



PORTof**TOWNSVILLE**

Privacy Plan

| | | | | |
|---|---------------|-------------|--------------|----------------|
| © Port of Townsville Limited A.C.N. 130 077 673 | Document Type | Publication | Document No. | SS 1010-040004 |
| Only electronic copy on server is controlled. To ensure paper copy is current, check revision number against entry in Qudos - Master Document List | | | Revision | 7 |
| | | | Date | 18/01/2011 |
| | | | Page | 1 of 16 |

TABLE OF CONTENTS

| | |
|--|----|
| TABLE OF CONTENTS | 2 |
| Overview | 3 |
| What is Personal Information? | 4 |
| Summary of the Information Privacy Principles | 5 |
| Privacy and Security Statement | 7 |
| Responsibilities for Privacy | 8 |
| Corporation Privacy Plan | 9 |
| Appendix A – Information Privacy Principles | 11 |
| Appendix B – Employee personnel records containing personal information..... | 14 |
| Appendix C – Client/vendor records containing personal information..... | 16 |

| | | | | |
|---|---------------|-------------|--------------|----------------|
| © Port of Townsville Limited A.C.N. 130 077 673 | Document Type | Publication | Document No. | SS 1010-040004 |
| Only electronic copy on server is controlled. To ensure paper copy is current, check revision number against entry in Qudos - Master Document List | | | Revision | 8 |
| | | | Date | 05/10/2011 |
| | | | Page | 2 of 16 |

Overview

The *Information Privacy Act 2009* (Qld) (IP Act) which applies to Queensland Government agencies commenced on 1 July 2009. The IP Act recognises the importance of protecting the personal information of individuals. It creates a right for individuals to access and amend their own personal information and provides rules for how agencies may and must handle personal information.

The IP Act gives effect to eleven (11) Information Privacy Principles (IPPs) that were adapted from the *Privacy Act 1988* (Cth). Although the information privacy principles outlined in the IP Act do not apply to Government Owned Corporations, the Port of Townsville Limited (the Corporation) applies these principles as part of best practice and to ensure confidence in the security of information held by the Corporation.

This privacy policy has been developed in a way which takes into account the Corporation's diverse range of functions within the various business units. It aims to provide:

- detailed information about the types of information collected and held by the Corporation;
- guidance to members of the public to assist them in understanding how personal information is managed;
- rights in respect to the Corporation's activities;
- guidance to employees who deal with personal information on the requirements of this policy; and
- advice to clients and employees on who to contact for further information regarding the management of privacy within the Corporation.

| | | | | |
|---|---------------|-------------|--------------|----------------|
| © Port of Townsville Limited A.C.N. 130 077 673 | Document Type | Publication | Document No. | SS 1010-040004 |
| Only electronic copy on server is controlled. To ensure paper copy is current, check revision number against entry in Qudos - Master Document List | | | Revision | 8 |
| | | | Date | 05/10/2011 |
| | | | Page | 3 of 16 |

What is Personal Information?

Personal information is information about people. 'Personal information' is defined in the IP Act as information or an opinion, including information or an opinion forming part of a database, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

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.

To be 'personal', the information does not need to be accurate, and may include opinion or speculation. 'Personal information' does not include information that is publicly available from an appropriate source, or information relating to a deceased person. Also, it does not include information about companies, except where individual employees are specifically identified beyond what is publicly available.

Personal information may be stored in a variety of media such as a computer database or in paper records. Examples can include attendance sheets, bank account details, personnel records, and even photographs, videos and address books where individuals can be reasonably identified.

The following information is exempt from the IP Act:

- covert activity (under the *Police Powers and Responsibilities Act 2000* and the *Telecommunications (Interception and Access) Act 1979* (Cth));
- witness protection (under the *Witness Protection Act 2000*);
- disciplinary actions and misconduct resulting from a complaint or investigation of the *Police Service Administration Act 1990*;
- whistleblowers (under the *Public Interest Disclosure Act 2010*);
- cabinet and executive documents (under the *Right to Information Act 2009* (Qld) (RTI Act));
- commissions of inquiry;
- publicly available information;
- information in a library, art gallery or museum for reference, study or exhibition;
- public records under the *Public Records Act 2002* (Qld) in the custody of Queensland State Archives that is not in a restricted access period under that Act; and
- a letter, or anything else, while it is being transmitted by post.

