

## PRIVACY POLICY

### IDENTITY OF COLLECTING ORGANISATION

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

You, your, is a reference to a Grower, Trader, User, Data Subscriber and their Authorised User or any other individual contacting NGR as the case may be.

Words and phrases (including defined words) used in this Policy have the same meaning as that word or phrase is used and defined in our terms, including Data Subscriber Terms, Third Party Software Developer Terms and Grower & User Terms (Terms) and our Grower Dictionary.

We provide Data Subscribers (typically agricultural commodity buyers) with a centralised national register of Grower Data, and offer the NGR Card to facilitate transfer of information between Buyers and Growers

### 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 you provide to us by:

- completing your registration as a User for any Grower for whom you have Authority to act;
- using the NGR websites; and
- providing Personal Information to NGR, its officers, agents or employees in any way.

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 websites, and you should not provide NGR with any of your Personal Information.

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### 1. WHAT IS PERSONAL INFORMATION?

We follow the definition of Personal Information given in the Privacy Act 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 Terms and NGR's Grower Dictionary.

### 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. NGR will only collect information that is necessary for its purposes as outlined in this Policy. The types of Personal Information we collect are set out below by reference to the category of individual from whom the information is collected.

NGR classifies Personal Information as Contact and Identification Information, Payment and Taxation Information, Voluntary Membership, Donation and Levy Information, and Subscription Data. The information we collect from each category of individual is set out below.

If you contact NGR, we will collect:

- (a) your name;
- (b) your residential and postal address;
- (c) your email address;
- (d) your phone number(s);
- (e) your date of birth and other Security Questions and Answers to allow access to secured data on the NGR System including myNGR;
- (f) your username and Password;
- (g) your signature specimen; and
- (h) your Know Your Customer Information and Primary and Secondary Identification Documents to allow us to properly identify you during future contact.

Growers and Users

In addition to the information described above, we will collect the following information for any Growers for whom you have Authority to act:

- (a) the percentage split of payments to go to each of the Payee(s) and the associated Card(s);
- (b) the preferred method of payment;

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- (c) Grower Data and Subscription Data (if applicable);
- (d) the bank BSB and account number;
- (e) 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);
- (f) for a company, the name, address and contact details for each director, secretary and shareholder of the company;
- (g) for a trust, the name, address and contact details for the trustee (and if the trustee is a company trustee, the name, address and contact details for the directors, secretaries and shareholders of the company trustee);
- (h) Recipient Created Tax Invoice consent (if applicable);
- (i) Voluntary Membership Donations and Levy Deductions and/or End Point Royalties;
- (j) location of the producing properties including GPS coordinates using the NGR Card;
- (k) the SA Hundreds where the location is South Australia; and
- (l) third party identifiers (if provided); and
- (m) such further or other information as the Grower agrees from time to time.

### Data Subscribers and Authorised Users

For any Data Subscribers and their Authorised Users, we may collect:

- (a) name, address and contact details of the individual or business entity that is a Data Subscriber as per the Data Subscriber Application Form;
- (b) ABN of the business entity (if provided); and
- (c) name, address and contact details of the Authorised Users of a Data Subscriber, (including Know Your Customer Information and Primary and Secondary Identification Documents) to allow us to properly identify you during future contact.

### Website and myNGR visitors

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

- (a) the username and Password when you register with myNGR;
- (b) browser information and user identification;
- (c) Internet Protocol 'IP' address;
- (d) documents downloaded, access date and time and length of session;
- (e) installed software; and
- (f) hardware type.

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

We collect Personal Information in the following ways, depending on how you interact with NGR:

- (a) directly from you when you contact NGR or when we contact you;
- (b) when you complete your registration as a User and create a Grower Account;
- (c) when you complete a Data Subscriber Application Form; and
- (d) **when you access our websites or the myNGR application.**

You must provide to us your Primary Identification Documents and Secondary Identification Documents upon request. We may access and use a Document Verification Service which may involve the use of third party systems and services to properly identify you. The information will be subject to an Information Match Request in relation to the relevant Official Record Holder Information. The Information Match Request, the Information Match Result and other Information Match Data will be collected and used to identify you.

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

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

If we receive unsolicited information, we will decide within a reasonable period of time as to whether the information could have been collected through normal means, including direct from you. To make that determination however, we may use or disclose your Personal Information to others including using your Personal Information to contact you.

