



# Personal Data Protection and Privacy Policy

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# Personal Data Protection and Privacy Policy

Flo Energy  
Australia Pty Ltd  
ACN 664 209 330

Suite 2, Level 25,  
100 Miller Street  
North Sydney  
NSW 2060

hello@floenergy.com.au  
floenergy.com.au

Flo Energy Australia Pty Ltd (a wholly - owned subsidiary of Flo Holding Pte. Ltd.) ("we", "us" or "our") respects the privacy of all users of our website and services.

## 1. What does this Policy Cover?

- 1.1. This Personal Data Protection and Privacy Policy ("Policy" or "Privacy Policy") sets out the basis on how we may collect, use, disclose or otherwise process Personal Data of individuals. This Policy applies to Personal Data in our possession or under our control, including Personal Data in the possession of organisations which we have engaged to collect, use, disclose or process Personal Data for our purposes. We may modify this Policy at any time by giving you written notice, such as via our service emails.
- 1.2. This Policy explains to you how we collect, use, disclose, store and process data that is capable of identifying you as an individual, whether on its own or in conjunction with other data accessible by us ("Personal Data").
- 1.3. By continuing to use our services, accessing our website(s), content or engaging with us (whether by electronic means such as online forms, web threads or email; telephone, writing, or otherwise) pre - sales or post settlement or procurement of new/ continuation of products and services from us, you signify that you have read, understood and agree to our collection, use, and disclosure of your Personal Data as described in this Policy.
- 1.4. *The Privacy Act 1988 (Cth)* ("Privacy Act") includes thirteen (13) Australian Privacy Principles ('APPs'). The APPs regulate the way many companies collect, use, hold and disclose personal information.
- 1.5. We have adopted an approach that is consistent with the Privacy Act, the APPs and the APP guidelines.
- 1.6. Our practices and internal policies are consistent with this privacy policy and our staff are required to ensure compliance as a condition of their employment. In any third-party contracts we enter into, there is a duty to maintain personal information in accordance with this privacy policy and in a manner consistent with the Privacy Act.
- 1.7. From time to time we will update this privacy policy. If we do so we will update the version number. Any changes to this privacy policy will be consistent with our legal obligations.

## 2. Collection of Personal Data

- 2.1. We only collect, use and disclose Personal Data with your consent or deemed consent or as otherwise permitted under the applicable laws and regulations.
- 2.2. For us to provide services requested by you, it is necessary for us to collect, use and disclose certain Personal Data.
- 2.3. Depending on the nature of your interaction with us, some examples of Personal Data which we may collect from you include:
  - (a) Personal information (such as your full name, ID number, ethnicity, telephone numbers, address, financial data such as payment and billing information).
  - (b) Records from discussions or correspondences, including details obtained through customer satisfaction or other surveys.
  - (c) Details of your usage of our services or Third Party Utility services (including consumption and usage data and reports prepared by utility affiliates, general market information or meter readers) in your interactions with us or in relation to the provision of any services from us or a Third Party Utility to you.





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(d) Information derived from cookies (small text files which uniquely identify your browser) where you visit any website or use any application created by or on our behalf.

