

YENDA GROUP

POLICY & PROCEDURE

Privacy

Introduction of Policy

The Yenda Group, consisting of Yenda Producers Co – operative Society Ltd (YPC), Spencer and Bennett – Yenda Prods Pty Ltd (S&B), Yenda Prods – Irrigation T/A Riverina Water Engineering (RWE), and Yenda Prods Grain (YPG), collects Personal information to allow them to provide goods and services to their customers and members, herein referred to as “stakeholders” or “you,” “yourself”. The Yenda Group’s Privacy Policy ensures that the manner in which it handles Personal information is within the guidelines of the Australian Privacy Principles (APP’s) and the Privacy Act 1988.

Purpose and Scope of Policy

This Policy provides all stakeholders of the Yenda Group an understanding of how Personal information is collected, stored, distributed and protected by the Yenda Group. The policy is applicable to all stakeholders and must be adhered to by all Yenda Group employees, contractors, agents and representatives that have access, whether intentional or not, to Personal information.

Commencement of Policy

This Policy will commence from 10/03/20. It replaces all other Privacy Policies of the Yenda Group (whether written or not).

Application of Policy

Personal information means information or an opinion about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

Sensitive information means information or an opinion about, amongst other things, an individual’s racial or ethnic origin; political opinions; or religious beliefs or affiliations; philosophical beliefs; membership of a professional or trade association; membership of a trade union; sexual orientation or practices; criminal record; or health information.

APP 1 – Open and transparent management of Personal information

What kind of Personal information is collected by the Yenda Group?

The Yenda Group collects the following Personal information from you:

- Name(s);
- Addresses, Postal and Residential;
- Contact details;
- Trading Structures;
- Tax File Numbers (required for YPC membership if applicant is an individual) or tax residency status;
- Primary production assets, including farm maps, historical data and associated assets relating to the primary production enterprise (e.g. water entitlements);
- Information about how you interact with our websites, including visitor information, browser type information and device type information; and

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- Other Personal information, such as details of your interactions with us.

The Yenda Group does not collect Personal information in and above what is required to operate.

The Yenda Group collects information about you from others, such as:

- Service providers;
- Companies or bodies that you own shares or have an interest in; and
- Credit reporting agencies.

For example, if you apply for credit, we may ask a credit reporting agency for your credit report.

How does the Yenda Group collect and hold Personal information?

The Yenda Group collects Personal information directly from yourself, either through the Credit Account Application from the respective Yenda Group entity and / or the YPC membership form.

On a periodic basis, the Yenda Group also contacts the stakeholder and requests that a form be completed by the stakeholder to update their contact details or confirm their current details. This can be performed electronically or by requesting the stakeholder to complete a handwritten form.

Personal information is also collected by the Yenda Group agronomists and horticulturalists (herein referred to as agronomists) to enable the agronomists to provide the stakeholder specialised advice. This information is held within the agronomic software and stored on a secured electronic cloud server.

Personal information is held within each branch of the Yenda Group in both a soft (computer) and hard (printed) copy. Information is secured on site and on the Yenda Group server(s). Personal information is only taken off site via the daily Yenda Group server backup which is also secured and encrypted. Extra care is taken to ensure that third party agronomic software providers stores any private data in a safe and secure place.

Personal information that is collected by mistake and is not required for the purpose of carrying on the Yenda Group business will be destroyed as soon as it is identified as information that is deemed to be sourced incorrectly. If the Yenda Group does receive unsolicited Personal Information that is deemed to be necessary for the purpose of carrying on the business, the Yenda Group will contact the stakeholder and seek the consent of the stakeholder to retain the information.

Why does the Yenda Group collect Personal information?

Personal information is collected by the Yenda Group for the following reasons:

- To ensure that sales accounts, membership accounts and credit applications are created correctly;
- To ensure that a legal tax deduction can be claimed by the stakeholder;
- To ensure that the membership and the financial benefits are held by the correct stakeholder;
- To ensure that the information pertaining to the points above are received by the correct stakeholder;
- To ensure that the most accurate agronomic advice can be provided to the Yenda Group stakeholders;
- To consider account and credit applications;
- To maintain your account and contact details;
- To process transactions to which you are a party;
- To advertise, promote and provide you with products or services distributed by the Yenda Group;
- To improve the Yenda Group website and web services;
- To register any security interest the Yenda Group may have in connection with your credit account on the Personal Property Securities Register or another security register;
- To enable us to meet our obligations under certain laws or under subpoenas or warrants that are served on us; or

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- For any purpose for which the information was requested and any directly related purpose; or developing, improving and marketing our products and services.

APP 3 – collection of solicited Personal information

The Yenda Group will only collect Personal information from you if it is reasonably necessary to provide goods or services (including on credit) or undertake ancillary functions for you. The Yenda Group will only collect Personal information for the purposes for which we advised you we were collecting it for or a related purpose which would reasonably be expected or otherwise with your permission.

The Yenda Group will generally not be required to collect Sensitive information about you. The Yenda Group will only do so if it is considered reasonably necessary for us to collect such information for us to perform our functions or activities and you consent, or collection is required by law.

APP 5 – Notification of the collection of Personal information

When the Yenda Group is collecting Personal information about you, we will make it clear to you, either at or before the time, or as soon as practicable afterwards, why we are collecting such information. The Yenda Group will also make it clear to you if they are required to collect such information by reason of a law or some other legal instrument; why they are collecting such information and any potential consequences for you if they do not collect such information.

APP 6 – Use and disclosure of Personal information

The Yenda Group will only use and disclose Personal information about you for the purpose for which it was disclosed to us or a related purpose which would reasonably be expected or otherwise with your consent.

