

# Privacy Policy

## 1 Overview

NuCoal Resources Ltd ACN 060 352 990 (the **Company**) and its subsidiaries (the **Group**) are committed to protecting and safeguarding privacy by ensuring that personal information collected is handled in accordance with Australian Privacy Legislation and National Privacy Principles.

This policy outlines the way the Group collects, uses and manages personal information obtained from directors, employees, contractors engaged by the Group, shareholders and any other stakeholders.

The Group is bound by the Australian Privacy Principles (APP or 'Principles') set out in the *Privacy Act 1988* (Cth).

## 2 Collection of information

The Group collects personal information:

- if it is necessary for one or more of its functions or activities;
- by lawful and fair means and not in an unreasonable intrusive way; and/or
- where it is reasonable and practicable to do so, only from the individual.

In collecting the information the Group takes reasonable steps to ensure that the individual is aware of:

- the Group's name and contact details;
- the fact that the individual may gain access to the personal information provided;
- the purposes for which the personal information is collected;
- the organisations (or the types of organisations) to which the Group usually discloses personal information;
- any law that requires the particular personal information to be collected; and
- the main consequences (if any) for the individual if all or part of the personal information is not provided.

The Group will take reasonable steps to ensure that personal information collected, used or disclosed is accurate, complete and up-to-date.

## 3 How the Group uses and discloses personal information

The Group may share your personal information with people within the company who have a 'need to know' that information and may disclose your personal information to third parties including the authorities; the Groups advisors; suppliers of IT services; third parties engaged by the Group for the purpose of providing services requested by shareholders; to protect any intellectual property rights in any materials displayed on or otherwise available from the Groups website; for the purposes of seeking legal or other professional advice; to respond to a legal request or comply with a legal obligation; and to enforce the Groups website Terms and Conditions of Use.

Version 3	January 2020	Policy author	Megan Etcell
Version 2	December 2014	Policy authoriser	Board

The Group may disclose your personal information to third parties in the event that we sell, buy or merge any business or assets, including to the prospective seller or buyer of such business or assets.

Because the Group operates globally, your personal information may be shared with overseas entities. The Group may also contract with third party service providers located in Australia, USA, Japan and other countries. While these parties will be subject to confidentiality, they are not required to comply with the Australian Privacy Act and may have different disclosure requirements under their local laws. Although information is encrypted where possible and efforts are made to protect your information, when you agree to this Privacy Policy you acknowledge that the ASX will not be responsible for the overseas third party. The list of countries may change from time to time.

#### 4 Security and storage of personal information

The Group will take reasonable steps to:

- protect the personal information held by the Group from misuse and loss;
- protect the personal information held by the Group from unauthorised access, modification or disclosure; and
- destroy or permanently de-identify personal information if it is no longer needed for any purpose permitted under the National Privacy Policy.

#### 5 Use and disclosure of information

The Group is permitted to use or disclose personal information where:

- the individual has consented to the use or disclosure;
- it reasonably believes that the use or disclosure is necessary to reduce or prevent a serious, immediate threat to health or safety;
- it reasonably suspects that unlawful activity has been, is being or may be engaged in and the use or disclosure is a necessary part of its investigation or in responding on the matter to the relevant authorities; or
- such use or disclosure is required under or authorised by law.

#### 6 How to access personal information / right to rectification

The Company will take reasonable steps to ensure that personal information held about you is accurate, complete and up to date.

You may request access or correction to personal information held by the Company by writing to the Privacy Officer.

#### 7 Complaints and Concerns

The Company has appointed a Privacy Officer to manage privacy enquiries and complaints. The Privacy Officer can be contacted by phone, post or email at:

**Address:** c/- Level 7, 28 Honeysuckle Drive, Newcastle NSW 2300

**Telephone:** +61 (2) 4013 6181

**Email:** [admin@nucoal.com.au](mailto:admin@nucoal.com.au)

Version 3	January 2020	Policy author	Megan Etcell
Version 2	December 2014	Policy authoriser	Board

## Privacy Policy

You can also obtain information at the Office of the Australian Information Commissioner's website at [www.oaic.gov.au](http://www.oaic.gov.au).

### 8 Review

This policy will be updated from time to time as required.

The Company Secretary will conduct an annual review of this policy to ensure that it continues to reflect the most current guidance provided by the ASX.

The Board will approve any amendments to this Policy.

### 9 Publication of the Policy

This Policy is made available to all directors and staff of the Group and published on the Group's website [www.nucoal.com.au](http://www.nucoal.com.au).

Version 3	January 2020	Policy author	Megan Etcell
Version 2	December 2014	Policy authoriser	Board