

Privacy Policy

General

NEXTDC Limited ACN 143 582 521 and its subsidiaries (referred to in this policy as **we, us or our**) recognises that your privacy is very important and we are committed to protecting the personal information we collect from you. The *Privacy Act 1988* (Cth) and the Australian Privacy Principles (**Privacy Law**) govern the way in which we must manage your personal information. This policy sets out how we collect, use, disclose and otherwise manage personal information about you.

You agree that this Policy and any Privacy Collection Notice of NEXTDC will specify how we deal with your personal information. You consent to NEXTDC collecting, using, disclosing and otherwise managing or holding your personal information as set out in this Policy and any Privacy Collection Notice of NEXTDC.

If you do not agree to this Policy, we may be unable to provide to you, or someone else you know, with the services you or they are seeking.

Definitions

What is Personal Information?

Personal information means information or an opinion about an identified individual, or an individual who is reasonably identifiable [from that information]:

- whether the information or opinion is true or not; and
- whether the information or opinion is recorded in a material form or not.

Collection

Types of Information Collected

We may collect and hold personal information about you, that is, information that can identify you and information relevant to providing you with the services you are seeking.

Purpose of Collection

The personal information that we collect and hold about you, depends on your interaction with us. Generally, we will collect, use, disclose and otherwise manage or hold your personal information for the purposes of:

- providing services to you or one of your associates;
- information about issues that might affect you;
- permitting access to one of our data centres to ensure the security of the facility;
- logging your interaction with a NEXTDC application or service;
- issuing tax invoices for the products or services we may provide to you from time to time;
- providing you with information about other services that we, our related entities and other organisations that we have affiliations with, offer that may be of interest to you;
- facilitating our internal business operations and the fulfilment of any legal requirements; and
- analysing our services and customer needs with a view to developing new or improved services.

We may collect sensitive information from you. This will be collected where you consent or where it is reasonably necessary for us to collect this information for our functions or activities.

Method of Collection

Personal information will generally be collected directly from you through the use of any of our standard forms, when you interact with a NEXTDC application or service, via email, via competition entries, through a telephone conversation with you or when entering a NEXTDC data centre. There may, however, be some instances where personal information about you will be collected indirectly because it is unreasonable or impractical to collect personal information directly from you. We will usually notify you about these instances in advance, or where that is not possible, as soon as reasonably practicable after the information has been collected.

When we collect your information, you have the option of not identifying yourself or using pseudonym, unless it is impracticable for us to deal with you where you have not identified yourself or use a pseudonym.

Failure to Provide Information

If the personal information you provide to us is incomplete or inaccurate we may be unable to provide you, or one or your associates with the services you or they are seeking.

Contacting NEXTDC through internet protocols (IP)

If you access a NEXTDC application or service, such as the website, we may collect additional personal information about you in the form of your IP address and domain name, and other network identifiers as appropriate for the type of service provided.

Our website uses cookies. The main purpose of cookies is to identify users and to prepare customised web pages for them. Cookies do not identify you personally, but they may link back to a database record about you. We use cookies to monitor usage of our website and to create a personal record of when you visit our website and what pages you view so that we may serve you more effectively.

Our website may contain links to other websites. We are not responsible for the privacy practices of linked websites and linked websites are not subject to our privacy policies and procedures.

Use and Disclosure

Generally, we only use or disclose personal information about you for the purposes for which it was collected (as set out above). We may disclose personal information about you to:

- service providers, who assist us in operating our business, and these service providers may not be required to comply with our privacy policy; and
- our related entities and other organisations with whom we have affiliations so that those organisations may provide you with information about services and various promotions.

Where we collect sensitive information from you, you consent to us using and disclosing the information in connection with your consent or where it is reasonably necessary for us to use and disclose this information for our functions or activities.

Cross-Border Data Flow

When you provide your personal information or otherwise allow us to collect your personal information, you consent to your personal information being disclosed to certain overseas recipients. The countries to which such disclosures may be made include: United States of America, Japan, South Africa and the European Union.

Security

We store your personal information in different ways, including in paper and in electronic form. The security of your personal information is important to us. We will take such measures as may be reasonably practicable in the circumstances to ensure that your personal information is stored safely to protect it from misuse, loss, unauthorised access, modification or disclosure.

We will only keep your personal information as long as necessary relating to the purpose for which we collected, used and/or disclosed the information. We will then take reasonable steps to destroy and / or de-identify the personal information, unless it is required to be retained by law or a court / tribunal order.

Access and Correction

We will take reasonable steps to ensure that the personal information we collect, use or disclose is accurate, up to date, complete and relevant.

Please note that it is your responsibility to ensure that any personal information that you have entered in a NEXTDC application (such as ONEDC®) relating to yourself or someone you are associated with is kept up to date.

You may access the personal information we hold about you or request that we update, complete or correct information we hold about you by contacting us by the Feedback section below.

We will respond to your request within a reasonable time and we will give access as requested by you if it is reasonable and practicable for us to do so. We may decline a request for access to personal information in circumstances prescribed by the Privacy Law. We reserve the right to confirm the identity of the person seeking access or correction to personal information before we comply with the request.

Data Breach Notification

If NEXTDC experiences an eligible data beach as defined by the Privacy Act 1998 (Act), NEXTDC will make the required notification in accordance with the Act.

Opt-out

If you no longer wish to receive communications from us, please contact us per the Feedback section below. We may ask you what type of communication you wish to be opted-out from.

Feedback

If you have any queries, concerns or complaints about your personal information, our privacy policy or the way we handle your personal information, please contact us at:

Street address: Level 6, 100 Creek Street, Brisbane QLD 4000

Email address: privacy@nextdc.com

Telephone: +61 7 3177 4777

Facsimile: +61 7 3177 4789

We will respond to you within a reasonable time to obtain further information about your issue or complaint and to advise you that we are internally investigating the matter. We will internally investigate your issue or complaint within a reasonable time, and will liaise with you during this process to ensure your issue or complaint is addressed appropriately.

More information

For more information about privacy in general, you can visit the federal privacy commissioner's website at www.privacy.gov.au