To enable the Yenda Group to assess an application for credit or provide you with information about our products and services they may disclose your Personal information to credit reporting agencies (including CreditorWatch) and other third parties such as mailing houses, electronic network administrators or other companies that are part of the Yenda Group. The information the Yenda Group may disclose for credit reporting purposes includes: the fact that you have applied for credit and the amount; and the fact that the Yenda Group is a credit provider to you.

The Yenda Group will disclose Personal information between the companies within the Group. Please be reminded that this Policy and adherence to this Policy is applicable to all employees, contractors, agents and representatives.

APP 8 – cross border disclosure of Personal information

The Yenda Group may disclose Personal Information to overseas recipients.

In particular:

- The Yenda Group has an arrangement with CreditorWatch that, for the purposes of providing the credit reporting services, does disclose information to some multinational organisations that are located both in Australia and overseas, including the United Kingdom, the United States and New Zealand.
- In order to provide agronomy services, the Yenda Group may engage with third party agronomic service provider, and Personal information provided to these service providers may be managed from overseas.
- The Yenda Group uses Microsoft servers, and Personal information held on these servers is located in the United States.

These service providers may not be Australian entities or regulated by the Privacy Act, and may not be subject to privacy laws that offer the same level of protection as Australia's. You consent to the disclosure of your Personal information to such service providers on this basis.

APP 9 – Adoption, use or disclosure of government related identifiers

As a general practice, the Yenda Group does not use government related identifiers. The Yenda Group will not use or disclose a government related identifier unless the use or disclosure of the identifier is: reasonably necessary for the Yenda Group to be able to verify your identity; reasonably necessary for the Yenda Group to fulfil any obligations the Yenda Group may have to a government agency or the State or Territory; or required or authorised by or under an Australian law or a court or tribunal. The Yenda Group may use or disclose such an identifier if it is reasonably necessary for an enforcement related activity by or on behalf of an enforcement body. The Yenda Group may also use or disclose a government related identifier related to you if we are allowed or required by law or regulation to do so.

APP 10 – Quality of Personal information

The Yenda Group will take all steps reasonable in the circumstances to ensure that the Personal information they collect from you is accurate, up to date and complete. Where they collect information from you directly, they rely on you to supply accurate information and they may not consider that further steps are required. The Yenda Group will also ensure that all steps reasonable under the circumstances to ensure that the Personal information they use or disclose is, when considered in relation to the purpose for which they are using or disclosing the information, accurate, up to date, complete and relevant.

Where Personal information is collected for a one off purpose, such as to establish a credit account for you, and that information is not likely to be used again, they will not update that information unless it becomes necessary to use or disclose it again (for example, when you apply to increase your credit limit).

APP 11 – Security of personal information

The Yenda Group will take all steps reasonable under the circumstances to protect your Personal information from misuse, interference, loss; and unauthorised access, modification or disclosure. This includes holding Personal information on secure hard drives and encrypted on servers. If they no longer require to hold such Personal information, they will take all reasonable steps under the circumstances to destroy or de-identify the information. However, they may retain documents that contain Personal information in accordance with document retention practices. For example, the Yenda Group may retain copies of contracts to which you are a party, even though the contracts may contain Personal information about you. Similarly, information provided for the purposes of establishing or varying the terms of a trading account will be retained on file in case enforcement proceedings become necessary in future.

APP12- Access to Personal information

Personal information can be accessed by contacting the Yenda Group and filling out a copy of Annexure “A.” This will confirm who is requesting the information and for what purpose. This form also allows for the release of information to a third party (e.g. accountant), following a request by the stakeholder.

On certain occasions, the Yenda Group employee may need to identify the person requesting the information. This is usually done by asking the stakeholder to confirm their identity by providing a copy of the stakeholder’s license or going into one of the Yenda Group branches in person. By taking this extra step, the Yenda Group is ensuring that the information provided is going to the correct person and that private information is not accessed incorrectly or fraudulently.

Contact details for the Yenda Group are (02) 6961 3300 or via email address on yenda@yendaprods.com.au.

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APP 13– Access, to and correction of Personal information

The Yenda Group will do its best to provide its stakeholders with a high quality service. However, should you not be satisfied with the service or you would like to make a complaint, you can contact the Yenda Group Managing Director on 02 6961 3300.

The Yenda Group will:

- keep a record of your complaint;
- give you a reference number, along with a staff member's name and contact details if you want to follow it up;
- respond to the complaint within 7 days;
- keep you updated on what they're doing to fix the problem; and
- give their final response within 30 days.

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Annexure A

YENDA GROUP REQUEST FOR INFORMATION FORM

Business within the Yenda Group to supply the information *(Please tick box)*:

Yenda Producers Co – operative Society Ltd (YPC)

Spencer and Bennett – Yenda Prods Pty Ltd (S & B)

Yenda Prods Irrigation Pty Ltd T/ A Riverina Water Engineering (RWE)

Yenda Prods Grain Pty Ltd

Full Name of Account Holder	
Account Details	
Address	
Contact Number	

I would like to request the following documents/information:
(Please specify; e.g. Account Statement, Dividend & Rebate Statement etc.)

1.
2.
3.

I also authorise the release of this information relating to my trading account and/or membership (YPC only) when requested by:
(Please complete if applicable)

Full name(s) <i>(e.g. Accountant)</i>			
Full name(s) <i>(Authorised Representative)</i>			
Email		Mobile	

I acknowledge that the Yenda Group will release information to the above named entity, when requested to do so. This authority will continue indefinitely unless changed or revoked in writing.

Signed: _____ **Date:** _____

Print Name: _____

Office Use Only

Approved by (Print Name)¹		Date	
Signature			

¹ All forms are to be submitted to the Yenda Group head office.
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