- 2.4. We generally do not collect your Personal Data unless:
- (a) it is provided to us voluntarily by you directly or via a third party who has been duly authorised by you to disclose your Personal Data to us (your "authorised representative") after (i) you (or your authorised representative) have been notified of the purposes for which the data is collected, and (ii) you (or your authorised representative) have provided written consent to the collection and usage of your Personal Data for those purposes, or;
  - (b) from publicly available sources or where collection and use of Personal Data without consent is permitted or required by law. We shall seek your consent before collecting any additional Personal Data and before using your Personal Data for a purpose which has not been notified to you (except where permitted or authorised by law).
- 2.5. When you use our website, or access our online content, we may automatically collect certain data through the use of website cookies. Please refer to our Cookie Policy (Can be downloaded from the Flo website) for more information about how we use cookies to collect your information.
- 2.6. We shall seek your consent before collecting any additional Personal Data and before using your Personal Data for a purpose which has not been notified to you (except where permitted or authorised by law).
- 2.7. We may run marketing campaigns or offer gifts and promotions from time to time. As there may be media recording or written testimonials involved, by participating in these events and activities, consent is deemed to have been given to us for collection of all Personal Data.
- 2.8. You agree that we (and our marketing agents, affiliates and collaborators) may use the information collected and you have given us consent to the collection, usage, storage, disclosure and processing of your information. In addition, you agree that we shall have the right at any time to contact and/or mail/write to you (whether electronically or otherwise) with promotional materials, information and/or mailers. It is deemed that you have consented to being featured in photographs, motion pictures, recordings, or any other media records for the purpose of promotion by us or for any legitimate purpose, including any commercial and marketing uses, and/or to be updated onto our public websites and channels, including but not limited to Facebook, Twitter, Instagram, YouTube, LinkedIn and/or any promotional material and publication related to these marketing related activities. You further agree that we may disclose and publish your name and other particulars (including but not limited to media articles such as photographs) for the purposes of publicity and hereby release us from any liability with respect thereto.
- 2.9. We are also granted the rights necessary for distribution and public display of any content submitted as part of any event that you have participated in, and hereby grants us the perpetual right to exclusively; royalty-free and without limitation freely use, modify, edit, copy, reproduce, distribute, broadcast, translate, create derivative works from, alter and publicly display or publish any such intellectual property rights, for whatever purpose, in any form or medium, either on our sites and content pages or elsewhere, whether promotional or in other activities or events arranged by us (and our marketing agents, affiliates and collaborators), whether locally or worldwide.

### 3. Use of Personal Data

- 3.1. We may collect and use your Personal Data for any or all of the following purposes:
- (a) performing obligations in the course of or in connection with our provision of the goods and/or services requested by you;
  - (b) verifying your identity;
  - (c) responding to, handling, and processing queries, requests, applications, complaints, and feedback from you;
  - (d) managing your relationship with us;
  - (e) conducting market analysis, market research, customer satisfaction and quality assurance surveys to improve our products and services;
  - (f) processing payment or credit transactions (including debt recovery purposes);
  - (g) complying with any applicable laws, regulations, codes of practice, guidelines, or rules, or to assist in law enforcement and investigations conducted by any governmental and/or regulatory authority; and





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(h) transmitting to any unaffiliated third parties including our third party service providers and agents, and relevant governmental and/or regulatory authorities, for the aforementioned purposes.

3.2. Where you have consented to receive marketing or promotional information or materials from us (and our affiliates), we may collect and use your Personal Data for any or all of the following purposes:

- (a) contacting you by email, phone call, SMSes and/or social media platforms;
- (b) informing you of promotions, products, and services which may be of interest to you;
- (c) administering and disclosing the winner of contests and lucky draw competitions conducted by us or on our behalf.

3.3. Where you have submitted a job application to Flo, we may collect and use your Personal Data for any or all of the following purposes, without limitation:

- (a) managing your application for an employment opportunity;
- (b) evaluating your suitability for an employment opportunity, which may include passing your Personal Data to recruitment consultants or third parties to conduct assessment test, pre employment screening checks, and the likes;
- (c) storing your application in our database to build a talent pool that may be used to identify you as a prospective candidate for future employment opportunity based on your qualifications, and contacting you accordingly;
- (d) managing your employment (if your application is successful) and your work performance;

3.4. We will only use your Personal Data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If there is any change in the purpose for which we collected your Personal Data, we will inform you of such change by way of email via your email address on our records. If you wish to have an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact our Data Protection Office using details available at Flo's website. If we need to use your Personal Data for an unrelated purpose, we will notify you and explain the legal basis, which allows us to do so.

