



Privacy Policy

AUSTRALIA & NEW ZEALAND

1. Our Commitment to Privacy

Air Liquide is committed to protecting your privacy. This policy sets out how we collect, use, store and disclose your Personal Information in connection with our Australian and New Zealand operations.

In Australia, Air Liquide complies with its obligations under the Privacy Act 1988 (Cth) (**AU Privacy Act**) and in New Zealand, with its obligations under the Privacy Act 2020 (**NZ Privacy Act**).

In this Privacy Policy: References to “**Air Liquide**”, “**we**” or “**us**” means Air Liquide Australia Limited ACN 004 385 782, Air Liquide Australia Solutions Pty Ltd ACN 602 866 106, Air Liquide Healthcare Pty Ltd ACN 002 653 045, Healthy Workplace Solutions Pty Ltd ACN 121 729 584 (trading as Healthy Sleep Solutions), Air Liquide New Zealand Limited (NZBN 9429032036121) and their related entities in Australia and New Zealand. Air Liquide Healthcare Pty Ltd ACN 002 653 045 and Healthy Workplace Solutions Pty Ltd ACN 121 729 584 may also be referred to here as the Air Liquide Healthcare Businesses.

- **Personal Information** means information or opinion about an identified individual, or an individual who is reasonably identifiable (and as defined under the AU Privacy Act or the NZ Privacy Act).
- **Platforms includes:**
 - our application designed for Apple iOS and Android OS platforms and any other software or documentation which enables the use of this application (our App); and
 - our websites at:
 - <https://au.airliquide.com/>
 - <https://nz.airliquide.com/>
 - <https://au.healthcare.airliquide.com/>
 - <https://store.airliquidehealthcare.com.au/en/>(collectively, our **Websites**);
 - our MyGas™ Portal;
 - our OxySmart Portal;
 - our online credit application platform <https://barplus.airliquide.com/creditapp/#/>; and
 - Air Liquide customer, supplier and partner interfaces available through third party managed platforms (like Rapid Induct, Monday.com and <https://airliquideasias.coupahost.com>)
- **Sensitive Information** is information or opinion about an individual which is Personal Information and which is also:
 - information or an opinion about the individual's racial or ethnic origins, political opinions, political association membership, religious beliefs or affiliations, philosophical beliefs, professional or trade association membership, trade union membership, sexual orientation or practices, or criminal record; or
 - health, genetic or biometric information.

2. Overview

Where practicable, we will deal with you anonymously or under a pseudonym. However, due to the nature of our products and services, where you do not wish to provide us with your 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.

We collect and hold Personal Information that is reasonably necessary for, or directly related to, one or more of our functions or activities.

In Australia, we will only collect Sensitive Information (including health information) about you with your consent (in which case you acknowledge that the information you provide us is on a purely voluntary basis), except where we are required or permitted by law to collect your Sensitive Information without your consent.

In New Zealand, we collect, use, disclose, store and retain all health information in accordance with the Health Information Privacy Code 2020.



3. Our Purposes for collecting and handling your Personal Information

We only collect and process Personal Information for purposes that are relevant and reasonable in the circumstances. We use fair and lawful methods to collect Personal Information.

We collect, hold, use and disclose Personal Information to:

- provide our Platforms to you;
- provide you with products, services and/or treatment;
- promote or market related products or services to you;
- acquire products or services from you;
- enable you to access information about us and our goods and services;
- comply with our legal and regulatory obligations; and
- otherwise conduct and manage our business.



4. Types of Personal Information we collect

We usually obtain Personal Information directly from individuals via our Platforms, for example, when you open a credit account application or create a supplier account with us, as well as in the course of creating and receiving records of information, in the course of ongoing customer service, partner or supplier management and patient treatment.

When we provide you with goods and services

To provide goods and services to you, the Personal Information that we collect may include:

- name, ABN, address, contact details, date of birth;
- drivers licence details and Medicare number;
- payment and/or financial institution account details;
- details regarding your income, assets and liabilities, account balances, and risk profile;
- diagnostic data, medical prescriptions, treatment history; and
- occupation and employment details.

When you make payments

We may collect credit card details and other related information if you choose to make a payment via our Platforms or by other means. We will not retain credit card details, which will instead be stored by our financial institution using banking industry level encryption.



When you use our Websites and other Platforms

You do not have to give us any information in order to simply browse on our Websites.

However, we may need to collect certain details from you if, for example, you want to place an order or make a payment for products or services using our Platforms.

To use our Platforms (beyond simply browsing on our Websites), you may need to provide us with your name, your email address and your Platform password. You may also need to provide further information to allow us to tailor our services to your needs. This information can include (but is not limited to) your date of birth, your title, your gender, your postcode, your contact details including mobile phone number, your address, and your email address.

