

Introduction

Industrial Galvanizers Corporation (NZ) Limited NZBN 9429031352949, trading as Ingal Civil Products ('**IGCNZ**'), is bound by the *Privacy Act 2020*, as amended from time to time ('**Privacy Act**') and the 13 *Privacy Principles* ('**PPs**') contained in the Privacy Act, which set clear standards for the collection, access, storage, use and disclosure of the personal information we obtain as part of IGCNZ's businesses operations. In the course of IGCNZ's business in New Zealand, there may be circumstances where IGCNZ collects personal information and this Privacy Policy ('**Policy**') has been developed to ensure that such information is handled respectfully, sensitively, securely and in compliance with the Act. IGCNZ is committed to complying with the Privacy Act in relation to all personal information it collects.

About the IGCNZ Privacy Policy

This Policy sets out the broad controls which IGCNZ has adopted to govern the way it collects and uses personal information, the circumstances in which it might disclose personal information to third parties, how persons can access their personal information held by IGCNZ and what they can do if they are unhappy with IGCNZ's treatment of their personal information.

This Policy applies to any individuals in respect of whom IGCNZ currently holds, or may in the future collect, personal information.

What information does the IGCNZ Privacy Policy apply to?

In this Policy:

- "Personal information" means information or an opinion about an identified individual or an individual who is reasonably identifiable, whether true or not, and whether recorded in a material form or not.
- "Sensitive information" means information or an opinion about a person's racial or ethnic origin, political opinions, membership of a political association, 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, genetic or biometric information. Sensitive information is a subset of personal information.

What information is not personal information?

Information where IGCNZ has removed any reference to a person, so that the person cannot be reasonably identifiable from the information, is not personal information. IGCNZ may use this information for its own purposes and commercial gain. For example, the fact that a certain number of unnamed users aged 30-35 have accessed a IGCNZ website is not personal information.

What kinds of personal information does IGCNZ collect?

The kinds of personal information collected and held by IGCNZ includes (depending on the circumstances) names, addresses, telephone numbers, email addresses, details about a person's work experience and other qualifications, date of birth, age, gender, driver's licence details, bank account details, credit card details, financial information, photographs and video footage.

IGCNZ may also collect information about people from their access to the IGCNZ website for statistical purposes. This information is usually anonymous and IGCNZ does not use it to identify individuals. However, due to the nature of internet protocols, such information might contain details that identify individuals, such as their IP address, internet service provider, directing web page and activity on our website.

How and when does IGCNZ collect personal information?

IGCNZ collects personal information in a variety of ways in the course of conducting its businesses, including:

- providing goods and services and related information to customers, entering agreements with customers, and administering customer accounts;
- receiving order forms or credit applications from customers or potential customers;
- engaging suppliers, contractors and other personnel;
- responding to telephone or in-person questions regarding our products, services, accounts and our business;
- mail correspondence, emails or other electronic means;
- interacting with people via our websites;
- conducting trade promotions and competitions; and
- security video surveillance at IGCNZ sites.

Where reasonable and practicable, IGCNZ will collect personal information directly from the person concerned and inform the person that this is being done. However, in some circumstances, it is necessary for IGCNZ to collect personal information through third party service providers or agents, from a source of publicly available information (e.g. a telephone book), from an employer (e.g. where a contractor provides personal information about its staff), or from other third parties (including credit reporting bodies, Companies Office New Zealand and land title offices) in relation to credit checks, property searches and company extracts.

At or soon after the time when IGCNZ collects personal information directly from the person concerned, IGCNZ will take reasonable steps to ensure that the person is aware of the purpose(s) of the collection, the main consequences (if any) if the information is not collected, the types of organisation (if any) to which the information may be disclosed (including those located overseas), any law that required the particular information to be collected, and the fact that this Policy contains details on access, correction and complaints.

If IGCNZ receives personal information that IGCNZ has not requested (unsolicited information) and IGCNZ determines that IGCNZ could not have collected that information under the PPs if IGCNZ had requested it, then IGCNZ will destroy or de-identify the information if it is lawful and reasonable to do so.

Where practicable, you may deal with IGCNZ anonymously or by pseudonym.

