



# Privacy Policy

<b>Title:</b>	Privacy Policy
<b>Approved by:</b>	QCN Fibre Board
<b>Responsible lead:</b>	Chief Executive
<b>Audience:</b>	All QCN Fibre
<b>Brief description:</b>	Sets out how QCN Fibre meets the requirements of the Privacy Act 1988 (Cth) and the Information Privacy Act 2009 (Qld)
<b>Periodicity of review:</b>	Every three years
<b>Approved:</b>	July 2019

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## 1 Introduction

The *Privacy Act 1988* (Cth) (Privacy Act) applies to small business operators with an annual turnover of \$3 million or more. Additionally, the Information Privacy Act 2009 (Qld) (IP Act) is applicable to Queensland government entities dealing with personal information access and amendment applications.

Queensland Capacity Network Pty Ltd (ACN 633 081 517) (**QCN Fibre**) is subject to the Privacy Act and the IP Act.

QCN Fibre is committed to observance of the 13 Australian Privacy Principles (APPs) set out in Schedule 1 to the Privacy Act. QCN Fibre will make this Privacy Policy available upon request, in accordance with the Privacy Act.

This Privacy Policy has regard to the Privacy Act and the 13 APPs. The Privacy Act and the APPs can be accessed at [www.oaic.gov.au](http://www.oaic.gov.au).

## 2 Background

The principal activity of QCN Fibre, as a subsidiary entity of Powerlink Queensland, is to act as a corporate vehicle through unlocking spare capacity in government-owned fibre networks. By utilising any existing unused, unlit fibre capacity, QCN Fibre aim to improve access to digital services for regional Queenslanders.

QCN Fibre is responsible for operating as a data and telecommunications carrier. QCN Fibre can provide, trade or sell any forms of telecommunications services or other rights or benefits associated with the utilisation of spare capacity and increased supply of backhaul capacity, including:

- To persons and entities who hold a carrier license under the *Telecommunications Act 1997* (Cth)
- To carriage service providers and content service providers within the meaning of the *Telecommunications Act 1997* (Cth)
- To other organisations who lawfully provide or propose to provide telecommunications services to third parties, and
- To other customers whether persons, entities or organisations, including government owned corporations and other government entities (including Commonwealth, State and local Government entities and departments) and private sector entities and organisations

To assist QCN Fibre to fulfil its roles, various entities have been or may be contracted to provide advisory services and Powerlink undertakes various ancillary services for QCN Fibre as set out the Ancillary Services Agreement.

## 3 What QCN Fibre will do

In practical terms, QCN Fibre compliance with the APPs means that it will:

- Not collect Personal Information unless it is needed for QCN Fibre activities and it is collected in a fair way
- Tell persons from whom Personal Information is collected why it is collected, how it will be used and how they can access and correct it in certain circumstances
- Not use Personal Information for another purpose without consent (unless the exceptions in APP 6 apply)
- Keep Personal Information safe and up to date, and
- Delete Personal Information when it is no longer required for the purpose it was collected.

## 3.1 Types of Personal Information QCN Fibre Collects, Stores and Uses

### 3.1.1 Board Members of QCN Fibre

QCN Fibre collects and keeps information about the members of QCN Fibre's Board for the purpose of preparing annual reports and returns, administering remuneration (if any), providing administrative assistance, and managing conflicts of interests with members' duties. The information collected may include:

- Names
- Contact details
- Date of birth
- Details of other directorships, personal interests and moral rights held
- Professional memberships
- Bank account details
- Tax file number
- Superannuation and employment elections

### 3.1.2 Employees of QCN Fibre

QCN Fibre collects and keeps information about the employees of QCN Fibre for the purposes of preparing annual reports and returns, administering remuneration (if any) to directors, providing administrative assistance and managing conflicts of interests with director's duties. The information collected may include:

- Names
- Contact details
- Date of birth
- Details of other directorships, personal interests and moral rights held
- Bank account details
- Tax file number
- Superannuation and employment elections
- Photographs
- Salaries and benefits

Some of this information may be included in the annual reports and returns of QCN Fibre where required by law, accounting standards or standard business practice.

