

# Privacy Policy

Momentum Energy Pty Limited (ABN 42 100 569 159) respects the personal information of our customers and employees and recognises the importance of protecting it.

Our Privacy Policy explains how we manage your personal information, including certain types of credit-related personal information (**credit information**), the types of personal information we collect and the reasons we collect it, how we generally use and disclose your personal information and how we store and protect it. Our Privacy Policy also explains how you can access and correct personal information that we hold about you and how you can make a complaint if you have a concern about how Momentum Energy has dealt with your personal information.

When you acquire a service from us you will receive further information about our privacy practices in a privacy statement or other form of privacy disclosure.

We may change our Privacy Policy at any time by publishing an updated version on our website. We encourage you to review and check our website regularly for any updates to this Privacy Policy. If you would like a copy of this Privacy Policy, please contact us.

Please contact us with any questions, comments or concerns about this Privacy Policy or our procedures.

You can contact us at:

## **Momentum Energy**

P.O. Box 353

Flinders Lane VIC 8009

Telephone: 1300 662 778

Fax: 03 9620 1228

Online: [privacyofficer@momentum.com.au](mailto:privacyofficer@momentum.com.au)

## Collection of personal information

### The types of personal information we collect and hold

We collect a range of personal information as part of our functions or activities. Generally, these may include the following types of personal information:

- information to identify our customers - (such as names, contact information such as address(es), phone number(s), fax number(s) and/or email address(es));
- information to contact existing or potential customers about signing up with Momentum Energy, for new services, for research and development purposes and to develop our business systems and infrastructure, including testing and upgrading of these systems (such as names, address(es), email address(es) and telephone number(s));

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- additional identification information (such as drivers licenses or birth certificate);
- the financial or credit information of customers, or information contained in credit reports about customers or potential customers, obtained from credit reporting bodies such as:
  - direct debit information;
  - credit card information;
  - credit history with other credit providers;
  - default information;
  - personal insolvency;
  - customer credit liability information;
  - payment information; and
  - scores, ratings, summaries, evaluations and other information relating to credit worthiness which is derived by us or by credit reporting bodies wholly or partly from other personal information;
- concession details of customers who are eligible to receive a government concession relating to their energy (concession card and/or health card details);
- information relating to customers' gas or electricity meters (meter numbers, etc.);
- information about our customers' usage of electricity and gas;
- information relating to people who access our websites for competitions and promotions;
- information relating to our employees, contractors and prospective employees (such as contact details, date of birth, bank details, employment history, psychological testing, referees, criminal records, health checks, performance, salary, superannuation); and
- information collected from bills uploaded by users of our bill analysis tool service.

In certain circumstances, we may collect government-related identifiers (e.g. tax file numbers for employment). We will not use this information unless the use or disclosure is permitted under law.

If we obtain personal information about you that we did not ask for, we will (within a reasonable time after receiving such personal information) determine whether we could have collected that information ourselves. If we could have collected the information, we will handle it in the same way we handle other information we collect from you as set out in this Privacy Policy. If we determine that we could not have collected the information and the information is not obtained in a Commonwealth record, we will destroy the information or ensure that the information is de-identified (provided that it is lawful and practical to do so).

## Sensitive Information

We may also collect sensitive information, as defined in the Privacy Act, in some circumstances, for example:

- in connection with our hardship and payment assistance policy; and
- information about our employees (for example, health information, criminal records, membership of a trade association or union) for assessing their suitability for employment.

Unless permitted by law, we will only collect your sensitive information with your consent.

## How we collect and hold personal information

We collect personal information about you directly from you, unless it is unreasonable or impractical to do so.

We may collect your personal information by telephone, in person, in writing, online (including through the use of cookies on our websites), electronically by email and by the use of surveillance camera systems located at Momentum Energy sites.

We may also collect your personal information from publicly available sources or from third parties, for example from address validation software, marketing companies, brokers, partners or energy distributors who may have introduced you to Momentum Energy or from credit reporting bodies. We also collect information internally about the conduct of our customers' accounts. If we collect information that can be used to identify you, we will take reasonable steps to notify you of this and the surrounding circumstances, if you are not otherwise aware.

We hold your personal information in:

- computer systems;
- electronic databases;
- digital records;
- telephone recordings; and
- in hard copy or paper files.

You may choose to remain anonymous, or to use a pseudonym when dealing with us where it is lawful and practical to do so. For example, if your inquiry is general, it may not be necessary to identify yourself. If you want to obtain a service, however, identification may be necessary.