The following bodies are exempt from the IP Act:

- the Assembly, a member of the Assembly, a committee of the Assembly, a member of a committee of the Assembly, a parliamentary commission of inquiry or a member of a parliamentary commission of inquiry;
- the Parliamentary Judges Commission of Inquiry appointed under the expired *Parliamentary (Judges) Commission of Inquiry Act 1988*;
- a commission of inquiry issued by the Governor in Council;
- a parents and citizens associations
- a grammar school to which the *Grammar Schools Act 1975* applies;
- a Government Owned Corporation or a subsidiary of a Government Owned Corporation.

| | | | | |
|--|---------------|-------------|--------------|----------------|
| © Port of Townsville Limited A.C.N. 130 077 673 | Document Type | Publication | Document No. | SS 1010-040004 |
| Only electronic copy on server is controlled. To ensure paper copy is current, check revision number against entry in Qudos - Master Document List | | | Revision | 8 |
| | | | Date | 05/10/2011 |
| | | | Page | 4 of 16 |

Summary of the Information Privacy Principles

There are 11 IPPs outlined in the IP Act. These principles have been adapted from the Commonwealth *Privacy Act 1988* and:

- regulate the way Queensland agencies are to collect, store, use and disclose personal information about individuals;
- allow individuals access to information held by agencies; and
- allow individuals to request changes or amendments to the information.

IPPs 1-3: Collection of Personal Information

Personal information must not be collected for inclusion in records, or for inclusion in a generally available publication, unless it is done for a lawful purpose that is directly related to the Corporation's activities.

Personal information must be collected only by fair and lawful means, and must not unreasonably intrude upon the privacy of the individuals concerned.

Where reasonable and practical, when collecting personal information, the individual must be advised as to why the information is needed, under what legislation it is being collected (if any), and to whom the information is normally disclosed.

Employees must also take reasonable steps to ensure personal information collected is relevant for the purpose for which it is collected, is up-to-date and complete.

IPPs 4-5: Storage and Security of Personal Information

Employees who have access to personal information must ensure that this information is protected against loss and unauthorised access, use, modification or disclosure in accordance with the Corporation's policies and standards on information security.

Information must not be kept any longer than necessary and must be disposed of appropriately and in accordance with the relevant disposal schedule. An individual whose information is held by the Corporation has the right to expect that their information will be held securely, and any access to that information must be permitted only for legitimate purposes.

IPPs 6-7: Access and Amendment of Personal Information

Members of the public and employees are entitled to access any record containing their personal information, and to request amendments to those records if they are inaccurate. The preceding right is subject to the Corporation being authorised by legislation to refuse such requests.

It should be noted that this provision is subject to the provisions of the RTI Act and IP Act, which allow for access to certain documents and the right of amendment and correction. The rights of access and amendment under IPPs 6 and 7 are the same as the existing rights to access and amendment under the IP Act, and must be processed under that legislation.

IPPs 8-9: Accuracy and Relevance of Personal Information

The Corporation will take all reasonable precautions to ensure that the personal information it collects is accurate, complete and up-to-date before it is used. The Corporation will not use personal information for any purpose other than that for which it was collected. However, the accuracy of that information depends largely on the information received. Therefore, it is recommended that members of the public and employees:

- let the Corporation know if there are any errors in their personal information; and
- keep the Corporation up-to-date with changes to personal information.

IPPs 10-11: Use and Disclosure of Personal Information

The Corporation must only use personal information for the purpose for which it was collected, unless the individual concerned has consented to the use of the information for another purpose, and must only disclose personal information if the individual concerned is aware of, or has consented to that disclosure.