3.5. Please note that Personal Data does not include information that has been made anonymous or aggregated so that it can no longer be used to identify a specific person. We may (but not in a manner that would identify you personally) use anonymised or aggregated data derived from your Personal Data and/or disclose such data to advertisers, business partners, sponsors and other third parties for their use, to customise or improve our content and advertising to deliver a better experience to users. It may also be used to improve candidate shortlisting by our recruitment agents.

## 4. Disclosure of Personal Data

4.1. We may disclose your Personal Data:

- (a) where such disclosure is required for performing obligations in the course of or in connection with our provision of the goods and services requested by you;
- (b) to third -party service providers, agents and other organisations we have engaged to perform any of the functions in Clause 3.1 for us;
- (c) if we are under a duty to disclose or share your Personal Data where we believe that we are under a legal obligation to disclose; in order to enforce or apply agreed terms and conditions or other agreements; or to protect the rights, property, security or safety of our company, our customers, or premises, or others. The foregoing includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.
- (d) to persons who have been validly identified as being you or your authorised representative(s) pursuant, for the purpose of the relevant transaction or enquiry.

4.2. To safeguard your Personal Data, we disclose Personal Data both internally and to third parties (including our authorised third-party service providers and agents) only on a need-to-know basis. We expect all parties to whom we disclose your Personal Data to respect the security of your Personal Data and to treat it in accordance with the law.





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## 5. Retention of Information

- 5.1. We may retain your Personal Data for as long as it is necessary to fulfil the purpose for which it was collected, or as required or permitted by applicable laws.
- 5.2. We will cease to retain your Personal Data, or remove the means by which the data can be associated with you, as soon as it is reasonable to assume that such retention no longer serves the purpose for which the Personal Data was collected, and is no longer necessary for legal or business purposes.

## 6. Accuracy and Correction of Personal Data

- 6.1. We generally rely on Personal Data provided by you (or your authorised representative). In order to ensure that your Personal Data is current, complete and accurate, please promptly update us if there are changes to your Personal Data by informing our Data Protection Officer in writing or via email using details available at Flo's website. We shall handle such requests as soon as reasonably practicable.
- 6.2. We reserve the right to disregard or correct information which seems, on a reasonable basis, to be inaccurate or out of date by reason of the time which has elapsed since it was collected or by reason of any other information in our possession.
- 6.3. Should we disagree and reject your written request for a correction of your Personal Data on reasonable grounds, we shall annotate the Personal Data with the correction that was requested but not made.

## 7. Access to Personal Data

- 7.1. We provide a customer portal to update your personal information. If such personal data cannot be accessed or updated via the portal or customer service, then if you wish to make (a) an access request for access to a copy of the Personal Data which we hold about you or information about the ways in which we use or disclose your Personal Data, or (b) a correction request to correct or update any of your Personal Data which we hold about you, you may submit your request in writing or via email to our Data Protection Office using details available at Flo's website.
- 7.2. We will respond to your request as soon as reasonably possible. In general, our response will be within thirty (30) business days. Should we not be able to respond to your request within thirty (30) days after receiving your request, we will inform you in writing within thirty (30) days of the time by which we will be able to respond to your request. If we are unable to provide you with any Personal Data or to make a correction requested by you, we shall generally inform you of the reasons why we are unable to do so (except where we are not required to do so under all applicable law).
- 7.3. Please note that a reasonable fee to meet our costs may be charged for an access request. If so, we will inform you of the fee before processing your request.

## 8. Transfer of Personal Data to Other Countries

- 8.1. We generally do not transfer your Personal Data to other countries. However, if we do so, we will obtain your consent for the transfer to be made and we will take steps to ensure that your Personal Data continues to receive a standard of protection that is at least comparable to that provided under all applicable laws.

## 9. Security

- 9.1. To safeguard your Personal Data from unauthorised access, collection, use, disclosure, copying, modification, disposal or similar risks, we have introduced appropriate administrative, physical and technical measures such as up - to - date antivirus protection, encryption, and disclosing Personal Data both internally and to our authorised third-party service providers and agents only on a need to-know basis.