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If we determine that the information could not have been collected through normal means, including having being solicited direct from you, we will securely destroy the information or de-identify it as soon as is practicable, and if it is lawful and reasonable to do so.

This includes destroying or de-identifying information that is not strictly necessary for our business activities.

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

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

- (a) digitally on site;
- (b) with third party storage providers;
- (c) in hard copy or paper format; and
- (d) in telephone recordings.

We secure your Personal Information in a number of ways, including the following technical and organisational measures:

- (a) all hard copy material is secured on NGR premises and at archive sites by locks and security systems;
- (b) all digital material is secured using up-to-date computer and network security systems with appropriate firewalls, encryption technology, virus software, two-factor authentication and access usernames and Passwords;
- (c) any digital transfer of Personal Information is secured using a range of secure methods including but not limited to encryption;
- (d) the use of secure Passwords, usernames and Security Questions and Answers;
- (e) limiting access to your Personal Information only by you and by those to whom you have authorised access;
- (f) ensuring all NGR employees, have training in the application of the Privacy Laws and National Farmers Federation Farm Data Code; and
- (g) ensuring all third parties are bound by confidentiality obligations.

NGR uses, or may use, hosting and data storage providers located in Australia. Where appropriate, NGR has agreements with its hosting and data storage providers to keep all Personal Information they store secure, using reasonable and appropriate security measures. All information is securely hosted and held only in Australia using secure cloud services.

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:

- (a) keep confidential your Password and username and keep separate your methods of two-factor authentication;
- (b) destroy any communication we send to you containing your Passwords, usernames and Security Questions and Answers;
- (c) ensure that you log out properly when you leave your computer and electronic devices such as mobile phones or tablets; and
- (d) take all reasonable steps to ensure security of your Personal Information.

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

We will only ask for Personal Information relevant to our business relationship with you and for the operation of the Register.

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 for the following purposes. Not all purposes will apply to all individuals; the applicable purposes depend on how you interact with NGR.

- (a) General purposes (all parties)
- (b) to operate the Register, myNGR and my eDOCS;
- (c) to verify your identity and undertake Grower, User or Data Subscriber due diligence;
- (d) to assist you with your enquiries or concerns relating to the Register;
- (e) for research, training, product development, risk assessment, risk modelling and marketing requirements;
- (f) for any other purpose required or authorised by law.
- (g) Grower and User purposes
- (h) to register you as a User and create a Grower Account;
- (i) to record any Growers for whom you have Authority to act, and the NGR Cards attached to that Grower Account;
- (j) to record those details on the Register or to allow you to record those details on myNGR;
- (k) to provide your Grower Data, Subscription Data and Personal Information to a Buyer and End User, Data Subscriber and their Authorised Users; and

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- (l) to allow a Data Subscriber to provide NGR Card information and other Grower Data of a Data Subscriber's Grower to another Data Subscriber, with your approval, and in accordance with the Grower and User Terms.
- (m) Data Subscriber and Authorised User purposes
- (n) to verify the identity of a Data Subscriber and its Authorised Users and undertake due diligence;
- (o) to assess the financial viability of a Data Subscriber; and
- (p) to manage the Data Subscriber's subscription to the Register and associated Services.

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. Your Personal Information may otherwise be disclosed as required by law, including court order.

### 6. DO YOU USE MY INFORMATION FOR DIRECT MARKETING?

We may use your Personal Information to communicate directly with you, and to send you information about products and services offered by us or those provided by Data Subscribers that may be of interest to you.

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 referred to the goods or services NGR and the Data Subscribers provide, for example marketing purposes, administration purposes or as required by law.

We may utilise platforms and applications to communicate with you including sending you transactional email.

We will provide the mailing list directly to our authorised agent (mailing house) to ensure the security of our Users' Personal Information.

You will always be given the opportunity to opt out of the use of the information for any purposes, including direct marketing.

If you receive direct marketing material from NGR, and do not wish to continue receiving it, please notify us and we will cease direct marketing to you. Where your Personal Information is used or disclosed for direct marketing by us or for the purpose of facilitating direct marketing by a Data Subscriber, you may request the following:

- not to receive direct marketing communications;
- for your information not to be used or disclosed to facilitate direct marketing;
- the source of the information.

If you request that your Personal Information not be used for direct marketing, we will cease direct marketing to you.

