

# NGR PRIVACY POLICY

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## IDENTITY OF COLLECTING ORGANISATION

We are the National Grower Register Pty Ltd (NGR, We, Our or Us).

You, your, is a reference to a Grower, Trader, User, Authorised User and their Authorised Representative as the case may be.

We provide Authorised Users (typically agricultural commodity buyers) with a centralised national register of Grower Contact and Payment Details, and offer the NGR Card to facilitate transfer of information between buyers and growers. NGR will not make information available to an Authorised User unless that Authorised User has received the Grower's NGR Card Number from the Grower and has also committed to NGR in writing that it will abide by our terms and observe this Privacy Policy.

By submitting an Authorised User Application Form, an Authorised User is agreeing to be bound by our terms, which impose obligations on the Authorised User and their Authorised Representatives as to the use of a Grower's information.

For an up-to-date list of Authorised Users please refer to our website [www.ngr.com.au](http://www.ngr.com.au) or contact the Privacy Officer (see below).

We do not handle or collect information relating to specific transactions involving the sale of grain or other Agricultural Product. NGR does not become involved in the transaction but simply operates a database of NGR Card Information, associated Grower Information and Information of Users who have authority to act on behalf of the Grower.

## OUR OBLIGATIONS UNDER THE PRIVACY ACT 1988

This Privacy Policy sets out how we comply with our obligations under the Privacy Act 1988 (Cth) and Australian Privacy Principles. NGR may collect, use, disclose, manage and store your Personal Information by you:

- a) completing your Registration as a User and for any attached Grower for whom you have authority to act;
- b) using the NGR website; and
- c) providing Personal Information to NGR, its officers, agents or employees in any way.

After this Policy has been brought to your attention, you acknowledge and consent to the use, storage or disclosure of your Personal Information by NGR in accordance with this Policy and the Privacy Act and our terms.

If you do not agree to NGR handling your Personal Information in the manner set out in this Policy you must immediately cease to access Our Service Centre, our website, and you should not provide NGR with any of your Personal Information.

### 1. WHAT IS PERSONAL INFORMATION?

We follow the definition of Personal Information given in the Privacy Act as being:

*... information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not, and whether the information or opinion is recorded in a material form or not.*

Generally words and phrases in this Policy are used in accordance with or as they are defined in the Privacy Act and our Standard Terms & Conditions.

### 2. WHAT KINDS OF PERSONAL INFORMATION MIGHT WE COLLECT AND HOLD?

We may collect (and hold) different Personal Information from you depending upon how you interact with NGR.

If you contact NGR, we will collect:

- your name;
- your residential and postal address;
- your email address;
- your phone number(s);
- your date of birth and other Security Questions and Answers to allow access to secured data on the NGR System including myNGR;
- your Login Name and Password;
- your signature specimen; and

- your Know Your Customer Information and Primary and Secondary Identification Documents to allow us to properly identify you during future contact.

For any Growers for whom you have authority to act, we will collect:

- the percentage split of payments to go to each of the Payee(s) and the associated Card(s);
- the preferred method of payment;
- the bank BSB and account number;
- the Australian Business Number (ABN), and other ABN associated details such as Entity Name, GST Status and GST Start and End Date, of the business entity (if provided);
- Statement by a Supplier (if required);
- Recipient Created Tax Invoice consent (if applicable);
- Voluntary Membership Donations and Levy Deductions and/or End Point Royalties;
- location of main grain producing property contributing grain to be sold using the NGR Card;
- the SA Hundreds where the location is South Australia; and
- Third Party Identifiers (if provided).

For any Authorised Users and their Authorised Representatives, we may collect:

- name, address and contact details of the individual or business entity that is an Authorised User as per the Authorised User Application Form;
- ABN of the business entity (if provided); and

- name, address and contact details of the Authorised Representatives of an Authorised User, including Know Your Customer Information and Primary and Secondary Identification Documents to allow us to properly identify you during future contact.

