit information that we collect about you includes your name, address and contact details, your gender and date of birth, your credit history (including any repayments or late repayments you have made), details of any credit you have sought or obtained from other credit providers, any credit score that a credit reporting body can provide to us and details of any credit-related court

proceedings or insolvency applications that relate to you.

6.4 We may use and disclose your credit information as permitted by Part IIIA of the Privacy Act and the Credit Reporting Code and for the purposes of performing our business functions. These purposes include:

- i. using your credit related information to assess an application for credit made by you to us;
- ii. using your credit related information to collect payments that you owe us;
- iii. disclosing your credit related information within Diamond Energy where we are considering whether to provide credit;
- iv. disclosing your credit related information to credit reporting bodies which collect different types of credit related information about individuals and use that information to provide a credit related service to their customers.
- v. disclosing your credit related information to other third parties, such as debt collectors, credit management agencies and our agents and other third parties which provide credit related services (such as processing applications for credit made to us);
- vi. disclosing your credit related information to other energy providers which provide, or considering providing, credit to you;
- vii. disclosing your credit related information to a third party that you or we request act as a guarantor in relation to any credit provided to you;
- viii. using and disclosing credit related information that we hold about you in relation to any access or correction requests that you make to us, a credit reporting provider or another credit provider;
- ix. using and disclosing credit related information that we hold about you in relation to any complaint that you make, whether to us, a regulator or any provider of a recognised external dispute resolution scheme;
- x. using and disclosing credit related information that we hold about you as required by law or order of a court or tribunal; and
- xi. where you otherwise expressly consent to the use or disclosure.

6.5 If your application for credit is refused by us based on information provided to us by a credit reporting body, we will inform you of this and provide you with the name and contact details of that body (together with any other information required to be provided to you).

6.6 You may request access to any credit related information that we hold about you in accordance with section 7 of this Privacy Policy.

6.7 If you request that we correct any credit related information that we hold about you, we will respond to that request and correct any credit related information that we hold about you that we are satisfied is inaccurate, out-of-date, incomplete, irrelevant or misleading. We may consult with other credit providers and credit reporting bodies in relation to your request.

6.8 If we correct credit related information that we hold about you without you first making a correction request, we will take reasonable steps to notify that correction to you and each other credit provider and credit reporting body to which we have previously disclosed that credit related information (unless it is impracticable for us to do so).

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

7.1 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.

7.2 If you wish to gain access to your personal information, or you have any query on how your personal information is collected or used, please forward your request or query to us:

Attention: The Privacy Officer

Diamond Energy

101 Greville Street, Prahran VIC 3181

OR, via email to: [customerservice@diamond-energy.com](mailto:customerservice@diamond-energy.com)

## **8. Our privacy complaints handling process**

8.1 If you believe that your privacy has been breached or you have a complaint in relation to our handling of your personal information or credit related information, please contact us using the details below and provide details of the incident. We will treat your complaint confidentially, investigate your complaint and aim to ensure that we contact you and your complaint is resolved within a reasonable time (and in any event within the time required by the Privacy Act, if applicable).

8.2 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>). If your complaint relates to credit related information, you may also make a complaint to a third party dispute resolution provider instead of the Office of the Australian Information Commissioner. We will tell you who this third party dispute resolution provider is when we write to you regarding our proposed resolution of your credit related complaint

## **9. Changes to our privacy policy**

9.1 We may change this Privacy Policy from time to time, including in order to comply with the Privacy Act 1988 (Cth) as amended. Any updated versions of this Privacy Policy will be posted on our website and will be effective from the date of posting.

This Privacy Policy was last updated on 5<sup>th</sup> May 2021.