We may collect information about how you use our Platforms to assist us to provide you with more tailored services, and to enable us to develop and improve our services.

When you use our Platforms, the information we may collect can include (but is not limited to):

- the functions you have used;
- how you have shared your content;
- how you have shared our content (including via social media platforms);
- third party content you have received;
- advertisements you have clicked on; and
- third party websites you have access to via our Platforms.

We may also collect information from the devices and networks that you use to access our Platforms to help us develop and secure our services. The information we may collect can include (but is not limited to):

- the internet protocol (IP) address of your computer or the proxy server that you use to access the internet;
- your computer operating system;
- your type of web browser;
- your type of mobile device;
- your mobile operating system; and
- the name of your ISP or your mobile carrier.

We obtain some of this information from third party analytics companies whom we have allowed to access a de-identified database in order to provide us with this information.

We may use 'cookies' to store and sometimes track information about you, but only on an anonymous basis. A cookie is a small amount of data sent from a server which is stored on your computer's hard drive. If you do not wish to receive these cookies, you may configure your browser to refuse them or to ask you before your browser accepts them. Certain parts of our Platforms may require a cookie to be activated and, if you choose to reject the cookie, a particular feature may not be available to you.

Refer also to our cookie policy: <https://au.airliquide.com/cookie-policy>.

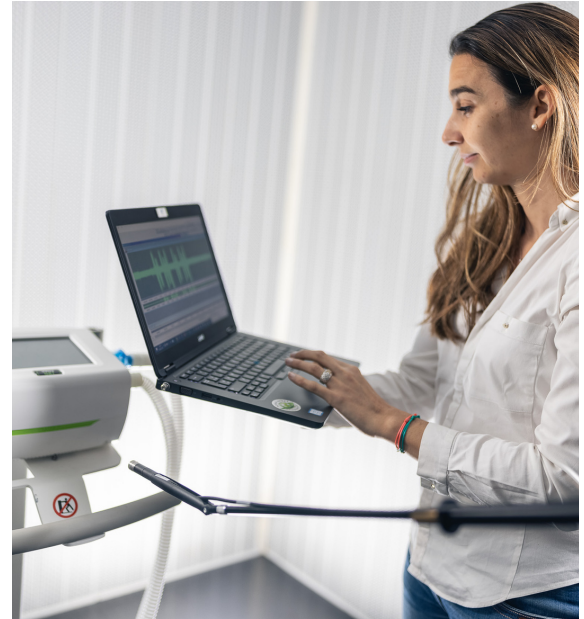
If you deal with AL Healthcare Businesses

If you deal with the **AL Healthcare Businesses**, we may collect information relating to your medical history and condition, and other health information, including:

- general information about your health;
- details of allergies, sensitivities, adverse reactions to drugs;
- sleep diagnostic data, oxygen therapy data or other information relating to your use of our products, therapeutic equipment and other data collected by connected care devices;
- name and contact details of your general practitioner and other treating or referring medical practitioners;
- health fund (insurance) membership information; and
- Medicare number, Veterans' Affairs number (where applicable), and other ID numbers and details.

The AL Healthcare Businesses may also collect:

- contact details for your family members, next of kind and emergency contacts;
- details of religious beliefs and/or affiliations; and
- other information that you choose to provide to us.



In compliance with local laws, we may be required to retain your health information for defined periods (which may vary depending upon requirements in different states and whether you are a minor). We will not retain such information for longer than is reasonably necessary for business and compliance purposes.

Job applicants

If you are a job applicant, we may collect Personal Information that is relevant to your application, such as:

- CVs, references, application forms, details of education, job history and experience, areas of expertise, and qualifications; and
- details of your immigration or visa status (where applicable) and results of background and criminal record checks, where you disclose such information to us or consent to us performing such checks on you.

5. How we collect your Personal Information

We will collect and hold your Personal Information in a fair and lawful manner, and not in an unreasonably intrusive way. Where it is reasonably practical to do so, we will collect your Personal Information directly from you.

Direct Collection

We may collect Personal Information from you through emails, forms, face-to-face meetings, interviews, attendance at trade fairs or industry events, business cards and telephone conversations and through use of the services and facilities available through our Websites, Platforms and social media channels.

We may also collect images of you via CCTV or via other Platforms (such as Rapid Induct) if you visit any area that we own or lease or that is under our control. In these cases, we collect your Personal Information before allowing you to access that area, principally for the purposes of maintaining safety and security on our sites and monitoring compliance with Occupational Health & Safety laws.

