

# Privacy Policy

## 1. Overview

- 1.1 Northern Stevedoring Services Pty Ltd ('NSS') provides stevedoring and supply chain management for ocean cargoes. NSS is committed to keeping the data and information provided to it secure, accurate and up-to-date. The collection, storage and use of data and information by NSS will be in accordance with relevant laws and best practice.
- 1.2 In doing so, all personal information collected, held and stored by NSS will be managed in accordance with the *Privacy Act 1988 (Cth)* ('Privacy Act') and the *Australian Privacy Principles* ('APPs'). The APPs provide guidelines for how personal information can be obtained, securely managed and disclosed to external parties and the person to whom the information relates.
- 1.3 NSS is committed to keeping personal data secure and using established and compliant levels of procedure, technology and staff awareness to ensure the highest standard of security afforded to the data in its possession.
- 1.4 This Policy may be reviewed and updated from time-to-time to ensure it remains appropriate to the changes in NSS' environment and in line with legislation.
- 1.5 This Policy applies to NSS' employees, customers, visitors, contractors and individuals who provide data and information to NSS in the course of its business operations.

## 2. Purpose

- 2.1 This document describes NSS' approach and conduct related to its privacy responsibilities.

## 3. Employee Records Exemption

- 3.1 The handling of employee records held by NSS, which relate to a specific employee / former employee, is exempt from the Privacy Act and APPs, provided the handling is directly related to the current or former employment relationship between NSS and the specific employee / former employee. Accordingly, NSS may handle employee records other than in accordance with this Policy.
- 3.2 Notwithstanding the operation of any exception to the Privacy Act, NSS confirms it shall only procure personal or health information from its employees related to their employment, and will hold such information securely and otherwise in accordance with Privacy Act as required.

## 4. Who We Collect Personal Information From

- 4.1 NSS collects personal information about employees, volunteers, contractors, vendors, customers, job applicants, users of its website and visitors where it is reasonably necessary for NSS' functions and operations.

## 5. Types Of Personal Information Collected and Held

- 5.1. The types of information that NSS collects, holds and uses includes, but is not limited to, personal information, including sensitive and health information.
  - a) Personal information includes, but is not limited to, the following: names, addresses, contact details, date of birth, tax file number, banking details, superannuation details, qualifications, emergency contacts and financial information.

- b) Sensitive information includes, but is not limited to, the following: citizenship / visa status and employment details.
- c) Health information includes, but is not limited to, the following: medical conditions, fitness for work and vaccination status.

5.2. When you use our website, we may collect the following:

- a) information you provide by completing subscription, registration and application forms (including when you submit material or request services);
- b) information you provide to us if you contact us, for example to raise a query or comment; and
- c) details of visits made to our online services such as the volume of traffic received, logs (including, the internet protocol (IP) address and location of the device connecting to the online services and other identifiers about the device and the nature of the visit) and the resources accessed.

## **6. How Personal Information is Collected and Held**

6.1. NSS will generally collect any personal information from you directly, for example: when you:

- a) provide personal information to us;
- b) apply for a position of employment with us;
- c) use our website (including via cookies); or
- d) contact and corresponded with us (via email or telephone).

6.2. NSS may also collect personal information about you from someone else if it is unreasonable or impracticable for NSS to collect personal information only from the individual (e.g. a personal reference).

6.3. At all times, NSS aims to ensure that the personal information provided is kept secure and in the strictest confidence. NSS takes reasonable steps to protect the information it holds from misuse, interference, loss, unauthorised access, modification or disclosure. These include putting in place suitable physical, electronic and managerial procedures to safeguard and secure the information we collect, including online.

6.4. NSS will also take reasonable steps to destroy personal information or ensure it is de-identified if it no longer needs the information for any purpose for which it may have been collected, used or disclosed.

6.5. All external parties (such as consultants) who receive any personal information must sign a confidentiality agreement that requires them to comply with the Privacy Act and our Privacy Policy.

