

# Shell Privacy Policy

***Shell respects people's privacy.***

## **1. Introduction**

In the course of Shell's business in Australia, there may be circumstances where Shell collects personal information and the Shell Privacy Policy has been developed to ensure that such information is handled appropriately.

Shell is committed to complying with the Privacy Act 1988 in relation to all personal information it collects. This commitment is demonstrated in this Policy. The Privacy Act incorporates the National Privacy Principles and, except as outlined below, personal information held by Shell will be treated in accordance with those Principles, regardless of any exemptions which may apply under the Privacy Act.

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

## **2. Who is Shell?**

In this Policy, "Shell" refers to Shell Australia Limited (ACN 004 400 220) and each of its subsidiaries, including The Shell Company of Australia Limited (ACN 004 610 459), Shell Refining (Australia) Pty Ltd (ACN 004 303 842), Shell Development (Australia) Pty Ltd (ACN 009 663 576), Shell Engineering Pty Ltd (ACN 072 179 732) and GOGAS (Australia) Pty Ltd (ACN 005 012 715).

## **3. Who does the Shell Privacy Policy apply to?**

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

## **4. What information does the Shell Privacy Policy apply to?**

This Policy applies to personal information. 'Personal information' is information or an opinion, whether true or not, regarding a person where the identity of the person is apparent or can reasonably be ascertained from the information or opinion.

In this Policy there are also references to 'sensitive information'. 'Sensitive information' is 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 preferences or practices, criminal record or health. Sensitive information is a subset of personal information.

## **5. What information is not personal information?**

Information where Shell has removed any reference to a person and provided that the identity of the person can no longer be ascertained from the information, is not personal information.

Shell may use this information for its own purposes and commercial gain. For example, the fact that x users aged 30-35 have accessed a Shell website is not personal information.

## **6. How and when does Shell collect personal information?**

Shell will always collect personal information in a fair and lawful manner.

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

- providing goods and services to customers;
- responding to questions regarding our products and our business;
- interacting with people via our websites;
- conducting trade promotions and competitions; and
- security video surveillance at Shell sites.

Where reasonable and practicable, Shell will collect personal information directly from the person and inform the person that this is being done.

However in some circumstances, it is necessary for Shell to collect personal information through third party service providers or agents (eg Shell customer information received from operators of Shell service stations) or from a source of publicly available information (eg a telephone book).

At or soon after the time when Shell collects personal information, Shell will take reasonable steps to ensure that the person is aware of which Shell company has undertaken the collection, the purpose(s) of the collection, the types of organisation (if any) to which the information may be disclosed and any law that required the particular information to be collected.

### **Collection of sensitive information**

Shell will not collect sensitive information without the consent of the person to whom it relates unless the collection is required 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).

## **7. How does Shell use personal information?**

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

Shell may use personal information for its primary purpose of collection (eg the delivery of goods to the person) or for any related secondary purpose that we could reasonably be expected to use the personal information for.

In certain circumstances, Shell may use personal information for promotional or direct marketing purposes. However, a person may at any time request Shell not to use their personal information for sending direct marketing material to that person. Such a request can be made by contacting Shell either in writing, by email or by telephone at the contact details below. There is no fee for making such a request.

## **8. Disclosure of personal information**

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

Shell will disclose personal information to third parties if it is necessary for the primary purpose of collecting the information, or for a related secondary purpose, if the disclosure could be reasonably expected (eg disclosure to a delivery contractor for the purpose of delivering goods ordered from Shell). Where such a disclosure is necessary, Shell will require that the third party undertake to treat the personal information in accordance with the National Privacy Principles.

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

- (a) necessary to protect or enforce Shell's legal rights or interests or to defend any claims;
- (b) necessary to prevent or lessen a serious threat to a persons' health or safety; or
- (c) required by law.

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

### **Disclosure between Shell companies in Australia**

An individual Shell company in Australia may disclose personal information to a related company in Australia, subject to the provisions of the Privacy Act. In such circumstances, the related company will only use the personal information for the same purposes that the disclosing Shell company is authorised to use the personal information for.

### **Disclosure outside Australia**

Shell will not transfer personal information overseas to a third party unless:

- (a) Shell has the consent of the person to whom the information relates to do so;
- (b) the receiving party provides commitments to privacy and confidentiality which are at least equal to the National Privacy Principles; or
- (c) the receiving party is under privacy protection laws that offer at least the same level of protection as required under the Privacy Act in Australia.

## **9. Information Security**

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

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

## **10. Accessing personal information**

A person may request to access personal information about them held by Shell. Such a request must be made in writing to the address below.

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

A request to access personal information will be rejected if:

- (a) the request is frivolous or vexatious;
- (b) providing access would have an unreasonable impact on the privacy of another person;
- (c) providing access would pose a serious and imminent threat to the life or health of any person;
- (d) providing access would prejudice Shell's legal rights; or
- (e) there are other legal grounds to deny the request.

Shell may charge a fee for reasonable costs incurred in responding to an access request. The fee (if any) will be disclosed prior to it being levied.

## **11. Correcting personal information**

Shell will take reasonable steps to ensure the accuracy and completeness of the personal information we hold. However, if a person believes that any personal information that we hold about them is inaccurate or out of date, then they should contact Shell in writing at the address below.

## **12. Contact Shell**

If there are any questions regarding the Shell Privacy Policy or the way that Shell manages personal information or if there are any concerns about Shell's treatment of personal information, then Shell should be contacted:

Via email: [generalinquiries@shell.com.au](mailto:generalinquiries@shell.com.au)

In writing: Shell Privacy Officer  
PO Box 872K  
Melbourne VIC 3001

Telephone: 1300 134 555

Facsimile: 03 9635 3797