# Why we collect, use and disclose personal information

## Purposes of collection

We may collect, hold, use and disclose your personal information for the following general purposes to enable us to conduct our business:

- to identify you and conduct appropriate relevant checks;
- to understand your requirements and provide you with our services and products;
- to set up, administer and manage our operations and the provision of our services;
- to assess your credit worthiness and repayment capacity;
- to collect payments owed;
- to derive scores, ratings, summaries and evaluations relating to your credit worthiness (which are used in our decision-making processes and ongoing reviews);
- to participate in the credit reporting system (including providing information to credit reporting bodies);
- to provide state government concessions as well as hardship or assistance payment processes;
- to process employment applications;
- to promote and market our products and services to you with your consent and where permitted by law;
- to respond and communicate to you if you make a complaint or request a correction;
- to manage, train and develop our employees and representatives;
- to manage complaints and disputes (including in connection with disputes handled by external dispute resolution bodies);
- to understand your needs, your behaviours and how you interact with us so that we can engage in research and development in connection with our services and business strategy, including managing the delivery of our services and the ways we communicate with you; and
- to meet our legal and regulatory obligations and comply with law enforcement activities.

Sometimes we are required to collect your personal information to satisfy specific legal or regulatory obligations. The privacy statement you will receive when you acquire a service from us, or interact with us in a different way, will give you further details of which laws may require us to collect your personal information and may also contain additional or different purposes of collection depending on the service you acquire from us or your interaction with us.

If we are unable to collect personal information about you, we may not be able to deal with you, or provide you with our products or services.

## Use and disclosure of your personal information

We use and disclose your personal information for the purposes we collected it.

If you would reasonably expect us to do so, we may also use and disclose your personal information for a secondary purpose that is related to a purpose for which we collected it. In the case of sensitive information, any use or disclosure for a secondary purpose (that you would reasonably expect) will be directly related to the purpose for which we collected it.

Some credit information may only be used or disclosed under the Privacy Act 1988 (Cth), which includes the Credit Reporting Privacy Code, for some purposes or in some circumstances.

We may also disclose your personal information to Hydro Tasmania. When we do so, Hydro Tasmania may use and disclose your personal information for the same purpose (and subject to the same restrictions) that we collected it.

We will disclose your personal information to (and collect your personal information from) third parties to enable us to conduct our business of providing energy services. These third parties include:

- regulatory or government authorities;
- authorised representatives appointed by you;
- representatives, agents or contractors we appoint or engage to provide services in connection with the operation of our business and the provision by us of energy services, for example information technology services, hosting services, telephony services, mailing house services, printing services, call centre services, debt collection services, marketing and communications services, research, planning and development services, external dispute resolution services, energy distributors and other energy retailers;
- financial institutions;
- our business partners;
- our professional advisers;
- any other organisation or person you ask us to provide your personal information to (or collect your personal information from);
- credit reporting bodies; and
- in respect of information relating to our employees (including names and email addresses of employees), Uber for Business for the purpose of Uber for Business providing transportation services to our employees.

We may also use or disclose personal information about a customer where the disclosure of the information is permitted under the Privacy Act (for example, in compliance with an Australian law or court/tribunal order, if a permitted general situation exists, if a permitted health situation exists or if we reasonably believe that the use or disclosure of personal information is reasonably necessary for enforcement related activities conducted by an enforcement body).

See the [Public Interest Disclosure Procedures](#) document.

## Marketing

We may use the personal information, not including sensitive information, we hold about you to identify services and products that may be of interest to you.

We may contact you by email, text message, phone or by post to let you know about specials, our promotions or any new or existing products or services. We also use internet-based marketing including targeted online advertising and online behavioural marketing (see 'Our websites' below for further information).

We may disclose personal information, excluding sensitive information, to our business partners to allow them (or us) to tell potential customers about a product or service. Our marketing agencies may contact potential customers using personal information that they already hold, or that we may provide to them, in order to serve our potential customers with more relevant advertising about our services and products.

You can contact us at any time if you no longer wish to receive marketing materials from us.

## The credit reporting system: use and disclosure of credit information

We may disclose credit information to (and collect credit information from) the credit reporting bodies Equifax and/or illion when an individual or a company applies for or opens an account with Momentum Energy in relation to any energy services to enable us to

- obtain a credit report about a potential customer or an existing customer (who is an individual), but only for the purposes permitted by the Privacy Act; and
- obtain a credit report about a director of, or guarantor for, a customer that is a company, but only with their consent and for the purposes permitted by the Privacy Act assist us with our collections activities in connection with overdue accounts and to assist our customers to avoid default in connection with consumer credit we provide.

When we request a credit report from a credit reporting body, we will provide information to the credit reporting body that identifies the individual, and we may give them information about the type and amount of credit applied for or provided in relation to an account for energy services. We may also update this information and other information (such as defaults in connection with credit we provide) over time.