Collection of sensitive information

IGCNZ will not collect sensitive information unless the person to whom it relates consents to the collection and the information is reasonably necessary for one or more of IGCNZ's functions or activities, except where the collection is required or authorised by law, is necessary to prevent or lessen a serious and imminent threat to the person's (or another person's) life or health or is necessary in relation to legal proceedings (current, anticipated or potential), or another permitted exception in the Privacy Act applies.

Purposes of collection and use of personal information

The use to which we can put personal information depends on the reason for which it was collected.

IGCNZ generally uses your personal information to provide its products and services to customers. IGCNZ may also use personal information to:

- process transactions and administer accounts;
- address and resolve queries, claims or complaints;
- assess creditworthiness (for example, obtaining credit history information) or undertake other (ongoing) checks/reviews;
- advise customers of developments or changes to our products and/or services;
- market, advertise or otherwise promote IGCNZ's products and/or services;
- seek participation (on a voluntary basis) in advertising campaigns, events, launches, customer testimonials and focus groups;
- undertake market research in relation to IGCNZ's products and services;
- improve IGCNZ's website, products and services; and
- operate its business and comply with legal obligations.

If you do not provide us with, or allow us to collect, your personal information, IGCNZ may be unable to provide products and services, or any information you may request to you.

Use of personal information for direct marketing

If IGCNZ intends to engage in direct marketing using or disclosing a person's personal information which was collected from someone other than that person or IGCNZ collected that information directly from you but you would not reasonably expect us to use or disclose the information for such purposes, then we must first obtain your consent, unless an exception applies.

In circumstances where direct marketing is permitted under the Privacy Act, IGCNZ will use an opt-out procedure in all our marketing communications. Similarly, all subsequent direct marketing you receive from us will include an opt-out procedure. A person may at any time request IGCNZ not to use their personal information for sending direct marketing material to that person.

Please note that we will also comply with other laws that are relevant to marketing including the Unsolicited Electronic Messaging Act 2007 and the Commerce Act 1986.

Disclosure of personal information

IGCNZ respects the privacy of personal information and we will take reasonable steps to keep personal information it collects strictly confidential.

Generally, IGCNZ will only disclose personal information for the primary purpose for which it was collected (e.g. the delivery of goods to the person) and for any related secondary purpose that IGCNZ could reasonably be expected to use the personal information or that is related to that primary purpose, with consent or as permitted by the Act or the PPs.

Disclosure to third parties

IGCNZ will disclose personal information to third parties in circumstances where the disclosure could be reasonably expected. Where such a disclosure is necessary, IGCNZ will use reasonable endeavours to require that the third party undertake to treat the personal information in accordance with the PPs.

These third parties may include services providers, contractors, banks, professional advisers, courts, tribunals, regulatory authorities, other companies and individuals for the purpose of:

- complying with obligations under any contract with a customer, or as required by law;
- enabling those third parties to perform services on IGCNZ's behalf, such as deliveries, addressing queries or complaints, sending correspondence, providing updated FMA (Financial Market Authority) and/or property searches and processing payments; and
- recovering debts where a customer fails to pay for products.

These third parties will have access to personal information as required to perform these services, but IGCNZ will not authorise them to use that personal information for any other purpose.

IGCNZ may also disclose personal information to its related entities and business partners, such as auditors, financial services or insurance companies, in order for them to offer products and services to those individuals, or credit reporting agencies, in order for them to produce credit reports.

Otherwise, IGCNZ will only disclose personal information to third parties without the consent of the person to whom it relates if the disclosure is:

- necessary to protect or enforce IGCNZ's legal rights or interests or to defend any claims;
- necessary to prevent or lessen a serious threat to a person's health or safety;
- required or authorised by law; or
- permitted by another exception in the Privacy Act.

You have the right to tell us that you do not wish us to send information to you other than for the primary purpose for which we collect your personal information. We will always attempt to ensure our disclosure of personal information to other organisations is carried out in a manner which does not personally identify individuals.

Under no circumstances will IGCNZ sell personal information without the consent of the person to whom it relates.