However, the Corporation may use or disclose personal information if:

- consent is given from the individual concerned;
- it is authorised by law to do so;
- it is necessary for certain types of law enforcement; or

| | | | | |
|--|---------------|-------------|--------------|----------------|
| © Port of Townsville Limited A.C.N. 130 077 673 | Document Type | Publication | Document No. | SS 1010-040004 |
| Only electronic copy on server is controlled. To ensure paper copy is current, check revision number against entry in Qudos - Master Document List | | | Revision | 8 |
| | | | Date | 05/10/2011 |
| | | | Page | 5 of 16 |

- reasonable grounds exist to indicate that the use of the information is necessary to prevent or lessen a serious and imminent threat to the life or health of another person.

The complete IPPs are contained in **Appendix A** of this document.

| | | | | |
|--|---------------|-------------|--------------|----------------|
| © Port of Townsville Limited A.C.N. 130 077 673 | Document Type | Publication | Document No. | SS 1010-040004 |
| Only electronic copy on server is controlled. To ensure paper copy is current, check revision number against entry in Qudos - Master Document List | | | Revision | 8 |
| | | | Date | 05/10/2011 |
| | | | Page | 6 of 16 |

Privacy and Security Statement

What information do we collect?

When you look at the Corporation's website, our internet service provider makes a record of your visit and logs the following information for statistical purposes only:

- the user's server address;
- the user's top level domain name (for example .com, .gov, .au, etc.);
- the date and time of the visit to the site;
- the pages accessed and documents downloaded;
- the previous site visited; and
- the type of browser used.

No attempt is or will be made to identify users or their browsing activities outside this site. In the unlikely event of an investigation, a law enforcement agency may exercise a warrant to inspect activity logs.

How the Corporation uses Cookies

A 'cookie' is a small data file transferred by a website to your computer's hard drive.

The Corporation's website uses cookies to allow access to our port charges information only. No personal information is maintained by this website. If you wish to use this facility you will need to accept cookies. If you have configured your browser to reject all cookies, you will still be able to view all other information on the website.

How the Corporation handles email correspondence and feedback information

As a Government Owned Corporation, email correspondence sent to the Corporation website will be treated as a public record and will be retained as required by the *Public Records Act 2002* (Qld) and other relevant regulations.

Your name and address details will not be added to a mailing list, nor will the Corporation disclose these details to a third party without your consent unless required by law.

Email messages may be monitored by our website support staff for system trouble shooting and maintenance purposes.

Security

The Corporation is committed to protecting the information you provide to us. In support of this, the Corporation has physical and managerial procedures to safeguard the information we collect.

| | | | | |
|--|---------------|-------------|--------------|----------------|
| © Port of Townsville Limited A.C.N. 130 077 673 | Document Type | Publication | Document No. | SS 1010-040004 |
| Only electronic copy on server is controlled. To ensure paper copy is current, check revision number against entry in Qudos - Master Document List | | | Revision | 8 |
| | | | Date | 05/10/2011 |
| | | | Page | 7 of 16 |

Responsibilities for Privacy

The overall responsibility for privacy at the Corporation rests with the Chief Executive Officer. All Port of Townsville staff have a responsibility to ensure they comply with this policy.

The day-to-day management of privacy has been delegated to the Support Services section of the organisation. The Corporation's Manager Governance and Legal Services is the first point of contact for members of the public and employees on privacy matters, including:

- breach of privacy complaints;
- requests for internal reviews;
- requests to amend records; and
- general information on the Corporation's privacy policy.

The contact officer can be contacted by writing at:

*Manager Governance and Legal Services
Port of Townsville Limited
PO Box 1031
TOWNSVILLE QLD 4810*

or by telephone on 07 4781 1531.

| | | | | |
|---|---------------|-------------|--------------|----------------|
| © Port of Townsville Limited A.C.N. 130 077 673 | Document Type | Publication | Document No. | SS 1010-040004 |
| Only electronic copy on server is controlled. To ensure paper copy is current, check revision number against entry in Qudos - Master Document List | | | Revision | 8 |
| | | | Date | 05/10/2011 |
| | | | Page | 8 of 16 |

Corporation Privacy Plan

Classes of personal information held

The Corporation holds a range of information on employees and clients/vendors that fall within the definition of personal information. **Appendix B** provides a list of employee personnel records containing personal information.

Appendix C provides a list of client/vendor information containing personal information.

