

PRIVACY POLICY

1. Your rights in relation to privacy

Michels Trenchless Pty Ltd (ABN 45 576 105 405) (**the Company**) understands the importance of protecting the privacy of an individual's personal information. This statement sets out how the Company aims to protect the privacy of your personal information, your rights in relation to your personal information managed by the Company and the way the Company collects, holds, uses and discloses your personal information. Michels Corporation provides professional services to Michels through a Professional Services Agreement.

In handling your personal information, the Company will comply with the *Privacy Act 1988 (Cth)* (**Privacy Act**) and with the 13 Australian Privacy Principles in the Privacy Act. This policy statement may be updated from time to time.

2. What kinds of personal information does the Company collect?

Personal information is information or an opinion about an identified, or reasonably identifiable, individual. During the provision of its services, the Company may collect your personal information.

Generally, the kinds of personal information the Company collects are contact and identification information such as your name, address, telephone number, email address, date of birth, and TFN;

- financial information about your assets, occupation and income, account balances, account information and activities, payment history and transactions with us or third parties;
- sensitive information including:
 - a. health information:
 - i. where you consent to the collection of such information and if relevant to the provision of services; or
 - ii. where you are applying for a position with the Company and it is relevant to the recruitment process through which you must progress following your application to the Company; and
 - iii. where you are applying for a position with the Company, criminal record information where relevant to the Company's assessment of

whether you are able to perform the inherent requirements of the particular role; and

- iv. professional or employment-related information, for example: educational institutions attended, degrees and certifications, licences, work experience and previous employers, professional memberships and affiliations, union representation, seniority, training, employment start and ending dates, and job title;
- v. compensation and benefits information for employees, for example: salary, bonus and commission, hours and overtime, attendance records, leave information, bank details (for payroll and reimbursement purposes only), benefits in which you may be enrolled, and identifying information for dependents and beneficiaries;
- vi. non-public educational information, for example: academic transcripts;
- vii. commercial information, for example: business travel and expense records;
- viii. internet activity information, for example: internet browsing and search history while using Company's network, log in/out and activity on Company's electronic resources, interactions with Company's Internet web site, application, or advertisement, and publicly available social media activity;
- ix. sensory or surveillance data, for example: voicemails, recordings of meetings or videoconferences, and footage from video surveillance cameras; and
- x. geolocation data, for example; GPS tracking on Company vehicles or equipment.

In some circumstances the Company may also hold other personal information provided by you.

3. How does the Company collect personal information?

Generally, the Company collects your personal information directly from you, through the completion of a manual or online form, an interaction or exchange in person or by way of telephone, facsimile, email, post or through the use of the Company website.

There may be occasions when the Company collects your personal information from other sources such as:

- an information services provider;
- a publicly maintained record or other publicly available sources of information including social media and similar websites;
- if for recruitment purposes, an external recruitment or background screening services provider; or
- automated technologies on Company's electronic resources, for example, to track logins and activity across Company network;
- surveillance/recording technologies installed by Company, for example, video surveillance in common areas of Company facilities, global positioning system ("GPS") technologies, voicemail technologies, webcams, audio recording technologies, and blue-tooth technologies, any of these with consent to the extent required by law;
- union agreements, including collective bargaining agreements and other agreements between Company and a union; or
- government or administrative agencies.

Generally, the Company will only collect your personal information from sources other than you if it is unreasonable or impracticable to collect your personal information from you.

4. Why does the Company need your personal information?

The Company collects, holds, uses and discloses your personal information where it is reasonably necessary for the purposes of:

- Managing Personnel
 - a. Administration, including:
 - i. To manage personnel and workforce matters
 - ii. To communicate with the workforce
 - iii. To plan and arrange work supplies and workspaces
 - iv. To fulfill recordkeeping and reporting responsibilities
 - v. For recruitment of new employees or contractors
 - vi. To resolve internal grievances and disciplinary issues
 - vii. To make business travel arrangements

From Michels Corporation Human Resources Department

- viii. To manage workforce-related emergencies, including health emergencies

- b. Workforce development, including:
 - i. To screen workforce for risks to Company and continued suitability in their positions
 - ii. To conduct surveys

- c. Team building, including:
 - i. To maintain an internal workforce directory and for purposes of identification
 - ii. To facilitate communication, interaction, and collaboration among Covered Individuals
 - iii. To arrange meetings and manage Company-sponsored events and public service activities
 - iv. To promote Company as a place to work
 - v. Workforce reporting and data analytics/trend analysis
 - vi. For workforce satisfaction

- d. Monitoring, Security, and Compliance, including:
 - i. To monitor access to, and use of, Company facilities and information systems
 - ii. To ensure compliance with Company policies
 - iii. To conduct internal audits and investigations
 - iv. To administer Company's whistleblower hotline
 - v. To protect the safety and security of Company's facilities, including preventing illicit activity
 - vi. To report suspected criminal conduct to law enforcement and cooperate in investigations
 - vii. To exercise Company's rights under applicable law and to support any claim, defence, or declaration in a case or before a jurisdictional and/or administrative authority, arbitration, or mediation panel

- e. Conducting Our Business, including:
 - i. To engage in marketing, advertising, and promotion
 - ii. For communications with prospective, current, and former customers
 - iii. To provide a directory and contact information for prospective and current customers and business partners
 - iv. For customer service purposes
 - v. To manage business expenses and reimbursements
 - vi. To engage in project management