If you access our website and or the myNGR application, we may collect the following information about how you have used our site, including but not limited to:

- the Confirmation Code, Login Name and Password when you register with myNGR;
- browser information;
- Internet Protocol 'IP' address;
- documents downloaded; access date and time; length of session;
- installed software; and
- hardware type.

### 3. HOW DO WE COLLECT YOUR PERSONAL INFORMATION?

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We collect Personal Information:

- directly from you when you contact NGR;
- when we contact you;
- when you complete your Registration as a User and create a Grower Account; and
- when you complete an Authorised User Application Form.

When you telephone us or we telephone you, we may monitor and or record calls for the purpose of:

- confirming your consent to collect, store, use and disclose Personal Information;
- staff training;
- verifying statements made during the phone call;
- assisting us in the operation of the NGR System; and
- addressing any of your concerns.

### 4. HOW DO WE HOLD AND SECURE YOUR PERSONAL INFORMATION?

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We store your Personal Information in a number of ways including:

- digitally on site;
- with third party storage providers;
- in hard copy or paper format; and
- in telephone recordings.

We secure your Personal Information in a number of ways, including:

- all hard copy material is secured on NGR premises and at archive sites by locks and security systems;
- all digital material is secured using up-to-date computer and network security systems with appropriate firewalls, encryption technology, virus software, and access Login Names and Passwords or Confirmation Codes;
- any digital transfer of Personal Information is secured using a range of secure methods including but not limited to encryption;
- the use of secure Passwords, Login Names, Confirmation Codes and Security Questions and Answers;
- limiting access to your Personal Information only by you and by those to whom you have authorised access on your behalf; and
- ensuring all NGR employees and third parties are bound by confidentiality obligations.

NGR uses, or may in the future use, data storage providers located in Australia. Where appropriate, NGR has agreements with its storage providers to keep all Personal Information they store secure, using reasonable and appropriate security measures.

Whilst our website and myNGR rely on the highest levels of technology to ensure maximum security, no data transmission over the internet can be guaranteed to be totally secure.

To assist us in protecting your Personal Information, we expect you to:

- keep confidential your Confirmation Code, Password and Login Name,
- destroy any communication we send to you containing your Confirmation Code, Passwords, Login Names and Security Questions and Answers;
- ensure that you log out properly when you leave your computer and electronic devices such as mobile phones or tablets; and
- take all reasonable steps to ensure security of your Personal Information.

### 5. WHY DO WE COLLECT, HOLD, USE AND DISCLOSE PERSONAL INFORMATION?

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We will only ask for personal information relevant to our business relationship with you and for the operation of the NGR.

If you do not provide some of your personal information, we may not be able to provide you with the services that we are fully capable of providing to you.

We will seek Personal Information from you:

- to register you as a User;
- to create a Grower Account;
- to record any Growers for whom you have authority to act, and the NGR Cards attached to that Grower Account;
- to record those details on the NGR or to allow you to record those details on myNGR;
- unless you ask us not to, to send you information about products and services offered by us or those provided by Authorised Users that may be of interest to you;
- to assist you with your enquiries or concerns relating to the Register;
- to verify your identity and undertake Grower or Authorised User due diligence;
- for research, training, product development, risk assessment, risk modelling and marketing requirements; and
- for any other purpose required or authorised by law.

Our use of Personal Information may extend beyond these uses, but will be restricted to purposes that we consider to be related to our functions and activities.

### 6. WHAT DO WE DO WITH YOUR PERSONAL INFORMATION?

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If we collect Personal Information from you, we may;

- Use that information for any reason or purpose as per Section 5 of this Policy;
- Store that information in accordance with this Policy.

NGR classifies Personal Information as Contact and Identification Information, Payment and Taxation Information, Voluntary Membership, Donation and Levy Information.

#### Contact and Identification Information

From time to time, NGR may appoint an agent and provide NGR's mailing list to that agent to contact Users with information that could add value to the User's business. NGR will divulge and make use of the Contact and Identification Information for purposes related to the goods or services NGR and the Authorised Users provide, for example marketing purposes, administration purposes or as required by law.