You will not be charged for this request and our request will be completed within thirty (30) days of the date of receipt of your request unless it is impracticable or unreasonable for us to do so.

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

If we collect Personal Information from you, we may use, store and disclose that information as set out in this Section 7 and elsewhere in this Policy. The following sets out how we handle different categories of Personal Information, organised by the type of individual to whom the information relates.

NGR has not arranged or introduced an automated computer program or decision-making system that uses Personal Information to make a decision or do something (or not do something) that may significantly affect your rights and interests as an individual.

In respect of all individuals, we may use your Personal Information for any reason or purpose described in Sections 5, 6 and 7 of this Policy, store that information in accordance with this Policy, and provide that Personal Information to a Document Verification Service to properly identify you.

#### Information relating to Growers and Users

##### Contact and Identification Information

NGR may provide your Contact and Identification Information to a Data Subscriber in accordance with the Grower and User Terms, Data Subscriber Terms, and this Policy, in connection with a transaction with that Data Subscriber. The Data Subscriber may use this information for the following purposes:

- facilitating commercial transactions (for example invoicing) between a Grower for whom you have Authority to act, their associated NGR Cards and the Data Subscriber;
- allowing a Data Subscriber to provide the information on the face of the NGR Card and the contact number for the User of a Grower, for the purposes of allowing another Data Subscriber to List on the Grower Registration Number and view the Grower's Subscription Data with your Approval;
- communicating issues of importance to you and any Grower for whom you have Authority to act;
- preparing statistical information and research;
- monitoring commercial activity for shareholding purposes; and
- any other purpose Authorised by you.

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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 Data Subscriber of goods or services, by contacting the Data Subscriber 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 with your consent pursuant to the Grower and User Terms and Data Subscriber Terms, this Policy 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 myNGR or the Register.

You acknowledge that Grower Data may be provided to a Data Subscriber and its Authorised Users during the financial year or Subscription Period (as the case may be) in which the Data Subscriber has Listed on the relevant Grower Registration Number of a Grower for a variety of reasons, including:

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

Payment and Taxation Information may only be used by the Data Subscriber, and its Authorised Users 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 Data Subscribers will not use this Payment and Taxation Information for any purpose which is not related to the goods or services NGR and the Data Subscriber provides to you or for any other purpose for which you would not reasonably expect NGR or the Data Subscriber to use the information. NGR does not rent, sell or release Payment and Taxation Information to third parties (except as stated in Sections 6, 7 and 8 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 Register be a Data Subscriber of NGR, NGR may provide them with a NGR Card Number for the purposes of listing onto the NGR secure Data Subscriber interface. The Data Subscriber may use this information to:

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

### Subscription Data

Subscription Data relates to the information collected when you use our Services, including to complete an electronic form using my eDOCS, powered by myNGR and which forms part of the Register. An example is the specific information relating to a Commodity Vendor Declaration completed using our Services.

We will supply this information to the relevant participating Data Subscriber and its Authorised Users where they maintain a Listing against or are subscribed to the relevant Grower Registration Number.

### Information relating to Data Subscribers and Authorised Users

NGR collects and holds Personal Information of Data Subscribers and their Authorised Users for the purposes of managing the Data Subscriber's subscription, verifying identity, undertaking due diligence and assessing financial viability. This information is handled in accordance with the Data Subscriber Terms and this Policy.

NGR may exchange a Data Subscriber's information (including personal and commercial credit information) with credit agencies to enable NGR to conduct a financial or credit check on the Data Subscriber. NGR uses this information to confirm the Data Subscriber's identity and to assess the financial viability of the Data Subscriber. NGR may also exchange this information to collect overdue payments and help the Data Subscriber avoid defaulting on obligations under the Data Subscriber Terms or this Privacy Policy.

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

We may disclose your Personal Information to third parties as part of the operation of the Register and in accordance with the Grower and User Terms, the Data Subscriber Terms and this Privacy Policy. You consent to us using your Personal Information to operate the Register. The disclosures applicable to each category of individual are set out below.

### Disclosures relating to Growers and Users

A Data Subscriber may provide the information on the face of the NGR Card to another Data Subscriber subscribed to, or Listed against the relevant Grower Registration Number, with your Authority.