From Michels Corporation Human Resources Department

- vii. To conduct product and service training
 - viii. To conduct research and development
 - ix. To conduct quality assurance and improvement
 - x. For event planning
 - xi. To engage in crisis management
- f. Miscellaneous Other Purposes, including:
- i. To efficiently manage and operate administrative, information technology, and communications systems, risk management and insurance functions, budgeting, financial management and reporting, and strategic planning;
 - ii. To manage litigation involving Company, and other legal disputes and inquiries and to meet legal and regulatory requirements;
 - iii. In connection with a corporate transaction, sale, or assignment of assets, merger, divestiture, or other changes of control or financial status of Company or any of its subsidiaries or affiliates;
 - iv. To manage licences, permits, and authorisations applicable to Company's business operations; and
 - v. To protect the rights, property, or safety of Company, Covered Individuals, customers, or others.
 - vi. To exercise the Company's rights under applicable law and to support any claim, defence, or declaration in a case or before a jurisdictional and/or administrative authority, arbitrator, or mediation panel.

The Company may also use your personal information for purposes related to the above purposes and for which you would reasonably expect the Company to do so in the circumstances, or where you have consented, or the use is otherwise in accordance with law.

Where personal information is used or disclosed, the Company takes steps reasonable in the circumstances to ensure it is relevant to the purpose for which it is to be used or disclosed. You are under no obligation to provide your personal information to the Company. However, without certain information from you, the Company may not be able to provide its products and/or services to you.

5. To whom does the Company disclose your personal information?

The Company discloses your personal information for the purpose for which the Company collects it. That is, generally, the Company will only disclose your personal information for a purpose set out at paragraph 4. This may include disclosing your personal information to: third parties engaged to perform administrative or other business management functions;

- people or entities considering acquiring an interest in the Company's enterprise or assets;
- the Company's professional advisors, contractors, consultants and related bodies corporate;
- insurance providers;
- regulatory bodies; affiliated companies (other companies within the Michels family of companies);
- required legal disclosures; and
- corporate transactions

The Company's disclosures of your personal information to third parties are on a confidential basis or otherwise in accordance with law. The Company may also disclose your personal information with your consent or if disclosure is required or authorised by law.

6. Overseas disclosure

The Company may disclose personal information to overseas recipients in order to provide its services and/or products and for administrative or other business management purposes. Recipients of such disclosures are located in the United States and may also be located in Singapore.

Overseas recipients may have different privacy and data protection standards. However, before disclosing any personal information to an overseas recipient, the Company takes steps reasonable in the circumstances to ensure the overseas recipient complies with the Australian Privacy Principles or is bound by a substantially similar privacy scheme unless you consent to the overseas disclosure, or it is otherwise required or permitted by law. If you have any queries or objections to such disclosures, please contact the Company's Privacy Compliance Officer on the details set out in paragraph 9.

7. Security of your personal information

The Company takes steps reasonable in the circumstances to ensure that the personal information it holds is protected from misuse, interference and loss and from unauthorised access, modification or disclosure. The Company holds personal information in both hard copy and electronic forms in secure databases on secure premises, accessible only by authorised staff.

The Company will destroy or de-identify personal information in circumstances where it is no longer required, unless the Company is otherwise required or authorised by law to retain the information.

8. Can you access and correct the personal information that the Company holds about you?

The Company takes steps reasonable in the circumstances to ensure personal information it holds is accurate, up-to-date, complete, relevant and not misleading. Under the Privacy Act, you have a right to access and seek correction of your personal information that is collected and held by the Company. If at any time you would like to access or correct the personal information that the Company holds about you, or you would like more information on the Company's approach to privacy, please contact the Company's Privacy Compliance Officer on the details set out in paragraph 9 below. The Company will grant access to the extent required or authorised by the Privacy Act or other law and take steps reasonable in the circumstances to correct personal information where necessary and appropriate.

To obtain access to your personal information:

- you will have to provide proof of identity to ensure that personal information is provided only to the correct individuals and that the privacy of others is protected;
- the Company requests that you be reasonably specific about the information you require; and
- the Company may charge you a reasonable administration fee, which reflects the cost to the Company, for providing access in accordance with your request.

If the Company refuses your request to access or correct your personal information, the Company will provide you with written reasons for the refusal and details of complaint mechanisms. The Company will also take steps reasonable in the circumstance to provide you with access in a manner that meets your needs and the needs of the Company.

The Company will endeavour to respond to your request to access or correct your personal information within 30 days from your request.

9. How to contact us

For further information or enquiries regarding your personal information, please contact the Company's Privacy Compliance Officer at lschill@michels.us or hr@michels.us.

10. Privacy complaints

From Michels Corporation Human Resources Department

Please direct all privacy complaints to the Company's Privacy Compliance Officer. At all times, privacy complaints:

- will be treated seriously;
- will be dealt with promptly;
- will be dealt with in a confidential manner; and
- will not affect your existing obligations or affect the commercial arrangements between you and the Company.

The Company's Privacy Compliance Officer will commence an investigation into your complaint. You will be informed of the outcome of your complaint following completion of the investigation. In the event that you are dissatisfied with the outcome of your complaint, you may refer the complaint to the Office of the Australian Information Commissioner.