

## PRIVACY POLICY

Australian Rare Earths Limited ACN 632 645 302 (**AR3**) and the related companies listed at the end of this Policy (referred to in this Policy as **we, us, or our**) are required to comply with the *Privacy Act 1988* (Cth) (**Privacy Act**) including the Australian Privacy Principles.

This Policy outlines the way in which we collect and manage personal information, as well as your rights of access to the personal information we hold about you. In this Policy '**personal information**' means information about an identified or identifiable individual (e.g. a natural person).

### The kinds of personal information we collect

We may collect and hold personal information about past, current and prospective employees, our contractors or subcontractors (and their respective emergency contacts or referees), as well as land owners and occupiers in areas where our projects are located.

We only collect and hold personal information that is necessary for our business functions. We will always use fair and lawful means of collecting your personal information.

By providing us with your personal information, you authorise us to collect, hold, use and disclose that personal information in accordance with this Policy. This Policy is in addition to any other applicable terms and conditions that may apply to your relationship and/or engagement with us (e.g. if you are a land owner of a property on which one of our projects is located).

Depending upon the nature of your relationship with us, the types of personal information we collect and hold may include:

- basic contact information (e.g. name, address, and other contact details);
- identity information (e.g. date of birth, gender, photo, tax status and citizenship or residency details);
- government identifiers (e.g. Tax File Numbers, driver's licence, visa and/or passport details);
- financial information (e.g. your bank account details or payment history for invoicing and/or payment purposes);
- police clearances;
- CCTV footage from any of our sites;
- if you are seeking employment with us, information about your occupation, education, employment history or other qualifications or licences/permits required for the role;

- any other personal information that may be required in order to facilitate your dealings with us and/or to assist us in conducting our business, providing and marketing our services, undertaking community engagement in areas in which our projects are located, and meeting our legal obligations; and
- information we create in the course of our relationship with you, such as details or evaluations of your interactions with us.

We may also collect sensitive information from you with your consent or as required or permitted by law; for example:

- health and medical information;
- criminal record information;
- information concerning your race or nationality; and
- information about any membership you may have to an organisation (such as a trade union or political association).

If necessary, we may also collect information for the purpose of health and safety compliance and/or complying with COVID-19 guidelines prescribed by the Australian Government and Australian State and Territory Governments, to enable us to make informed health and safety decisions. This may include:

- biometric information including temperature checks;
- recent personal health history including details of communicable diseases, recent overseas travel, contact with any person(s) who have recently travelled overseas, if you have tested positive for COVID-19 or are awaiting test results, or are experiencing any COVID-19 symptoms; and
- vaccination status and other relevant information.

If we are unable to obtain the personal information that we require, we may be unable to employ you, engage you, or engage with you, in our business.

### **How we collect personal information**

We generally collect personal information directly from you, where it is reasonable and practicable to do so. For example, we may collect your personal information in person, by telephone or through written information or forms you submit to us (e.g. site entry forms, job applications etc.). We may also collect video footage of you on CCTV cameras that may be placed on and around our sites.

In limited circumstances, we may collect personal information about you from a third party. For example, this may include collecting personal information from:

- a former employer or trade reference;

- a police agency or other accredited body (e.g., police clearance information);
- a health service provider (e.g., medical clearance information);
- other entities within our Group of Companies.

If you have provided us with information about another person, you warrant that you have that person's permission to do so. Your obligations under the Privacy Act (and any other relevant privacy laws) may also mean that you need to tell that person about the disclosure to us, and let them know that they have a right to access their personal information and that we will handle their personal information in accordance with this Policy.

### **How we use personal information**

We will use and disclose your personal information for the purposes for which we collected it, for related purposes that you would reasonably expect, and for other purposes required or authorised by law.

By providing us with your personal information, you consent to us using and disclosing your personal information to:

- verify your identity, if required;
- help us operate, protect, manage, improve, conduct and develop our business (including our products and services);
- comply with any legal obligations, including our legal reporting obligations;
- conduct general business and management functions;
- process, administer, collect payments from or make payments to you, and if applicable, make appropriate taxation deductions;
- assess suitability of potential employees or contractors;
- manage and meet obligations in relation to our employees and contractors;
- ensure health and safety on our work places and project sites; and
- respond to any feedback, queries or complaints;
- disclose the information to third parties (such as our agents, contractors and suppliers) for the above purposes.