Cross border disclosures

IGCNZ is a wholly owned subsidiary of Valmont Industries, Inc. ("VI Inc."). As part of its normal operations, IGCNZ may disclose personal information to VI Inc. or other related Valmont group company operating in New Zealand, or overseas in countries, that may vary from time to time, but includes Australia, the United States of America and Singapore, subject to the provisions of the Privacy Act. In such circumstances, the related company will only use the personal information for the same purposes for which IGCNZ is authorised to use the personal information.

Where IGCNZ discloses personal information outside New Zealand, it will take such steps as are reasonable in the circumstances to ensure the overseas recipient does not breach the Privacy Act. Where reasonably practicable, IGCNZ will first seek consent to such cross-border disclosure. Where it is not reasonably practicable for IGCNZ to obtain consent we will otherwise comply with the requirements of the Act.

Information Security

Personal information collected by IGCNZ is held in a variety of formats, including hard copy format and on IGCNZ's computer systems.

IGCNZ will take all reasonable steps to ensure that all personal information held by IGCNZ is secure from any unauthorised access or disclosure. However, IGCNZ does not guarantee that personal information cannot be accessed by an unauthorised person (e.g. a hacker) or that unauthorised disclosures will not occur.

IGCNZ will take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed for the purposes for which IGCNZ is authorised to use it.

Accessing and correcting personal information

IGCNZ will take reasonable steps to ensure the accuracy and completeness of the personal information we hold.

A person may request to access, correct or update personal information about them held by IGCNZ. Such a request must be made in writing to the address set out below under "Our Contact Details".

IGCNZ will grant a person access to their personal information as soon as possible, subject to the circumstances of the request.

Generally, access to or correction of personal information will be provided free of charge, however IGCNZ may charge a fee for reasonable costs incurred in giving access to an individual's personal information. The fee (if any) will be disclosed prior to it being levied.

If you are requesting correction of your personal information, you may also provide IGCNZ with a statement of the correction sought, and if IGCNZ does not make the correction you have sought, you may request that the statement be attached to the information you have asked to be corrected so that it is read with the information.

Complaints

If a person wishes to complain about a breach by IGCNZ of this Policy, or other breach of privacy a complaint may be lodged in writing by post or by email to the address set out below.

IGCNZ takes all complaints seriously and any further action after our initial response to you will vary depending on the nature of your complaint. Complaints will be acknowledged and IGCNZ will endeavour to deal with complaints and provide a response within 30 days of receipt of the complaint. Where a matter requires a more detailed investigation it may take longer to resolve. IGCNZ will provide progress updates if this is the case and may seek further information. IGCNZ may refuse to investigate and deal with a complaint if it is considered to be vexatious. If a person is dissatisfied with the outcome of their complaint, they may seek further internal review by an officer of IGCNZ who was not previously involved in the complaint.

If a person is still dissatisfied with the outcome of their complaint, they may take the complaint to an external dispute resolution provider (in the case of a complaint in relation to credit-related personal information) that applies to IGCNZ and/or the office of the Privacy Commissioner for resolution.

Changes to the IGCNZ Privacy Policy

From time to time it may be necessary for us to review and revise our privacy policy. IGCNZ reserves the right to change this Policy at any time. We will notify you about changes to this privacy policy by posting an updated version on our website - www.ingalcivil.co.nz

Additional information regarding Credit Information

This Policy also applies in relation to IGCNZ's collection and use of credit information of individuals, in connection with commercial credit provided by IGCNZ.

The types of credit information that IGCNZ collects and uses for the purpose of assessing an application for commercial credit and administering a commercial account may include:

- names, addresses and other contact and identification details of accountholders and guarantors (both prospective and current);
- bank account details;
- financial information; and
- information on the assets held by an individual.

Such information is collected from the relevant individual and from credit reporting bodies, as well as from publicly available information. IGCNZ uses the information collected to create an internal credit assessment report.

IGCNZ may disclose credit information to credit reporting bodies as required for IGCNZ's internal credit assessment activities and our agreements with credit reporting bodies. Such credit reporting bodies may use and disclose the credit information that we provide to them for their credit reporting business purposes which may include use and disclosure for and to other customers of the credit reporter.

Our Contact Details

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