Retention and disposal of records

The *Public Records Act 2002* (Qld) governs the preservation and disposal of public records in Queensland. The Queensland State Archivist is responsible for approving retention and disposal schedules proposed by the Corporation. Examples under the current schedule include:

- records pertaining to time recording and wages are retained for six (6) years after the last action;
- leave application forms are retained for one (1) year after the last action; and
- records relating to discrimination and sexual harassment must be retained for seven (7) years after the last action.

The Corporation is responsible for ensuring all staff are aware of responsibilities for retention, storage and disposal of corporate records. These responsibilities must be complied with in accordance with the Corporation's Retention and Disposal Schedule for Administrative Records and this policy.

Accessing and amending Personal Information

The Corporation will take reasonable steps to ensure that the personal information collected, used or disclosed is accurate, complete, up-to-date and stored in a secure environment protected from unauthorised access, modification or disclosure.

The Corporation's employees may only access specific internal records that may contain personal information with the authority of the relevant manager. Security of records is such that managers may also limit the nature of access provided to an officer, for example, by limiting access to confidential records to select officers only. Written evidence of the disclosure is to be maintained by the relevant manager including details as to who accessed the information and the purpose of accessing the information.

Internal requests to update personal information, such as change of address, should be directed to the Manager Employee Relations.

General questions regarding the personal information collections or applications for access to information in a collection, or any other personal information held by the Corporation should be dealt with in accordance with the procedures outlined below and may be directed, in the first instance, to the Manager Governance and Legal Services:

*Manager Governance and Legal Services
Port of Townsville Limited
PO Box 1031
TOWNSVILLE QLD 4810*

Right to Information

The Queensland RTI Act promotes the right to information held by Government agencies, including Government Owned Corporations such as Port of Townsville Limited, and provides people with a right of access to information in the agency's possession or under the agency's control unless, on the balance, it is contrary to the public interest to provide the information.

Applications requesting access to non-personal information or a combination of personal and non-personal information can be made under the RTI Act. A person who wishes to be given access to a document held by the Corporation must apply to the Corporation using the Right to Information and Information Privacy Access Application form, available on the Corporation's website.

The IP Act provides for applications for access to documents of an agency but only to the extent the documents contain the applicants' personal information. The IP Act confers the right to amend personal information held by the Corporation if the applicant believes the information is inaccurate, incomplete, out of date or misleading. Formal applications to amend personal information under the IP Act can be submitted by

| | | | | |
|--|---------------|-------------|--------------|----------------|
| © Port of Townsville Limited A.C.N. 130 077 673 | Document Type | Publication | Document No. | SS 1010-040004 |
| Only electronic copy on server is controlled. To ensure paper copy is current, check revision number against entry in Qudos - Master Document List | | | Revision | 8 |
| | | | Date | 05/10/2011 |
| | | | Page | 9 of 16 |

downloading the Information Privacy Personal Information Amendment Application form from the Corporation's website and sending the application to the Corporation via post, fax, email or in person.

Before making a formal application under the RTI Act or IP Act, individuals should contact the Corporation as it has a general obligation under the privacy principles to allow for amendments to personal information.

Complaints

If members of the public have issues concerning access to personal information or if a person believes that the Corporation has not dealt with their personal information according to this policy, they may make a complaint to the Corporation's Chief Executive Officer.

The complaint must detail in writing the assumed contravention of the policy. The complaint should be made as soon as possible after the incident and, in any case, within six (6) months from the date when the breach was alleged to have occurred. It should include as much detail as possible about the incident.