A copy of Equifax's credit reporting policy can be obtained by contacting:

Equifax Australia Information Services & Solutions Pty Limited

- **Equifax's credit reporting policy**
- Mail: Attention: Equifax Public Access Division, PO Box 964, North Sydney, NSW, 2059

A copy of illion's credit reporting policy can be obtained by contacting:

illion Australia

- **illion's credit reporting policy**
- Phone: 1300 734 806
- Mail: Attention Public Access Centre illion Australia, PO Box 7405, St Kilda Rd, VIC, 3004
- Email: [PAC.austral@illion.com.au](mailto:PAC.austral@illion.com.au)

## Overseas disclosure

Some of your personal information may be disclosed, processed or stored overseas by us or by our third party service providers in the following countries:

- India
- Ireland
- Japan
- New Zealand
- Norway
- The Philippines
- United States of America

Where personal information is disclosed, processed or stored overseas, we have taken reasonable steps to ensure that overseas recipients comply with Australian privacy laws applicable to the handing of that personal information.

## Non customers

You may not be a customer of ours but you may interact with us. You could be a spouse or family member of a customer. You may also interact with us by entering a competition or commenting via social media. We will collect, use and disclose your personal information in accordance with this Privacy Policy and any privacy statement you may receive when you interact with us.

## Our websites

Momentum Energy has no direct control and takes no responsibility for any other internet site that is linked to Momentum Energy's website. Momentum Energy is not responsible for the content or privacy practices associated with linked internet sites.

## Cookies

We may collect information about how you use our websites. This information is used to enhance the content and services offered on our websites. The information we capture is information derived from cookies, for example the time of visit, pages visited and statistics about how a page is accessed. Cookies are small text files that are transferred to a user's device by a website for the purpose of tracking and storing this type of information. Customers accessing our website directly or indirectly via links sent to their devices or through advertisements on other websites, may download cookies as part of these processes. Cookies may also be used for other purposes on our website, including to maintain the continuity of a user's browsing session and remember the user's details and preferences when they return. You can use your browser settings to manage cookies. See [allaboutcookies.org](http://allaboutcookies.org) for instructions for many common browsers. Some parts of our websites may not have full functionality if cookies are disabled.

## Online service providers

In some cases third parties may use cookies and other tracking technologies such as web beacons and JavaScript on our website and other sites in connection with online services they provide to us like personalised advertising, website analytics, embedded content, social media engagement, social media buttons and surveys. For example, with personalised advertising, we can customise the delivery and content of our ads on third party websites and online services for people who have previously visited our websites.

The tracking described above may allow those parties to collect information about a user's interaction on our websites (including IP address) which they may store outside of Australia, and which they may combine with information they have collected at other times and through other sources (e.g. Google may link a user's activity on multiple devices if they have a Google account), or with information we provide them such as email addresses. The use of these technologies allows them to help us to better understand our website users and their behaviour, provide users with more meaningful content including relevant advertising, evaluate use of our website and other websites and provide other services relating to website activity and internet usage.

Those third parties may also transfer the information they collect to others where required to do so by law, or where those others process the information on their behalf.

The services we may use from time to time include (click the links for details and to find privacy policies): [Google](#) (e.g. [Analytics](#), [Google Ads](#)), [Salesforce](#), and [Hotjar](#). You can find more details in the privacy policies for those services, including information on how to opt-out of certain conduct. There are also opt-out facilities available which cover multiple online services, e.g: [www.youronlinechoices.com.au/opt-out/](http://www.youronlinechoices.com.au/opt-out/) (Australia).



## Updating and correcting your personal information

We rely on the accuracy of the personal information we hold about you to provide our services to you. We take all reasonable steps to ensure that the personal information we hold is accurate, up-to-date, relevant and complete. If you believe that personal information we hold about you is incorrect, incomplete, inaccurate or misleading, then you have the right to request us to correct it. You can do so by contacting Momentum Energy using the contact details provided above.

If you seek to have information, including credit information, we hold about you corrected, we will consider if the information requires correction. If we do not agree your personal information requires correction, we will provide our reasons to you in writing. In the case of information we have obtained from a credit reporting body (or any information we have derived from it) we will explain why we believe the information is correct. If we refuse to correct your personal information you have the right to associate with the information a statement that the information is inaccurate, out-of-date, incomplete, irrelevant or misleading. We will take reasonable steps to associate that statement with all records containing the relevant information.

Any requests made by you to update your existing personal information because it is no longer current (for example, change of address) will be actioned promptly.

## Accessing your personal information

You have the right to request access to personal information we hold about you. You can do so by contacting Momentum Energy using the contact details provided above. We may deny access to some or all of your personal information in specified circumstances. If we deny access, we will provide our reasons to you in writing.

