

PRIVACY POLICY

1. Introduction

AIR LIQUIDE Healthcare Pty Ltd ACN 002 653 045 (“ALH”), Sleep Disorder Centre Australia Pty Ltd ACN 003 258 599 (“SDCA”) and Snore Australia Pty Ltd ACN 144 906 285 trading as Snore Australia (“Snore”) are committed to protecting the privacy of all personal information that we collect from you and to complying with our obligations under the *Privacy Act 1988 (Cth)* as amended from time to time, and in particular the Australian Privacy Principles (APPs).

This policy applies to ALH, SDCA and Snore. In this policy any references to “we”, “us” or “our” are references to ALH, SDCA and Snore.

2. Purpose of collection

We collect your personal information primarily to enable us to provide you with products, services and/or treatment. We may also use this information to promote or market related products or services to you.

If you choose not to provide certain personal information, we may not be able to provide you with the products, services and/or treatments you require, or an appropriate level of service or treatment.

Sometimes, we may ask you to provide us with personal information about other individuals. If so, you must inform those individuals that you are providing their personal information to us, and advise them how to contact us.

3. Type of information collected

The personal information that we collect includes:

- * name, ABN, address, contact details and date of birth;
- * drivers licence details;
- * payment details;
- * financial institution account details;
- * occupation and employment details;
- * information in relation to your medical history and condition (including details of allergies, sensitivities, adverse reactions to drugs and other health information);
- * information about your health and sleep problems;
- * details of your family medical history;
- * Veterans’ Affair number (where applicable);
- * name and contact details of your general practitioner and other medical practitioners who have provided treatment to you, or who have provided a referral to you;
- * information relating to your health fund membership;
- * medicare and other identification numbers and details;
- * contact details for your family members, next of kin and emergency contact;
- * details of religious beliefs and/or affiliations; and
- * other information that you provide to us.

We only collect sensitive information that is reasonably necessary for one or more of the uses specified in this policy, if:

- * we have the consent of the individuals to whom the sensitive information relates; or
- * it will lessen or prevent a serious threat to life, health or safety; or
- * it is for another permitted general situation (as defined in Section 16A of the *Privacy Act 1988(Cth)*).

4. Methods of collection

We will collect personal information directly from you when:

- * you make an application for, or sign our agreement for, the provision of our products or services;

- * you consult a sleep specialist;
- * you have a face to face meeting with our staff and/or officers;
- * you seek medical treatment and/or care from us;
- * you complete a patient questionnaire, survey or consent form;
- * you provide information to us; and/or
- * you purchase or request any information regarding our products, services or treatments in person, by phone or via the internet.

In addition to collecting personal information directly from you, we may collect personal information from your health service providers such as health insurers, government agencies, private and public hospitals, referring doctors and other medical practitioners. We may also collect information from your employer or other third parties when they request a sleep study on your behalf.

In the case of minors under the age of 18 years, we may collect information from a parent or legal guardian, and in the case of patients in care we may collect information from legal guardians and/or care managers.

5. Use

We will only use your personal information in accordance with the APPs contained in Schedule 1 of the *Privacy Amendment (Enhancing Privacy Protection) Act 2012* which amend the *Privacy Act 1988 (Cth)*.

We may use your personal information for the following purposes:

- * to verify your identity;
- * to provide you with our products or services;
- * to provide medical treatment and/or care to you;
- * to assist other medical, nursing and allied health professionals to provide care and treatment to you;
- * to provide sleep studies and treatment recommendations to you;
- * to process your private health fund claims;
- * to assist us with calls received from patients;
- * to provide you with information in relation to the use of our products or services;
- * to administer and manage those products or services, including charging, billing and collecting debts;
- * to conduct appropriate checks for credit-worthiness;
- * for benchmarking and clinical indicator programs which enable us to assess our level of service when compared to other hospitals (information for this purpose will be used in a de-identified format);
- * for our recall follow-up systems;
- * to promote and market our products or services to you;
- * for internal management and administration purposes, complaint handling, planning, quality assurance and audit purposes; and
- * to manage and respond to requests for information.

If we use your personal information for direct marketing purposes, we will ensure that you have the opportunity to “opt out” of receiving any further marketing material.

6. Disclosure to others

In providing our products, services and treatments, we may disclose your personal information to:

- * health service providers, including health insurers, State and Commonwealth Government Departments and Agencies, private and public hospitals and medical practitioners;
- * medical, nursing and allied health professionals involved in providing current and ongoing care and treatment to you;
- * your employer;

- * third party bodies who audit our facilities for compliance with the Australian Standards, Codes and legislation for the purposes of accreditation;
- * any person or organisation contributing to the payment of the products or services;
- * your authorised representatives or your legal advisers (when requested by you to do so);
- * credit-reporting and fraud-checking agencies;
- * credit providers (for credit related purposes such as credit-worthiness, credit rating, credit provision and financing);
- * our related companies;
- * a third party organisation, but only in relation to us providing products or services to you;
- * our professional advisers, including our accountants, auditors and lawyers;
- * specialist sub contractors and consultants who assist us with the management of our facilities; and
- * Government and Regulatory Authorities and other organisations, as required or authorised by law, or by a court/tribunal order.