Any agent is required to sign a Confidentiality Agreement, preventing disclosure of that information to a third party. We will provide the mailing list directly to our authorised agent (Mailing House) to ensure the security of a User's Personal Information. You may choose to opt out of this service.

NGR may provide your Contact and Identification Information in accordance with the User Standard Terms and Conditions, in connection with a transaction with that Authorised User. The Authorised User may use this information for the following purposes:

- marketing or selling the goods or services of the Authorised User;
- facilitating commercial transactions (for example invoicing) between a Grower for whom you have authority to act, their associated NGR Cards and the Authorised User;
- communicating issues of importance to the you and any Grower for whom you have authority to act;
- preparing statistical information and research;
- monitoring commercial activity for shareholding purposes;
- supplying the information for third party marketing; and
- any other purpose authorised by you.

You will always be given the opportunity to 'opt-out' of the use of the information for any purpose not otherwise related to the provision by the Authorised User of goods or services, by contacting the Authorised User directly.

#### Payment and Taxation Information

NGR recognises the sensitive nature of Payment and Taxation Information and undertakes that it will not use or divulge to any third party Payment and Taxation Information other than pursuant to the User Standard Terms and Conditions or as required by law. NGR may contact the supplier of this Payment and Taxation Information (the User) when necessary on issues relating to the accuracy and currency of the Register.

You acknowledge that a NGR Grower Registration Number may be given to an Authorised User and its Authorised Representatives for a variety of reasons, including:

- membership;
- sale;
- transfer; and
- identification purposes.

Payment and Taxation Information may only be used by the Authorised User, and its Authorised Representatives to:

- make payment for the purchase of Agricultural Product;
- provide mandatory returns to the Australian Tax Office or other government bodies as required by law; and
- any other purpose approved by you.

NGR and the Authorised Users will not use this Payment Information for any purpose which is not related to the goods

or services NGR and the Authorised User provides to you or for any other purpose for which you would not reasonably expect NGR or the Authorised User to use the information. NGR does not rent, sell or release Payment and Taxation Information to third parties (except as stated in Section 7 of this Policy).

#### Voluntary Membership, Donation and Levy Information

Should the recipient of a Voluntary Membership, Donation or Levy preference collected and held on the NGR System be an Authorised User of NGR, NGR may provide them with a NGR Card Number for the purposes of listing onto the NGR secure Authorised User interface. The Authorised User may use this information to:

- maintain a membership or subscribers register; and
- communicate issues of importance to you.

### 7. DO WE DISCLOSE YOUR PERSONAL INFORMATION TO THIRD PARTIES?

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We may disclose your Personal Information to third parties as part of the operation of the Register and in accordance with our User Standard Terms and Conditions, the Authorised User's Standard Terms and Conditions and this Privacy Policy.

You consent to us using your Personal Information to operate the Register.

Where your Personal Information is disclosed to third parties, we will seek to ensure that the information is held, used or disclosed consistently with the Australian Privacy Principles and the Privacy Act 1988 (Cth).

Types of third parties include:

- parties involved in providing, managing or administering our services to you including Mail Houses and bulk mail services;
- parties maintaining, reviewing and developing our business systems, procedures and infrastructure including testing or upgrading our computer systems; and
- advisors or agents which may include our legal, tax audit and accountancy advisors.

We may also disclose your Personal Information including Confirmation Code, Login Name, Password and Security Questions and Answers to third parties in circumstances where:

- we must fulfil our legal obligations;
- it is in the public interest (that is, to protect our interests or where we have a duty to the public to disclose, or where it is necessary in proceedings before a Court or Tribunal); and
- it can be reasonably inferred from the circumstances that you consent to your Personal Information being disclosed to a third party.

NGR may exchange an Authorised User's information (including personal and commercial credit information) with credit agencies to enable NGR to conduct a financial/credit check on the Authorised User. NGR uses this information to confirm the Authorised User's identity, and to assess the financial viability of the Authorised User.