We may be able to provide you with direct access to your personal information within our normal business processes. If not, the staff member will be able to commence the access request process for you.

If you are a customer of ours, you can at any time, review some of the personal information we hold about you through the use of our online [account management portal](#) which is available on our website.

## Protecting your personal information

The storage mechanisms we use to hold your personal information may be managed in a number of ways. They may be managed or administered internally by us or they may be managed by a third party storage provider with whom we have a contractual relationship and be either managed locally and/or overseas.

We will take reasonable steps to protect your personal information from misuse, interference and loss, as well as unauthorised access, modification or disclosure. The ways we do this include:

- limiting physical access to our premises;
- restricting electronic and physical access to personal information we hold;
- having in place stand-by systems and information backups to deal with major business interruptions;
- maintaining technology security products;
- requiring any third party providers to have acceptable security measures to keep your personal information secure; and
- destroying or de-identifying personal information pursuant to the law and our record retention policies.

Our staff, representatives and third party service providers have been trained to ensure the safe handling and storage of all private, confidential and personal information, including procedures for safe custody and transit of information both inside and outside the company. We provide authorised staff, contractors and third party entities with user identifiers, passwords or other access codes to control access to your personal information.

If we become aware of a suspected personal information data breach, we will conduct an appropriate assessment to determine if there is a likely risk of serious harm to any individual associated with the data breach. Where we believe there is a likely risk of serious harm and we have not been able to prevent the likely risk of serious harm with remedial action, we will notify the Office of the Australian Information Commissioner (OAIC) and any affected individuals in accordance with our obligations under the law.

## **Resolving your concerns**

If you have a complaint about how we collect, hold, use or disclose your personal information, including credit information, please use our complaints process so that we can help. It is important to follow the complaint handling process in order to resolve your complaint effectively and efficiently.

All privacy complaints will be dealt with according to our Complaints Handling Policy. Privacy complaints, including complaints about our compliance with the Australian Privacy Principles, can be made by contacting us via the contact details set out in this Privacy Policy.

Where necessary, we will consult with third parties about your complaint. We will notify you in writing of our decision following our investigation.

We will attempt to resolve your complaint within 30 days. Where this is not possible, we will contact you within this time to let you know when the complaint is expected to be resolved.

We expect our procedures will deal fairly and promptly with your complaint. However, if you are dissatisfied, you may take your complaint to your energy ombudsman (See contact information below) or to the OAIC.

## Energy ombudsman contact details in your state

### Victoria

Energy and Water Ombudsman Victoria  
Mail: Reply Paid 469, Melbourne, VIC 8060  
Freecall (except mobile phones): 1800 500 509  
Freefax: 1800 500 549  
Telephone Interpreter Service: 131 450  
TTY (for hearing impaired customers): 133 677 or 1800 555 677  
Online: [www.ewov.com.au](http://www.ewov.com.au)  
Email: [ewovinfo@ewov.com.au](mailto:ewovinfo@ewov.com.au)

### New South Wales

Energy and Water Ombudsman New South Wales  
Freecall: 1800 246 545  
Freefax: 1800 812 291  
Mail: Reply Paid 86550, Sydney South, NSW 1234  
Online: [www.ewon.com.au](http://www.ewon.com.au)  
Email: [omb@ewon.com.au](mailto:omb@ewon.com.au)

### South Australia

Energy and Water Ombudsman (SA)  
Mail: GPO Box 2947, Adelaide, South Australia 5001  
Freecall (from Australia): 1800 665 565  
Freefax: 1800 665 165  
Online: [www.ewosa.com.au](http://www.ewosa.com.au)

### Australian Capital Territory

ACT Civil and Administrative Tribunal (Energy and Water)  
Telephone: (02) 6207 1740  
Mail: GPO Box 370, Canberra ACT 2601  
Online: [www.acat.act.gov.au](http://www.acat.act.gov.au)  
Email: [ewcomplaints@act.gov.au](mailto:ewcomplaints@act.gov.au)

## **Queensland**

Energy & Water Ombudsman Queensland

Freecall: 1800 662 837

Mail: PO Box 3640 South Brisbane BC QLD 4101

Online: [www.ewoq.com.au](http://www.ewoq.com.au)

Email (Complaints): [complaints@ewoq.com.au](mailto:complaints@ewoq.com.au)

## **Tasmania (Bass Strait Islands)**

Energy Ombudsman of Tasmania

Telephone: 1800 001 170

Mail: GPO Box 960, Hobart TAS 7001

Online: [www.energyombudsman.tas.gov.au](http://www.energyombudsman.tas.gov.au)

Email: [energy.ombudsman@ombudsman.tas.gov.au](mailto:energy.ombudsman@ombudsman.tas.gov.au)