You can withdraw your consent to our disclosure of your personal information by advising us in writing at any time.

We will not disclose your personal information to anyone, other than as set out in this policy, unless:

- * you authorise us to do so;
- * your life, health or safety or the public health or safety is at risk; or
- * we are required or permitted to do so by law, or by a court/tribunal order.

7. Cross –border disclosure of personal information

We may disclose personal information to overseas recipients, including Air Liquide Industrial Services Pte Ltd (an entity incorporated and based in Singapore) which stores personal information disclosed by us. Air Liquide Industrial Services Pte Ltd provides services to us, including web hosting services and network administration services.

We may enter into agreements with third party cloud providers based in overseas countries. Your personal information may be stored on the Google cloud. Google Ireland Limited has procedures in place to ensure privacy laws are complied with.

When disclosure is to be made to a known overseas entity, we will take reasonable steps to assess the privacy laws of the country where information will be disclosed to determine whether the overseas recipient is required to comply with privacy laws that are at least as stringent as the APP requirements in relation to information. We may enter into a written contract with the overseas recipient to enable us to enforce protection of the personal information that we provide to the overseas recipient, and ensure that the overseas entity does not breach the APPs.

8. Access

You have a right to access your personal information. You may request details of your personal information by contacting Air Liquide Healthcare Pty Ltd on 1300 36 0202 or emailing alhenquiries@airliquide.com.

In respect of SDCA, requests for access to personal information can be made by contacting SDCA on (02) 9485 3500 or by email sdca@airliquide.com.

In respect of SNORE, requests for access to personal information can be made by contacting SNORE on 1800 07 66 73 or by email snore@snoreaustralia.com.au.

We will respond to your request within a reasonable period after the request is made, and give you access to the information in the manner requested, if it is reasonable and practicable to do so. We may charge you reasonable costs incurred in providing access to your personal information.

9. Accuracy and corrections

We will take reasonable steps to ensure your personal information is accurate, complete and up to date. If you believe that any personal information we hold about you is not accurate, complete or up to date, then please contact Air Liquide Healthcare Pty Ltd on 1300 36 0202 or email alhenquiries@airliquide.com, for SCA call (02) 9485 3500 or email sdca@airliquide.com, and for SNORE call 1800 07 66 73 or email snore@snoreaustralia.com.au.

If you request a correction or update to your personal information, we will take such steps (if any) as are reasonable in the circumstances to correct or update that information to ensure the information is accurate, up to date, complete, relevant and not misleading. We will respond to your request within a reasonable period after the request is made.

We reserve the right to refuse your request for access and/or correction if we are legally entitled to do so. If we deny access to your personal information, or we refuses to correct the personal information, we will give you a written notice that sets out:

- * the reasons for the refusal except to the extent that, having regard to the grounds for the refusal, it would be unreasonable to do so; and
- * the mechanisms available to complain about the refusal.

If the refusal relates to a request to change your personal information, you may make a statement about the requested change and we will attach this to your record or file.

10. Information that is no longer required

If we no longer need your personal information for any purpose for which it may be used or disclosed (eg. if the primary purpose for collection is no longer relevant) and the information is not otherwise required to be kept under an Australian law or court order, we will take reasonable steps to destroy or permanently de-identify the information.

11. Security

Personal information is stored and held in a combination of paper based, hard copy and electronic files. Your personal information may be stored and protected within a hospital and/or may be held on computer systems.

We will take all reasonable steps to ensure your personal information is kept secure, and is protected from misuse, loss and unauthorised access, modification or disclosure. We adopt industry standard security protection. We only permit our authorised personnel to access your personal information and all personnel are required to comply with this policy.

12. Further information

For further information regarding this Privacy Policy, or if you would like to make a complaint please contact Air Liquide Healthcare Pty Ltd's Reception on 02 9364 7474 and ask to be transferred to our Marketing Department, or email alhenquiries@airliquide.com. For SDCA please contact (02) 9485 3500 or by email sdca@airliquide.com, and for SNORE call 1800 07 66 73 or email snore@snoreaustralia.com.au.

We will respond to your query or complaint within a reasonable time. If you are not satisfied with our response, you may also contact the Office of the Australian Information Commissioner on 1300 363 992.

13. Changes and current version

We may change this Privacy Policy from time to time. This Privacy Policy was last updated in October 2015. A copy of the current version of our Privacy Policy is available on our website for both Air Liquide and SDCA on www.airliquidehealthcare.com.au and for Snore on www.snoreaustralia.com.au.