NGR may also exchange this information to collect overdue payments and help the Authorised User avoid defaulting on obligations under the Authorised User's Standard Terms and Conditions.

## **8. DO WE SEND YOUR INFORMATION OVERSEAS?**

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We do not send your Personal Information outside Australia.

## **9. CAN YOU ACCESS YOUR PERSONAL INFORMATION OR REQUEST THAT IT BE CORRECTED?**

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It is your obligation to maintain the quality of your Personal Information by taking reasonable steps to ensure that the information collected, used and disclosed is accurate, complete and up-to-date.

You may request access to your Personal Information at any time by telephoning our Service Centre on 1800 556 630 or online at [www.ngr.com.au](http://www.ngr.com.au) using your own Login Name and Password.

We may require you to establish your identity prior to providing you with access to your information.

In most cases, we will provide you with access to your information. However, there are some circumstances where we may not give you particular information, for example if in the case of partnerships or sharefarming arrangements, provision of information is dependent upon the consent of other persons or it would otherwise be unlawful to do so.

If we don't give you your Personal Information, we will tell you the reasons why.

You may also correct and update your information at any time by calling us on 1800 556 630 or on our website or [www.ngr.com.au](http://www.ngr.com.au) using your own Login Name and Password.

## **10. DO WE EVER MAKE CHANGES TO OUR PRIVACY POLICY?**

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From time to time we may need to review our Privacy Policy and make changes to it.

We reserve the right to change our Privacy Policy at any time and to notify you by posting an updated version on our website at [www.ngr.com.au](http://www.ngr.com.au).

## **11. WHAT HAPPENS IF YOU WANT TO DEAL WITH NGR ANONYMOUSLY OR USING A PSEUDONYM?**

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It is impractical for us to deal with Users or Authorised Users who have not identified themselves or have used a pseudonym.

## **12. WHAT HAPPENS IF YOU HAVE A QUESTION OR COMPLAINT ABOUT HOW WE HAVE HANDLED YOUR PERSONAL INFORMATION?**

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If you have any concerns or questions about our Privacy Policy, or the way in which we manage your Personal Information, including if you think we have breached the Australian Privacy Principles, you may contact us by:

- sending a letter addressed to the Privacy Officer, National Grower Register Pty Ltd, PO Box 3526, Toowoomba Qld 4350;
- calling NGR on 1800 556 630;
- emailing [admin@ngr.com](mailto:admin@ngr.com); or
- going to our website [www.ngr.com.au](http://www.ngr.com.au) and clicking on 'contact us'.

You may also obtain further information about privacy (including general privacy information, answers to frequently asked questions and links to the Australian Privacy Principles)

on the Office of the Australian Information Commissioner's website at [www.oaic.gov.au](http://www.oaic.gov.au).

## **13. HOW WILL YOUR COMPLAINT BE HANDLED?**

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While we resolve as many complaints as possible through our Service Centre, complaints regarding privacy are referred directly to NGR's Privacy Officer.

The matter will be investigated by the Privacy Officer and the outcome communicated to you.

The complaint will be acknowledged within five (5) business days of receipt although we will seek to acknowledge the complaint sooner.

The complaint will be investigated and steps taken by us to resolve the complaint within thirty (30) days of receipt of your complaint.

Unless there are exceptional circumstances involved in the resolution process, the Privacy Officer's investigation into the complaint will be completed within forty-five (45) days of receiving the complaint.

If we are unable to resolve your complaint to your satisfaction within forty-five (45) days of receipt, you may be eligible to escalate the complaint to an external dispute resolution service. This may include contacting the Office of the Australian Information Commissioner, details of which may be located on the Office of the Australian Information Commissioner's website at [www.oaic.gov.au](http://www.oaic.gov.au).

In addition to our complaint handling procedure, complaints regarding the use of the information by any Authorised User should be directed to that party. Each Authorised User is obliged to have a mechanism in place to deal with complaints regarding the misuse of information on the NGR.