The complaint must be forwarded to the Governance and Legal Officer, at:

*Manager Governance and Legal Services
Port of Townsville Limited
PO Box 1031
TOWNSVILLE QLD 4810*

Review procedures

If an applicant does not agree with the Corporation's decision, they can apply in writing to the Chief Executive Officer for a review of the initial decision. Applications for a review must be made within twenty-eight (28) days of the complainant receiving the first decision notice. The postal address for internal review applications is:

*The Chief Executive Officer
Port of Townsville Limited
PO Box 1031
TOWNSVILLE QLD 4810*

The internal review will be carried out by an officer who is no less senior than the initial decision-maker, and who has not previously been involved in the matter. The internal review will be completed within forty-five (45) days of receipt of the application for internal review. The Internal Review Officer will provide a review decision in writing to the individual who requested the further review. Personal information contained in a written complaint will only be provided to parties relevant to the complaint or investigation of the complaint, unless they are advised otherwise.

| | | | | |
|--|---------------|-------------|--------------|----------------|
| © Port of Townsville Limited A.C.N. 130 077 673 | Document Type | Publication | Document No. | SS 1010-040004 |
| Only electronic copy on server is controlled. To ensure paper copy is current, check revision number against entry in Qudos - Master Document List | | | Revision | 8 |
| | | | Date | 05/10/2011 |
| | | | Page | 10 of 16 |

Appendix A – Information Privacy Principles

Information Privacy Principle 1 – Collection of personal information (lawful and fair)

1. A record-keeper must not collect personal information for inclusion in a document or generally available publication unless:
 - a) the information is collected for a lawful purpose directly related to a function or activity of the collector; and
 - b) the collection of the information is necessary to fulfil or directly related to the purpose.
2. A record-keeper must not collect personal information for in a way that is unfair or unlawful.

Information Privacy Principle 2 – Collection of personal information (requested from individual)

1. This principle applies to the collection by a record-keeper of personal information for inclusion in a document or generally available publication.
2. This principle applies only if the record-keeper asks the individual the subject of the personal information for the personal information or information that would include the personal information.
3. The record-keeper must take all reasonable steps to ensure that the individual is generally aware of:
 - a) the purpose of the collection; and
 - b) if the collection of the personal information is authorised or required under a law, the fact that it was authorised or required by law and state the applicable law.
4. If it is the record-keeper's usual practice to disclose personal information of the type collected to anyone else, or to anyone else whom the record-keeper is aware is likely to pass the information on to others, the record-keeper must take steps to ensure the individual is aware of the identity of these entities.
5. The record-keeper must take the reasonable steps required above before the information is collected, if practicable, or as soon as practicable after the personal information is collected.
6. The record-keeper is not required take these steps if the personal information is collected in the context of the delivery of an emergency service.

Information Privacy Principle 3 – Collection of personal information (relevance etc.)

1. This principles applies to the collection by a record-keeper of personal information for inclusion in a document or generally available publication, but only if the record-keeper asks for the personal information from any person.
2. The record-keeper must take all reasonable steps to ensure that the personal information collected is relevant to the purpose for which it is collected and is complete and up to date.
3. The record-keeper must take all reasonable steps to ensure that the extent to, and manner in which personal information is collected from the individual the subject of the information, are not an unreasonable intrusion into the personal affairs of the individual.

Information Privacy Principle 4 – Storage and security of personal information

A record-keeper having control of a document containing personal information must ensure that the document is protected, by such security safeguards that it can be reasonably expected to take, against loss, unauthorised access, use, modification, disclosure and any other misuse.

If it is necessary for the document to be given to a person in connection with the provision of a service to the agency, the collector must take all reasonable steps to prevent unauthorised use or disclosure of the personal information.

Information Privacy Principle 5 – Providing information about documents containing personal information

1. A record-keeper who has possession or control of records that contain personal information shall, take such steps as are, in the circumstances, reasonable to enable any person to ascertain:
 - (a) whether the record-keeper has possession or control of any records that contain personal information; and
 - the type of personal information contained in the documents;

| | | | | |
|--|---------------|-------------|--------------|----------------|
| © Port of Townsville Limited A.C.N. 130 077 673 | Document Type | Publication | Document No. | SS 1010-040004 |
| Only electronic copy on server is controlled. To ensure paper copy is current, check revision number against entry in Qudos - Master Document List | | | Revision | 8 |
| | | | Date | 05/10/2011 |
| | | | Page | 11 of 16 |

- the main purposes for which personal information included in the documents is used; and
- what an individual should do to obtain access to a document containing their personal information.

2. A record-keeper is not required to give a person information under Clause 1 of this Principle if the record-keeper is required or authorised to refuse to give that information to the person under the applicable provisions of any law of the State that provides for access by persons to documents.

