

CP013 Privacy policy

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CP013 – Privacy policy

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1. Policy Summary

PURPOSE

The purpose of this Policy is to outline how the Company gathers, uses, discloses and manages personal information in accordance with the Australian Privacy Principles (APP) as outlined in the Privacy Act 1988 (C'th) (Act).

SCOPE

This policy applies to directors, managers and employees, contractors and consultants, and managers shall ensure that the policy is followed should any personal information be provided to authorised contractors and consultants.

FORMS

Request for information form.

OUTLINE

The Company collects and holds a limited amount of personal information about individuals which identifies individuals and is required to enable the Company to manage business relationships with those individuals. The kinds of information we collect and hold include, personal information provided by an individual including name, address and other contact details.

The Company may collect relevant personal information about its employees (which includes sensitive information such as payroll health and medical information). The Company will obtain the individual's consent for this information and will hold the data on an employee file. The personal information will continue to be held on file for the statutory required period, even when the employee has left the organisation.

Personal Information will generally be collected from individuals through the use of standard forms, during personal communication, including meetings, telephone conversation, email or other written correspondence.

The Company will not collect personal information unless it is reasonably necessary and all personal information will only be collected through lawful and fair means.

BREACH OF POLICY

All employees are responsible for complying with this policy.

All breaches of policy by an employee will be referred directly to a senior manager and/or the CFO, for further action. In regards to serious breaches, action may include termination of the employment contract, or the contractor or consultant contracts

2. Definitions, terms and acronyms

Australian Privacy Principles - The Australian Privacy Principles are set out in the Privacy Act. The Principles set out standards, rights and obligations in relation to handling, holding, accessing and correcting personal information.

CEO – means Chief Executive Officer.

CFO – means Chief Financial Officer.

Company Secretary – an officer of the Company who will be responsible for Privacy matters.

Consultant - A person who provides professional or expert advice under an agreement with the Company.

Contractor - A person who contracts to supply goods or services to the Company.

Employee - A position appointed to a position on a permanent, fixed term or casual basis.

Personal information –means any information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- whether the information or opinion is true or not; and
- whether the information or opinion is recorded in a material form or not.

What constitutes personal information will vary, depending on whether any individual can be identified or is reasonably identifiable in the any particular circumstance.

Primary Purpose - The purpose for which the Company collects personal information. For example:

- allowing the Company to engage in successful business activities;
- networking and building potential business relationships; or
- business contacts and supplier arrangements.

Secondary Purpose - Any purpose other than the primary purpose for which the Company collects personal information.

Sensitive information - A subset of Personal Information and includes:

- health information about an individual;
- information or opinion (that is also personal information) about an individual'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;
 - sexual preferences or practices; or

- criminal record; and
- genetic information (that is not otherwise health information).

Senior manager – means any member of the SMT.

SMT – means the senior management team, comprising:

- CEO
- CFO
- General Manager Resource Development
- General Manager Mine Development

The Board – means the Board of Directors.

The Company – means U&D Coal Ltd and all its subsidiaries, including but not limited to, U&D Mining Industry (Australia) Pty Ltd, and Endocoal Ltd.

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3. Policy principles

The Company expects that all personal information including sensitive information will be kept private and secure at all times. That the Company will only keep personal information that is considered necessary and relevant.

4. Use and disclosure

The Company will only use or disclose personal information collected for the primary purpose indicated at the time of collection unless:

- consent has been obtained to the use of the information for the secondary purpose;
- the secondary purpose is related to the primary purpose, and the individual would reasonably expect the Company to use or disclose the information for the secondary purpose;
- use or disclosure is necessary to lessen or prevent a serious or imminent threat to someone's life, health or safety or a serious threat to public health and safety;
- use or disclosure in investigating a suspicion of unlawful activity or in reporting its concerns to relevant persons or authorities; or
- the use or disclosure is required or authorised by or under law.

The purposes for which Personal Information is collected, held, used and disclosed will generally relate to one of the following:

- allowing the Company to engage in successful business activities;
- networking and building potential business relationships; or
- business contacts and supplier arrangements.

5. Data quality

The Company will take reasonable steps to ensure that personal information collected is relevant, accurate, complete and up-to-date for the purpose for which it is to be used, both at the time of collection and use.

6. Data security

All Personal Information collected is stored on the Company's databases or network drives. The Company will take reasonable steps to ensure that the personal information it holds is protected from misuse, loss, interference, unauthorised access, modification or disclosure.

7. Openess

If requested, the Company will let the individual know what sort of personal information it holds, for what purposes, and how it handles that information. The Company will also make this Policy available to anyone who requests a copy of it.

8. Access and corrections

Individuals can access their personal information held by the Company, upon written request to the Company's Company Secretary. The Company will endeavour to acknowledge the request within 14 days of its receipt and to provide the individual with access to the information requested within 30 days of receipt of the request. To obtain access to their personal information, an individual will need to provide the Company with proof of their identity. This is necessary to ensure that personal information is provided only to correct individuals and that the privacy of others is protected.

If, upon receiving access to their personal information or at any other time, an individual believes their personal information is inaccurate, incomplete or out of date, the individual can notify the Company's Company Secretary to correct their Personal Information. The Company will endeavour to acknowledge the request for correction within 14 days of its receipt and to correct the information within 30 days of receipt of the request. The Company will take reasonable steps to correct the information so that it is accurate, complete and up to date.

The Company may decline a request in circumstances prescribed in the Privacy Act. If so, the Company will give the individual a written notice setting out the reasons for refusal and the complaint mechanisms available to them.

9. Overseas disclosure

Personal information collected by the Company is retained in Australia and is not disclosed to any overseas recipients for any secondary purpose.

The Company at this time is 51% owned, and is ultimately controlled by a Chinese state owned enterprise. It is possible (though not currently anticipated) that some primary purpose personal information could be disclosed to the controlling entity.

10. Marketing

The Company will not provide personal information to third parties for direct marketing purposes.

11. Compliance with Australian Privacy Principles

The Company will take proactive steps to establish and maintain internal practices, procedures and systems that ensure compliance with the APPs.

12. Complaints

If an individual believes the Company has at any time breached this Policy a complaint may be lodged, in writing, to the Company's Company Secretary whose details are listed below.

The Company Secretary
U&D Mining
L1, 37 Brandl Street
Eight Mile Plains,
QLD 4113
Phone: (07) 3188 9101
Email: admin@udmining.com.au

The Company will endeavour to acknowledge the individual's complaint within 14 days of its receipt, and to make a determination on the complaint within 30 days of its receipt.

13. Accountabilities

Role	Accountability
CFO	<ul style="list-style-type: none"> Communicate commitment to the Privacy Policy
Company Secretary	<ul style="list-style-type: none"> Be the Company's representative to administer the Privacy Policy, access, corrections and complaints process, within the timeframes specified.
SMT	<ul style="list-style-type: none"> Provide an overview of the Privacy Policy at induction. Lead by example Monitor employees'/contractors' adherence to the Privacy Policy Where deviations from the Privacy Policy occur, provide employees/contractors with feedback on their behaviour and reinforce the standards expected at the Company Where deviations from the Privacy Policy occur, investigate and undertake appropriate disciplinary action to ensure future adherence to the Policy
Employees	<ul style="list-style-type: none"> Understand their responsibilities in relation to the Privacy Policy Comply with their responsibilities under this policy Follow the established procedure should they have a complaint

14. Revision

This policy will be reviewed as and when required. Should the review find that there is a need to change the policy, employees, who may be impacted by this proposed change, will be advised prior to the change taking place.