Where you provide to us a third party's unique identifier of you, NGR may utilise the unique identifier to source your relevant data (as per your agreement with the third party provider) to consolidate with information we hold about you in myNGR and the Register. When

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provided with a unique identifier from a Data Subscriber, the unique identifier can be utilised by NGR to identify your NGR Card Number for provision to the requesting Data Subscriber to allow Listing on your NGR Card.

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

### Disclosures relating to Data Subscribers and Authorised Users

Where NGR discloses Personal Information of a Data Subscriber or its Authorised Users to third parties, such disclosure will be limited to the purposes described in Section 7 of this Policy, including identity verification, due diligence and credit assessment.

### Disclosures applicable to all parties

Regardless of the category of individual, the types of third parties to whom we may disclose your Personal Information include:

- a Document Verification Service Manager or third party engaged by us to provide a Document Verification Service;
- a Data Subscriber subscribed to or Listed against a Grower Registration Number, including a Buyer nominated by you or an End User approved by you;
- 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;
- advisors or agents which may include our legal, tax audit and accountancy advisors; and
- Third Party Software Developers.

We may also disclose your Personal Information including username, Password and Security Questions and Answers to third parties if compelled by law, where it is necessary in proceedings before a Court or Tribunal or when it can be reasonably inferred from the circumstances that you consent to your Personal Information being disclosed to a third party.

## 9. DO WE SEND YOUR INFORMATION OVERSEAS?

We do not ordinarily disclose your Personal Information outside Australia. Our data storage providers are based in Australia but may utilise other locations for back up from time to time.

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

You control how your Personal Information is managed and who can have access to and use of your Personal Information.

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 username 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 Personal Information, for example, including where provision of information is dependent upon the consent of other persons, if we are unable to verify your identity to our reasonable satisfaction, or where it would otherwise be unlawful to do so or for any other reason notified to you.

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

If access is not provided, or is not provided to you in the manner requested, we will take reasonable steps to give access in a way that meets the needs of both you and NGR. This may include the use of a mutually agreed intermediary for provision of access.

If access is not provided, we will provide you written notice that includes:

- the reason for the refusal;
- how you may object to that refusal.

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 username and Password.

If information is corrected that has previously been disclosed to an external party, we will, on your request, take reasonable steps to notify that external party of the change in information, unless it is impracticable or unlawful to do so.

We may refuse your request to correct information. If we refuse your request to correct information, we will provide to you with notice stating:

- the reason for the refusal, except if it would be unreasonable for us to do so;
- how you may object to that refusal.

If your request to correct information is refused, and you subsequently request us to associate a statement to that information that the information held is inaccurate, out of date, incomplete, irrelevant or misleading, we will take reasonable steps to associate that statement

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in such a way that the statement appears to users of that information. Alternatively, we may remove your information from the Register in our discretion.

We will respond to your requests and provide a written statement outlining the reason for the refusal and how you may object to that refusal, within thirty (30) days of receiving your written request for access to or correction of your information, or associating any statements with information we hold about you.

We also conduct an annual data quality verification process with all Users, to confirm the information held is accurate, up to date and complete. We may use your Personal Information to contact you to conduct that annual verification process.

NGR will keep your Personal Information for as long as required for one or more purposes described in this Privacy Policy. NGR is also required by law to retain some Information for certain periods of time and for certain reasons, even if you ask us to destroy the information.

You consent to NGR retaining all Personal Information for a period of seven (7) years from the date your Account is deactivated or the date our agreement with you is terminated, whichever is the earlier, and unless otherwise requested by you at an earlier time.

From the date your Account is deactivated, or the date the agreement is terminated (whichever is the earlier), NGR will anonymise your Personal Information. To access your Personal Information during this time, we may require you to establish your Login Name and Password and correctly address the Security Questions and Answers before we permit you to access Information.

Except if otherwise required by law or for genuine operational reasons, at the end of the seven (7) year period, or when NGR no longer requires your Personal Information, NGR will take steps to ensure that your Personal Information will be securely destroyed or rendered inaccessible.

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

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).

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

It is impractical for us to deal with Growers, Users or Data Subscribers who have not identified themselves or have used a pseudonym.

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

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' and completing the details asked of you.

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).

### 14. HOW WILL YOUR COMPLAINT BE HANDLED?

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 Personal Information by any Data Subscriber should be directed to that party. Each Data Subscriber is obliged to have a mechanism in place to deal with complaints regarding the misuse of information on the Register.

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