We may collect the Personal Information you directly give us through some of the following means:

- through an induction process when visiting one of our sites (by either electronic or paper based inductions systems);
- when completing the registration process for our Platforms;
- through compilation of account opening forms and other related account correspondence (whether in writing or electronically via our Platforms);
- when you make an application for, or sign our agreement or a consent form relating to the provision of our products or services and/or treatment;
- when you purchase or request any information regarding our products or services in person, by phone or via our Platforms;

Direct Collection cont.

- while conducting customer satisfaction, market research and other surveys and questionnaires;
- whilst administering any of our services;
- when you enter any promotions or competitions we run from time to time; and
- otherwise directly from you, when you provide your details to us.

If you have dealings with the AL Healthcare Businesses, in addition to the above, those businesses may also collect Personal Information directly from you when you:

- consult or meet with one of their sleep consultants, home healthcare technicians or other officers or staff; and/or
- seek therapy and/or care from them.

Indirect Collection

In certain cases, we will collect your Personal Information from third parties, i.e. indirectly, including from publicly available sources.

If you deal with the AL Healthcare Businesses, we may also collect Personal Information from your health service providers such as health insurers, government agencies, private and public hospitals, or referring 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 aged under 18, the AL Healthcare Businesses may collect information from a parent or legal guardian and in the case of patients in care, those businesses may collect information from legal guardians and/or care managers.

Automatic Collection

We may collect your Personal Information automatically through some of the following means:

- we may receive location data passed to us from third party services or GPS-enabled devices you have set up;
- we may collect information about how you use our Platforms to assist us to provide you with more tailored services and to enable us to develop and improve our services;
- we may also collect information from the devices and networks that you use to access our Platforms to help us develop and secure our services;
- we may use 'cookies' to store and sometimes track information about you, but only on an anonymous basis; and
- in AL Healthcare Businesses, we may receive data from connected care devices which transmit diagnostic and product use data via mobile networks and the internet.

Collecting Personal Information about others from you

Sometimes, where permitted by law, we may ask you to provide us with Personal Information about other individuals. If you do so, you must inform those individuals that you are providing their Personal Information to us, the purpose for which you are doing so, and advise them how to contact us and provide them with the link to this Privacy Policy.



6. Use and disclosure of Personal Information

We will only use and/or disclose your Personal Information in accordance with your instructions, this Privacy Policy and relevant laws.

Primary purposes

The primary purposes for which we use and disclose your Personal Information include:

- verifying your identity;
- providing you with our products or services;
- providing you with information in relation to the use of our products or services;
- providing quality assurance for our products and services;
- providing you with information available on our Platform;
- maintaining user records;
- Platform registration procedures;
- conducting and protecting our businesses;
- administering and managing our products or services, including charging, billing and collecting debts;
- responding to your enquiries and feedback regarding our business, our products and our services;
- conducting appropriate checks for creditworthiness and obtaining credit reports from credit reporting agencies;
- exercising any of our powers or performing our obligations under the Personal Property Securities Act 2009 (Cth) (in Australia) and the Personal Property Securities Act 1999 (in New Zealand) such as registering our security interests and fulfilling our related legal obligations;
- internal management purposes, complaint handling, planning, quality assurance and audit purposes; and
- complying with our legal obligations.



If you deal with the AL Healthcare Businesses, those businesses may also use and disclose your Personal Information:

- to provide you with therapy and/or care;
- to assist other medical, nursing and allied health professionals to provide care and treatment to you;
- to provide you with sleep studies and treatment recommendations;
- to conduct treatment trials and research which you may have elected to participate in;
- for benchmarking and clinical indicator programs which enable the AL Healthcare Businesses to assess their level of service when compared to other providers (information for this purpose will be used in a de-identified format); and/or
- for product recall follow-up systems.

Secondary purposes

We may also use and disclose your Personal Information we collect for secondary purposes, where they are sufficiently related to the primary purpose of collection. Some of the secondary purposes for which we may use your personal information include:

- promoting and marketing our products and services to you where permitted by law;
- product and service development;
- customer and market research; and
- keeping you informed of any changes to our business, products and services or other offerings that may be of interest to you.

Direct Marketing

With your consent, we may use your Personal Information, including your contact details, to contact you by email, telephone, sms, online direct messaging, targeted marketing on social media platforms, in app and push notifications or by post to provide you with information about products and services, including those of third parties, which we consider may be of interest to you.

We will not disclose your Personal Information to third parties for their marketing purposes.

You may opt out at any time if you no longer wish to receive direct marketing information from us. You can make this request by contacting our Privacy Officer as per the details below. However, if you opt out of marketing you will still receive communications from us where they relate to products or services we supply which you have requested.