### 3.1.3 Third Parties

When QCN Fibre engages with the following third parties, it collects and keeps information about other parties to the contracts for contract management and administrative purposes. The information collected for respective parties may include:

#### Customers

- Names
- Company name
- Company position
- Contact details
- Bank account details

#### Partners

- Names
- Company name
- Company position
- Contact details

- Bank account details

### **Contractors, Suppliers and Vendors**

- Names
- Contact details
- Bank account details
- Australian Business Numbers (ABNs)

### **Job Applicants**

QCN Fibre collects and keeps information about job applicants for the purposes of considering their suitability as employees of QCN Fibre. Information collected include CV details such as:

- Names
- Contact details
- Qualifications
- Work history
- Experience and strengths
- References (including contact details)

### **Website Users**

- Names
- Contact details

## **3.2 Disclosure**

Personal Information that is kept by QCN Fibre is generally accessible to appropriately authorised QCN Fibre staff. QCN Fibre's staff are bound by an obligation of confidentiality to QCN Fibre when performing their functions.

From time to time QCN Fibre may need to disclose some types of Personal Information to other organisations, including Powerlink Queensland or Energy Queensland, or individuals outside QCN Fibre.

Examples of such disclosures include:

- Personal Information reasonably required for QCN Fibre to perform its functions, or required by law
- Tax file numbers and Australian Business Numbers to taxation authorities, and
- Filing statutory returns and notices to the Australian Securities and Investments Commission under the *Corporations Act 2001* (Cth) and publication of information about directors in annual reports.

## **4 Retention**

QCN Fibre may keep its records in electronic or hard copy form (or both) and destroys them in accordance with the requirements of the *Public Records Act 2002* (Qld). Personal Information within records is destroyed or de-identified when it is no longer needed for the purpose for which it was collected, where it is reasonable in the circumstances to do so.

## **5 Access to, and Amendment of, Personal Information by Individuals**

QCN Fibre provides for access to, and correction of, records of Personal Information kept about individuals, except where the exceptions in APP 12 apply. These exceptions generally relate to when access might infringe the privacy of another person, might prejudice a court case or an official investigation or might pose a threat to a person.

## 5.1 Use of Personal Information

QCN Fibre will comply with the APPs in its use of Personal Information. In general terms, QCN Fibre will not use or disclose Personal Information to anyone other than the individual concerned unless:

- a) The individual would reasonably expect that the information would be used or disclosed for a purpose related to the primary purpose for which it was collected
- b) The individual has consented to the proposed use or disclosure
- c) The proposed use or disclosure is required or authorised by law
- d) The proposed use or disclosure is reasonably necessary to prevent or lessen a serious and imminent threat to a person's life or health, or
- e) The proposed use or disclosure is reasonably necessary for enforcement of a criminal law or a law imposing a pecuniary penalty.

## 5.2 Steps to take to Access or Correct your Personal Information or Resolved Concerns

If you wish to obtain personal information, or are concerned that it needs correction, or if you have any questions or concerns about your privacy, please contact the Chief Executive.

QCN Fibre may require you to verify your identity and/or to provide a written request for personal information or the reasons it needs to be corrected or a written explanation of your questions or concerns, so that it can reasonably identify the information.

QCN Fibre will endeavour to respond to your application as soon as reasonably possible. In any event, QCN Fibre will respond not later than 14 days after a request in writing is received.

## 6 Responsibilities

Privacy at QCN Fibre is the responsibility of the Chief Executive:

**Address:** Chief Executive  
Queensland Capacity Network Pty Ltd  
PO Box 210  
Fortitude Valley, QLD 4006

**Email:** Pauline.Elliott@qcnfibre.com.au

**Phone:** 0439 209 240

## 7 Definitions

The following definitions apply to this policy and any related policy documents.

Term	Definition
<b>Personal Information</b>	<p>Personal information is defined as information or an opinion (including that which forms 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.</p> <p>Note: Under s7B Privacy Act, employee records that are used by QCN Fibre in relation to its current or former employment relationships are exempt from the APPs.</p>