Information Privacy Principle 6 – Access to records containing personal information

Where a record-keeper has possession or control of a record that contains personal information, the individual concerned shall be entitled to have access to that record, except to the extent that the record-keeper is required or authorised to refuse to provide the individual with access to that record under the applicable provisions of any law of the State that provides for access by persons to documents.

Information Privacy Principle 7 – Alteration of records containing personal information

1. A record-keeper who has possession or control of a record that contains personal information shall take such steps (if any), to ensure that the record:

- is accurate; and
- is, having regard to the purpose for which the information was collected or is to be used and to any purpose that is directly related to that purpose, relevant, up to date, complete and not misleading.

2. The obligation imposed on a record-keeper by Clause 1 is subject to any applicable limitation in a law of the State that provides a right to require the correction or amendment of documents.

3. Clause 4 applies if:

- the record-keeper considers they are not required to amend personal information included in a document under their control in a way requested by the individual the subject of the personal information; and
- no decision or recommendation to the effect that the document should be amended wholly or partly in the way asked for has been made under a law mentioned in Clause 2.

4. The record-keeper must, if the individual asks, take all reasonable steps to attach to the document any statement provided by the individual of the correction, deletion or addition sought.

Information Privacy Principle 8 – Record-keeper to check accuracy, etc., of personal information before use

A record-keeper who has possession or control of a record that contains personal information shall not use that information without taking such steps (if any) as are, in the circumstances, reasonable to ensure that, having regard to the purpose for which in the information is proposed to be used, the information is accurate, up to date and complete.

Information Privacy Principle 9 – Personal information to be used only for relevant purposes

A record-keeper who has possession or control of a record that contains personal information shall not use the information except for a purpose to which the information is relevant.

Information Privacy Principle 10 – Limits on use of personal information

1. A record-keeper who has possession or control of a record that contains personal information that was obtained for a particular purpose shall not use the information for any other purpose unless:

- (a) the individual concerned has consented to use of the information for that other purpose;
- (b) the record-keeper believes on reasonable grounds that use of the information for that other purpose is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or another person;
- (c) use of the information for that other purpose is required or authorised by or under law;
- (d) use of the information for that other purpose is reasonably necessary for enforcement of the criminal law or of a law imposing a pecuniary penalty, the protection of the public revenue, the prevention, detection or investigation of improper conduct, or for the preparation or conduct of legal proceedings;
- (e) the purpose for which the information is used is directly related to the purpose for which the information was obtained; or

| | | | | |
|--|---------------|-------------|--------------|----------------|
| © Port of Townsville Limited A.C.N. 130 077 673 | Document Type | Publication | Document No. | SS 1010-040004 |
| Only electronic copy on server is controlled. To ensure paper copy is current, check revision number against entry in Qudos - Master Document List | | | Revision | 8 |
| | | | Date | 05/10/2011 |
| | | | Page | 12 of 16 |

- (f) the use is necessary for research in the public interest, does not involve the publication of personal information in a way that would identify the individual concerned, and it is not practicable to obtain the consent of the individual before the disclosure of the personal information.
2. Where personal information is used under Clause 1(d), the record-keeper shall include in the record containing that information a note of that use.