## **7. Purposes for Which NSS Collects, Holds, Uses and Discloses Personal Information**

7.1 NSS may only solicit and collect personal information that is reasonably necessary for one or more of its functions or activities (this is known as the 'primary purpose') or for a related 'secondary purpose' that would be reasonably expected by you, or to which you have consented. This may include:

- a) direct marketing purposes, unless you have previously advised that you do not wish to be contacted. The first time we contact you for marketing purposes we will give you an express opportunity to decline any further contact;
- b) other purposes connected with the operation, administration, improvement and development of NSS;

- c) use of your e-mail address in order to alert you to any changes or alteration in NSS' services that affect you; or
  - d) where such use is otherwise authorised by or under any law.
- 7.2 In regard to sensitive information (including health information), NSS will seek to obtain the consent of the individual when collecting such information, unless a relevant exception applies under the Privacy Act.
- 7.3 In using or disclosing personal information, NSS can only do so for:
- a) the primary purpose for which it was collected;
  - b) the secondary purpose where:
    - i. the person has consented; or
    - ii. it is reasonably expected by the person that NSS would use or disclose the information and the purpose of such use or disclosure is related to related to the primary purpose of collection (if the information is sensitive information, including health information, it must be directly related to the primary purpose); or
    - iii. a use or disclosure is required or authorised by or under an Australian law or court / tribunal order; or
    - iv. a permitted general situation exists, including lessening or preventing a serious threat to life, health or safety; or
    - v. a permitted health situation exists; or
    - vi. it is reasonably necessary in NSS' belief for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

## **8. Dealing With Unsolicited Personal Information**

- 8.1 If NSS receives personal information about an individual that was not requested and the information was not received by the means set out above, NSS will destroy or de-identify the information (i.e. any information that could reasonably identify an individual is removed) as soon as practicable. This will apply except where the information is required by law or a court/tribunal order to be retained.

## **9. Accessing and Seeking Correction of Personal Information**

- 9.1 NSS takes reasonable steps to ensure that the personal information it collects and discloses is accurate, up to date, complete, relevant and not misleading.
- 9.2 If you know that information held by NSS has changed, please contact us.
- 9.3 NSS, upon written request by an individual, will provide access to that person any personal information held about them, except in limited circumstances where applicable grounds exist.

## **10. Data Breaches**

- 10.1. The Privacy Act provides for the Notifiable Data Breaches Scheme, under which NSS is required to notify the Office of the Australian Information Commissioner ('OAIC') and impacted persons "as soon as practicable" after becoming aware that an eligible data breach has occurred.
- 10.2. For a data breach to be eligible and therefore require notification, the following criteria must all be satisfied:

- a) there is unauthorised access to, or unauthorised disclosure of, personal information, or a loss of personal information, that NSS holds; and
  - b) this is likely to result in “*serious harm*” to one or more individuals; and
  - c) NSS has not been able to prevent the likely risk of serious harm with remedial action.
- 10.3. For serious harm to have occurred to an individual, the data breach would normally involve serious physical, psychological, emotional, financial, or reputational harm.
- 10.4. If NSS has taken remedial action after a breach has occurred that means it's unlikely the incident will result in serious harm to affected individuals, NSS will not be required to report the incident.
- 10.5. In cases where NSS suspects a data breach has occurred, it will undertake an assessment into the circumstances within 30 days to ascertain whether or not it has actually occurred, and therefore whether it needs to notify.
- 10.6. There are significant penalties applying to both individuals and organisations for a failure to comply with the notification rules.

## **11. Job Applications**

- 11.1. Information provided by job applicants is used solely for the purpose of the recruitment function.
- 11.2. The information is disclosed only to staff and / or relevant panel members involved in the selection process.
- 11.3. As a general rule, NSS keeps an electronic copy of all job applications and these are disposed, usually, within 3 months after the recruitment process is completed.

## **12. Privacy Management**

- 12.1. Complaints regarding privacy matters may be addressed to:
- a) for NSS employees: NSS HR Advisor; or
  - b) for customers, visitors, contractors or other individuals: NSS Commercial Manager.

## **13. Questions**

Questions regarding your privacy and rights in relation to information we collect and store are requested to be sent to NSS at [info@nsspl.com.au](mailto:info@nsspl.com.au).



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David King  
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