7. Recipients of your Personal Information

Specific examples of third parties to whom we may disclose Personal Information include:

- our related companies (including any located overseas);
- our agents and resellers;
- third parties, where all, or substantially all the assets of an entity within the Air Liquide group are merged with or acquired by that third party (in which case your Personal Information may form part of the transferred or merged assets);
- a third party organisation where this is necessary for us to supply, resupply or facilitate the supply of products or services to you ;
- organisations providing us with managed website platforms, data back-up or electronic information storage services;
- our professional advisers, including our accountants, auditors and lawyers;
- our insurers, for insurance-related purposes;
- your authorised representatives or your legal advisers (when requested by you to do so);
- specialist subcontractors and consultants who assist with facility management;
- credit-reporting and fraud checking agencies, and credit providers for credit-related purposes; and
- government and regulatory authorities and other organisations, as required or authorised by law or court/tribunal order.



If you deal with the AL Healthcare Businesses, those businesses may also disclose Personal Information about you to:

- health service providers such as health insurers, government agencies, private and public hospitals, and medical practitioners;
- medical, nursing and other allied health professionals involved in providing ongoing care and treatment to you;
- your employer, if your employer has requested a sleep study on your behalf
- any person or organisation contributing to the payment of the products or services being provided to you; and
- franchisees and agents of the AL Healthcare Businesses.

8. Transfers of your Personal Information overseas

In the course of Air Liquide's business, we may disclose your Personal Information to companies that are associated with us overseas, including to Singapore, France, the United Kingdom, Germany, Japan, Malaysia and the United States of America (as well as between Australia and New Zealand). When we do so, we require the recipients to only use that information for the purpose for which it was provided and to employ reasonable measures to secure that information.

We may store your Personal Information in the cloud or on other types of networked or electronic systems. If your Personal Information is stored in this way, disclosure may occur in countries other than the overseas countries listed but only in jurisdictions with laws relating to privacy and data security which are comparable to those in Australia and New Zealand.

9. Access, correction, concerns, complaints and other rights

Subject to the exceptions set out in the AU Privacy Act and the NZ Privacy Act, you have a right to access your Personal Information. We will generally provide it to you but in some cases we may refuse access to some or all of that information where permitted by law. In those circumstances we will provide reasons.

We 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 correct, please contact us.

If you have any concerns or complaints regarding our handling of your Personal Information, you should feel free to refer them to us. Once a complaint has been lodged, the relevant Privacy Officer will respond to you as soon as possible.

In Australia you may also lodge a complaint with the Office of the Australian Information Commissioner by telephone: 1300 363 992 or email: enquiries@oaic.gov.au. In New Zealand you may lodge a complaint with the Privacy Commissioner through its website or by calling 0800 803 909.

See section 11 below for how to submit a privacy-related request or concern to us.

10. Security and Storage

Personal Information is stored in a combination of paper based, hard copy and electronic files.

We will take reasonable steps to ensure your Personal Information is kept secure.

We maintain appropriate physical, procedural and technical security for our offices and information storage facilities so as to prevent any loss, misuse, unauthorised access, disclosure, or modification of Personal Information. This also applies to disposal of Personal Information.

In addition, we protect Personal Information by restricting access to those people who need access to do their job. Our employees and those who store or process data for us are obliged to respect the confidentiality of any Personal Information they handle or hold.



11. Contacting Us

If you would like to contact us regarding any matter referred to in this Privacy Policy, or to submit a privacy-related request or complaint, you can send an email to the relevant Privacy Officer at:

If your matter relates to Australia

AUPrivacy@airliquide.com

If your matter relates to New Zealand

NZPrivacy@airliquide.com

Alternatively, you can contact the relevant Privacy Officer by post at the following addresses:

If in relation to an Air Liquide entity in Australia (other than the Air Liquide Healthcare Business).

The Privacy Officer
Air Liquide Australia Limited
Level 12, 600 St. Kilda Road
Melbourne, VIC 3004

If in relation to the Air Liquide Healthcare Business.

The Privacy Officer
Air Liquide Healthcare
4 / 270 Lahrs Road
Ormeau QLD 4208

If in relation to Air Liquide in New Zealand.

The Privacy Officer
Air Liquide New Zealand Limited
19 Maurice Road
Penrose, Auckland 1642

12. Changes

From time to time, it may be necessary for us to make changes to this Privacy Policy.

We will post any changes to this Privacy Policy on our Websites, Apps and other Platforms. By continuing to use our Websites, Apps and other Platforms after such changes have been made, you acknowledge and agree you have read, understood and accepted the changes.

The most up-to-date copy of our Privacy Policy can always be located at: <https://au.airliquide.com/privacy>.