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- 9.2. You should be aware, however, that no method of transmission over the Internet or method of electronic storage is completely secure. While security cannot be guaranteed, we strive to protect the security of your information and are constantly reviewing and enhancing our information security measures.
- 9.3. If you use a login user ID or password obtained through the website, you shall be responsible for maintaining the confidentiality of the user ID and password and not to share or authorise the use of the user ID and password by third-parties. You shall be responsible for all activities undertaken using your user ID and password whether authorised or otherwise. You shall immediately notify us if it comes to your knowledge that your user ID and/or password has been compromised or there has been unauthorised use.

## 10. Withdrawal of Consent

- 10.1. You may choose whether or not to provide your Personal Data, and if already provided, you may choose to exercise your right to withdraw the consent you provided for the use or disclosure of your Personal Data.
- 10.2. You may withdraw your consent for the collection, use or disclosure of your Personal Data, by giving us a written request made by email to our Data Protection Office.
- 10.3. Upon receipt of your written request to withdraw your consent, we may require reasonable time (depending on the complexity of the request and its impact on our relationship with you) for your request to be processed and for us to notify you of the consequences of us acceding to the same, including any legal consequences which may affect your rights and liabilities to us. In general, we shall seek to process your request within ten (10) business days of receiving it.
- 10.4. Whilst we respect your decision to withdraw your consent, please note that depending on the nature and scope of your request, we may not be in a position to continue providing our goods or services to you and we shall, in such circumstances, notify you before completing the processing of your request. Should you decide to cancel your withdrawal of consent, please inform us in writing in the manner described in **Clause 10.2** above.
- 10.5. Please note that withdrawing consent does not affect our right to continue to collect, use and disclose Personal Data where such collection, use and disclose without consent is permitted or required under applicable laws.
- 10.6. Please note that your consent given here will override any registration on a Do Not Call Registry and shall apply to telephone numbers under your name (including your employee, representative or authorised person), including new telephone numbers which you may provide us from time to time. You may opt -out of receiving marketing communications from us and our affiliates using the opt -out facility provided by us, or giving us a written request made by email to our Data Protection Officer using details available on Flo's website.

## 11. Links to Other Sites

- 11.1. Our website may contain links to or from other websites. This Policy is not applicable to Personal Data collected on third-party websites.
- 11.2. We are not responsible for the policies, statements and practices of other third-party websites even if you accessed the third-party website through links from our website or you linked to our website from a third-party website. We encourage you to read the policies of such third-party websites for information on how they collect, use and/or disclose your information.

## 12. Limitation of Liability

- 12.1. We, and our related companies and affiliates, are not liable for any direct, indirect, special or consequential damages or loss of any kind resulting from:
  - (a) any unauthorised use of your user ID and/or password;
  - (b) your access to and/or use of our website and/or any online services; and/or





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(c) your non-compliance with this Policy.

### 13. Changes to our Policy

- 13.1. We may revise this Policy from time to time without any prior notice. You may determine if any such revision has taken place by referring to the date on which this Policy was last updated. Your continued use of our website or services constitutes your acknowledgement and acceptance of such changes.
- 13.2. This Policy applies in conjunction with any other notices, contractual clauses and consent clauses that apply in relation to the collection, use and disclosure of your Personal Data by us.
- 13.3. We strive to ensure that our customers get consistent information. In the event of any discrepancy between the terms set out in this Personal Data Protection and Privacy Policy and the Standard Terms and Conditions, and in so far as it relates to the collection, use and disclosure of Personal Data, the terms set out in the Personal Data Protection and Privacy Policy shall prevail.

### 14. Contact Us

- 14.1. If you have any comments, questions or complaints about our Policy or about our collection, use and/or disclosure of your Personal Data, you may contact our Data Protection Officer using details available on Flo's internal website.

Effective date: 26/01/2023

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