Information Privacy Principle 11 – Limits on disclosure of personal information

1. A record-keeper who has possession or control of a record that contains personal information shall not disclose the information to a person, body or agency (other than the individual concerned unless:
- (a) the individual concerned is reasonably likely to have been aware, or made aware under Principle 2, that information of that kind is usually passed to that person, body or agency;
 - (b) the individual concerned has consented to the disclosure;
 - (c) the record-keeper believes on reasonable grounds that the disclosure is necessary to prevent or lessen a serious or imminent threat to the life or health of the individual concerned or of another person;
 - (d) the disclosure is required or authorised by or under law; or
 - (e) the disclosure is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty, the protection of the public revenue, the prevention, detection or investigation of improper conduct, or for the preparation or conduct of legal proceedings.
 - (f) the disclosure is necessary for research in the public interest, does not involve the publication of personal information in a way that would identify the individual concerned, it is not practicable to obtain the consent of the individual before the use of the personal information and the record-keeper is reasonably satisfied that the third party will not disclose the information to another entity.
2. Where personal information is used under Clause 1(e), the record-keeper shall include in the record containing that information a note of that use.
3. If the record-keeper discloses personal information under Clause 1, it must take all reasonable steps to ensure that the relevant entity will not uses or disclose the information for a purposes other than the purposes for which the information was disclosed.
4. The record-keeper may disclose the personal information under Clause 1 if the information is used for a commercial purpose involving the relevant entity’s marketing of anything to the individual if the record-keeper is satisfied on reasonable grounds that:
- (a) it is impracticable for the relevant entity to seek the consent of the individual before the personal information is used for the purposes of the marketing;
 - (b) the relevant entity will not charge the individual for giving effect to a request from the individual to not receive any marketing communications;
 - (c) the individual has not made a request to not receive marketing communications;
 - (d) in each marketing communication with the individual, the relevant entity will draw to the individual’s attention, or prominently display a notice, that the individual may ask not to receive any further marketing communications; and
 - (e) each written marketing communication from the relevant entity to the individual will state the relevant entity’s business address and telephone number and, if the communication with the individual is made electronically, a number or address at which the relevant entity can be directly contacted electronically.

| | | | | |
|--|---------------|-------------|--------------|----------------|
| © Port of Townsville Limited A.C.N. 130 077 673 | Document Type | Publication | Document No. | SS 1010-040004 |
| Only electronic copy on server is controlled. To ensure paper copy is current, check revision number against entry in Qudos - Master Document List | | | Revision | 8 |
| | | | Date | 05/10/2011 |
| | | | Page | 13 of 16 |

Appendix B – Employee personnel records containing personal information

The Corporation holds a range of information on employees that falls within the definition of personal information. These are set out below.

Employee personnel records

- records relating to attendance and overtime;
- leave applications and approvals;
- medical records/certificates;
- payroll and pay-related records, including banking and dependency details;
- tax file number declaration forms;
- personal history files;
- performance appraisals;
- records relating to personal development and training;
- trade, skill and aptitude test records;
- completed questionnaires and survey forms;
- travel documentation;
- departmental audit information;
- records relating to personal welfare matters;
- superannuation details;
- EEO census information; and
- contracts and conditions of employment.

Recruitment

The records may include any one or more of the following:

- recruitment records (job applications/resumes);
- records relating to relocation of staff and removal of personal effects;
- professional membership certificates;
- records relating to the approval of temporary assignments of staff to perform other duties; and
- records relating to character checks and security clearances.

Other records

- security identification details;
- staff emergency forms including details such as next-of-kin contact details, special medications, disablements, allergies, blood type, doctor and so on;
- criminal and traffic history clearances;
- records of accidents and injuries including WorkCover claims, medical reports, findings;
- compensation case files;
- rehabilitation case files;
- records relating to counselling and discipline matters, including disciplinary, investigation and action files, legal action files, records of criminal convictions, and any other staff and establishment records as appropriate;
- complaints, grievances; whistleblower and official misconduct documentation;
- mailing lists, address book containing staff and/or external stakeholders;
- expense claim forms;
- personal interest declarations; and
- fringe benefit records.

The purpose of these records is to maintain employment history, payroll and administrative information relating to all permanent, contract and temporary employees of the Corporation.

Contents of these personnel records may include: name, previous and current address, date of birth, occupation, gender, qualifications, next-of-kin, details of pay and allowances, leave details, work reports, security clearance details and employment history.

Sensitive contents may include details on physical and mental health, disabilities, racial or ethnic origin, disciplinary procedures, investigations and action, criminal convictions, adverse performance and security assessments, tax file numbers, relationship details and personal financial information.

| | | | | |
|--|---------------|-------------|--------------|----------------|
| © Port of Townsville Limited A.C.N. 130 077 673 | Document Type | Publication | Document No. | SS 1010-040004 |
| Only electronic copy on server is controlled. To ensure paper copy is current, check revision number against entry in Qudos - Master Document List | | | Revision | 8 |
| | | | Date | 05/10/2011 |
| | | | Page | 14 of 16 |

Personal information on these records relate to current and former employees, including contract and temporary employees, and the information is stored on paper files and electronic databases.