In addition, CCTV footage may be used for the following purposes:

- detecting and deterring unauthorised access and/or criminal activity on our sites;

- monitoring the safety and security of our employees, contractors and visitors; and
- reviewing the actions of our employees and contractors, including undertaking incident investigations.

### **Disclosure to third parties**

We may disclose personal information to:

- an individual's representatives (e.g., emergency contacts, professional advisers etc.);
- third party contractors who are performing services for us, or on our behalf;
- our professional advisers, including legal, accounting, auditing and business consulting advisers;
- government and regulatory authorities, where we are required or authorised by law to do so; and
- other entities within the Group of Companies.

If we disclose information to a third party, we generally require that third party to protect your information to the same extent that we do.

### **Security of your personal information**

We take reasonable steps to securely store your personal information to ensure it is protected from loss, misuse or unauthorised access, disclosure, interference or modification. We hold your personal information as either physical records or electronic records. We take reasonable steps to protect personal information held by us from misuse and loss and from unauthorised access, modification or disclosure, for example through the use of technical and physical security measures, including restricting access to electronic records through technical access restrictions.

We take reasonable steps to destroy or de-identify personal information that is no longer required for the purposes set out in this Policy and which we are not required by law to retain.

Our website at [www.ar3.com.au](http://www.ar3.com.au) may use cookies. Cookies are industry-standard and most major web sites use them. A cookie is a small text file that our website may place on your computer as a tool to remember your preferences. You may refuse the use of cookies by selecting the appropriate settings on your browser, but please note that if you do this you may not be able to use the full functionality of our website. We do not use the information stored in those cookies to collect information about you. You may configure your web browser to refuse or disable cookies.

Our website may contain links to other websites. We are not responsible for the privacy practices or the use and protection of your personal information on those other websites. We cannot warrant the privacy or security of personal information during transmission to other websites.

### **How to access or correct your personal information**

You may request access to the personal information we hold about you by contacting us via the contact details provided below.

In processing your request, we will comply with our obligations under the Privacy Act, noting that we may:

- need to verify your identity before we allow you to access your personal information; and
- refuse your request for access if we are required or authorised by law to do so.

We may also charge a reasonable fee for assessing your request and providing access. The amount will be advised once we have assessed your request, and we may require payment prior to providing access.

Access may be provided by hard copy or by allowing you to view our records.

If you believe the personal information, we hold about you is inaccurate, incomplete or out of date, please contact us at the details shown below. If you satisfy us that any personal information we hold about you is not accurate, complete or up-to-date, we will amend our records accordingly. If we are not willing to correct your personal information as requested, you may request us to attach a statement of correction to the information in a manner that ensures it will always be read with the information.

### **Cross-border disclosures**

As at the date of this Policy, we generally disclose personal information to third parties located in Australia.

However, from time to time we may engage an overseas recipient to provide services to us, such as cloud-based storage solutions. Please note that the use of overseas service providers to store personal information will not always involve a disclosure of personal information. However, by providing us with your personal information, you consent to the storage of such information on overseas servers and acknowledge that APP 8.1 will not apply to such disclosure. For the avoidance of doubt, in the event that an overseas recipient breaches the APPs, that entity will not be bound by, and you will not be able seek redress under, the Privacy Act.

### **Amendments**

This Policy is current as at February 2023. We reserve the right to amend this Policy at any time, to take account of new laws and technology, changes to our operations and practices and the changing business environment. The date of this Policy will inform you as to whether there have been updates since your last visit. The most current version of this Policy is published at [www.ar3.com.au](http://www.ar3.com.au) and can also be obtained by contacting us via the details below.



### **Questions, queries, or complaints**

If you have any questions, concerns or complaints about our management of your personal information, please contact us for further information at the details set out below:

E-mail: [hello@ar3.com.au](mailto:hello@ar3.com.au)

Phone: 1300 646 100

Any dispute or complaint should be submitted to us in writing. We will confirm receipt of your complaint and investigate and respond within a reasonable time (usually within 30 days). If the request or complaint will take longer to resolve, we will provide you with a date by which we expect to respond.

If you are dissatisfied with how we have handled your complaint, you may contact the Office of the Australian Information Commissioner at: GPO Box 5218, Sydney NSW 2001 or by e-mail to [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au).

### **Group of Companies**

- RDBD Developments Pty Ltd (ACN 646 685 010)
- QRDBD Developments Pty Ltd (ACN 651 168 982)
- WRDBD Developments Pty Ltd (ACN 655 889 106)