

Guideline 2.03 - Privacy

1. Application

This Privacy Guideline (this Guideline) applies to all NQBP Personnel.

2. Policy

NQBP is committed to complying with the *Privacy Act 1988* (Cth) (the **Act**) and the Australian Privacy Principles (**APPs**) set out in the Act, the *Right to Information Act 2009* (Qld) (**RTI Act**) and *Information Privacy Act 2009* (Qld) (**IP Act**).

Policy 2 – Compliance and this Guideline have been developed to comply with the 13 APPs in conjunction with the above legislation.

Types of Personal Information held by NQBP

'Personal Information' means 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.

This includes, but is not restricted to: name, address, age, date of birth, email address, driver's licence number, and distinctive physical characteristics such as tattoos or hair colour. Personal Information also includes sensitive information about an individual such as political and religious beliefs, disabilities and sexual preference.

NQBP collects, stores and uses a range of information that falls within the definition of personal information.

Use and Disclosure of Personal Information

Any Personal Information collected by NQBP will only be used and disclosed for the purpose for which it has been provided or as authorised under law.

Stakeholder Personal Information

The primary purpose for collecting and using the Personal Information is for the establishment and maintenance of records for NQBP's stakeholders in order that NQBP can work effectively with them. Personal Information collected is also used to facilitate distribution of corporate communications such as annual reports and other matters. NQBP is committed to keeping Personal Information protected from misuse, interference and loss, and unauthorised access, modification or disclosure by the use of various methods, including secure storage.

The Personal Information is contained in a number of lists, stored both in paper form and electronically and includes:

- details of customer/port user contacts;
- details of consultation groups; and
- details of other external stakeholders.

These records are kept for variable periods according to the provisions of NQBP's Retention and Disposal Strategy and the *Public Records Act 2002* (Qld) and are generally available to NQBP employees.

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Personal Information about Vendors/Contractors

NQBP collects and uses this type of information to allow normal business processes to take place such as name, address for payment or bank account details to allow for electronic payment of accounts.

These records are kept for variable periods according to the provisions of NQBP's Retention and Disposal Strategy.

Job Applicants

The primary purpose for collecting and using Personal Information is for the recruitment and selection of staff. Information held includes:

- recruitment records and dossiers; and
- records relating to reference and probity checks.

List of Public Registers Managed Within NQBP

NQBP is not responsible for any public registers.

Access to or Correction of Personal Information

1. Access to Personal Information

If a member of the general public is seeking access to Personal Information, an application can be made under the RTI Act or IP Act via the RTI@nqbp.com.au link on the NQBP website or by an application to be addressed to:

The RTI Officer

North Queensland Bulk Ports Corporation

GPO Box 409

Brisbane Qld 4001

Any responses to a RTI or IP access application will be made in accordance with statutory timeframes.

2. Correction of Personal Information

If an individual is seeking to correct Personal Information, a request for correction of the information can be made in writing and forwarded to:

The Privacy Officer

North Queensland Bulk Ports Corporation

GPO Box 409

Brisbane Qld 4001 or email info@nqbp.com.au

The correction will be made and the individual advised in writing within 10 working days of the receipt of the correction request.

Review Procedure

1. Non-compliance with an APP

If an individual believes that their Personal Information has not been dealt with in accordance with an APP, they may make a complaint to NQBP seeking an internal review. A request for a review must be made in writing and must be made within six months from the date when the breach was suspected to have occurred and forwarded to:

The Privacy Officer

North Queensland Bulk Ports Corporation

GPO Box 409

Brisbane Qld 4001 or email info@nqbp.com.au

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Requests for review will be acknowledged in writing within 10 working days from the date on which the application was received, and NQBP will process the request within 30 working days from the date on which the application was received. Applicants will be advised in writing of NQBP's decision.

2. Internal review of a Decision

If an applicant does not agree with a NQBP decision, they may request an internal review in writing addressed to:

Chief Executive Officer

North Queensland Bulk Ports Corporation

GPO Box 409

Brisbane Qld 4001 or email info@nqbp.com.au

The Chief Executive Officer (**CEO**) will arrange for an internal review to be carried out by a more senior officer who has not previously been involved in the matter. This will be done within 30 working days. The CEO will provide a response in writing.

3. Compliance Policy, Procedure, Standard and Legislative Framework

This Guideline is to be read in conjunction with:

- a. Procedure 2.01 Compliance
- b. Procedure 2.04 Right to Information
- c. Standard 2.01 Code of Conduct
- d. Corporate Governance Guidelines for Government Owned Corporations February 2009.
- e. Corporations Act 2001 (Cth)
- f. Government Owned Corporations Act 1993 (Qld)
- g. Information Privacy Act 2009 (Qld)
- h. Privacy Act 1988 (Cth)
- i. Public Interest Disclosure Act 2010 (Qld)
- j. Right to Information Act 2009 (Qld)

4. Policy Review Date

This Guideline should be reviewed by 30 June 2023.

5. Definitions

Contractors: means contractors or consultants engaged by NQBP under a personal services consultancy agreement or other arrangements.

NQBP: means North Queensland Bulk Ports Corporation Limited ACN 136 880 128

NQBP Employee: means employees and Contractors of NQBP but does not include NQBP directors.

NQBP Personnel: means NQBP officers (for example NQBP directors) and NQBP Employees.

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