The following employees have access to this personal information, subject to appropriate security authority and operational need:

- personnel management staff;
- supervisors;
- members of selection committees (if appropriate); and
- the individual to whom the record relates.

Some personal information may also be accessed by contracted private companies or government agencies in order to provide services.

Personnel records are kept for viable periods according to the applicable provisions of the general retention and disposal schedule for staff and establishment records, issued by Queensland State Archives.

Information held in personnel records may be disclosed to organisations such as Centrelink, Department of Finance, Australia Taxation Office, Police and Q-Super. Information may also be disclosed to third parties such as insurance companies, unions, banks and other financial institutions.

Employees who wish to access their personal information should contact the Manager Employee Relations.

| | | | | |
|--|---------------|-------------|--------------|----------------|
| © Port of Townsville Limited A.C.N. 130 077 673 | Document Type | Publication | Document No. | SS 1010-040004 |
| Only electronic copy on server is controlled. To ensure paper copy is current, check revision number against entry in Qudos - Master Document List | | | Revision | 8 |
| | | | Date | 05/10/2011 |
| | | | Page | 15 of 16 |

Appendix C – Client/vendor records containing personal information

Corporate records/Financial management records

These records are collected and maintained to process and account for expenditure, revenue and billing. In general terms the records include information such as name and contact details, financial information including debts, bank details and credit cards. Types of information systems used by the Corporation to store such records include:

- TechOne (e.g. for accounts payable; accounts receivable);
- Qudos;
- Objective – records management system; and
- SPOT (e.g. shipping records)

Information systems records

The Corporation's IT network carries, processes and stores information and data that supports the core business applications of the Corporation. This includes, email, email addresses (individual and group), Internet and intranet activity, information storage and networked directions.

In addition there is also personal information stored that relates directly to the user's activities on the IT system. This may include network logins, IT system security identifiers and internet/intranet usage. System administrators log and hold this information. Access is restricted to appropriate system administrators.

When you look at the Corporation's website, our internet service provider makes a record of your visit and logs the following information for statistical purposes only:

- the user's server address;
- the user's top level domain name (for example .com, .gov, .au, etc.);
- the date and time of the visit to the site;
- the pages accessed and documents downloaded;
- the previous site visited; and
- the type of browser used.

No attempt is or will be made to identify users or their browsing activities outside this site. In the unlikely event of an investigation, a law enforcement agency may exercise a warrant to inspect activity logs.

The Corporation's website uses cookies to allow access to our port charges information only. No personal information is maintained by this website. If you wish to use this facility you will need to accept cookies. If you have configured your browser to reject all cookies, you will still be able to view all other information only pages on the website.

Consultant/contractor/supplier/vendor records

Personal information is collected to assist the Corporation with the engagement of consultants, contractors, suppliers and vendors. The content of these records may include name, address, contact details and occupation. This information is retained for as long as necessary, and disposed of under the *Public Records Act 2002* (Qld).

A request for access to consultant/contractor/supplier/vendor records is provided according to individual need and current policy, through the appropriate manager.

Customer records

As an organisation which provides services to a wide range of customers, the Corporation collects and stores personal information on customers to ensure a continued high level of service. For new customers, the Corporation collects personal information in order to issue accounts and contracts. For existing customers, information is collected to update the customer's details (for example, a lease may be assigned and lessee details change). The main information system that stores customer details is TechOne (the financial management system). A request for access to customer records is provided according to individual need and current policy, through the appropriate manager.

| | | | | |
|--|---------------|-------------|--------------|----------------|
| © Port of Townsville Limited A.C.N. 130 077 673 | Document Type | Publication | Document No. | SS 1010-040004 |
| Only electronic copy on server is controlled. To ensure paper copy is current, check revision number against entry in Qudos - Master Document List | | | Revision | 8 |
| | | | Date | 05/10/2011 |
| | | | Page | 16 of 16 |