

Roads and Maritime Services Privacy Consent and Agreement (Post-Paid)

Roads and Maritime Services (**RMS**) is required to comply with Privacy Laws and other road transport, driver licensing and vehicle registration legislation when dealing with any Personal Information, including E-Toll Information.

This document contains consents and promises from You in relation to E-Toll Information collected from You and from third parties to enable RMS and others to collect, use and disclose it for Permitted Purposes. You are not required by law to provide E-Toll Information to RMS, but if You do not, RMS will not be able to provide the E-Toll Service to You. Your Personal Information will be held by the RMS at Level 3, Octagon Building, 99 Phillip Street Parramatta or at any new or additional address or addresses disclosed in RMS' privacy policy from time to time.

RMS' privacy policy, which explains our privacy practices including how to make an application to access or correct information about You or a complaint, and our complaints handling processes, is available at: <http://www.rta.nsw.gov.au/gipa/privacy/index.html> or 13 18 65.

Consents given by You

1. In exchange for RMS providing the E-Toll Service, You consent to and authorise:
 - 1.1 collection of E-Toll Information by any Authorised Information Recipient from any person (including from video and/or camera surveillance of toll roads conducted by RMS or third parties for traffic management or toll violation enforcement purposes);
 - 1.2 use and disclosure of E-Toll Information by and to Authorised Information Recipients for the Permitted Purposes;
 - 1.3 disclosure of E-Toll Information in online accounts accessible to any person with access to Your E-Toll Service number and surname;
 - 1.4 disclosure of E-Toll Information to persons outside Australia for the Permitted Purposes on the basis that RMS is not required to ensure that any overseas recipient complies with the Privacy Laws; and
 - 1.5 RMS sending You emails and SMS in connection with the Permitted Purposes.

Promises made by You

2. You promise that:
 - 2.1 prior to disclosing any information to RMS about an Individual, You have obtained their consent to the matters in clause 1; and
 - 2.2 all information You provide to RMS about You or any Individual is or will be accurate, complete and up-to-date, and will not be false or misleading.

Your obligation to notify

3. You must notify RMS immediately by telephone of any changes to the information You have provided to RMS about You or any Individual in connection with Your E-Toll Service.

Definitions

"**Associated Permitted Entities**" means RMS' suppliers, agents, distributors and contractors in relation to any Permitted Purposes, and includes without limitation Service NSW and any person authorised by RMS to issue, sell or administer tags.

"Authorised Information Recipient" means RMS and each Authorised Representative and Intended Recipient.

"Clearing House" means any person who operates a clearing house for operators of toll roads, or Tag Issuers or Pass Issuers or any combinations of these.

"E-Toll Information" means any information relating to You or Your E-Toll Service, Vehicle, the location of an E-Toll Service or Vehicle at any time, the direction of travel, or video and/or camera surveillance operated at toll roads. E-Toll Information may include Personal Information about:

- (a) You; or
- (b) any Individual,

including a name, address, phone number, email address, drivers licence number, age, E-Toll Service number, Vehicle information, billing or financial information, Nominated Card, Nominated Account, E-Toll Account and other Personal Information contained in video and/or camera surveillance of toll roads for traffic management or toll violation enforcement purposes conducted by RMS or obtained by RMS from third parties.

"Individual" means any individual, including any Authorised Representative and Nominated Card Holder.

"Intended Recipients" means the following parties both within and outside NSW: (i) Credit Reporting Agencies; (ii) Associated Permitted Entities; (iii) Tag Issuers; (iv) Pass Issuers; (v) any bank, financial institution or Clearing House; (vi) RMS' professional advisers including legal advisers, accounting advisers and other professional advisers; (vii) driver licensing and vehicle registration agencies, law enforcement agencies, public revenue authorities, road safety authorities and solicitors in relation to motor vehicle accidents; (viii) owners and other operators of toll roads; and (ix) persons providing services to any of the entities set out in (i) to (viii).

"Permitted Purposes" means any one or more of:

- (a) facilitating the use of and carrying out functions and activities relating to: (i) tolls and their enforcement, including without limitation issuing tags, credit checking, administration and debt collection processes of RMS and third parties; (ii) the E-Toll System; (iii) any cashback system; (iv) Your E-Toll Service; (v) verification of Your application for an E-Toll Service (including verifying the details of a Nominated Card Holder); (vi) obtaining feedback about the E-Toll System and Your E-Toll Service; and (vii) analysing information relating to traffic conditions, travel times and road usage and disclosing aggregate information (including to the public);
- (b) sending You information and notifications about the status of Your E-Toll Service (including Your E-Toll Account Balance), and information and promotional material in relation to the E-Toll System or Your E-Toll Service including any customer account updates and improvements or different product options which are, or are proposed to be, offered by RMS in connection with Your E-Toll Service from time to time;
- (c) auditing of the E-Toll System;
- (d) law enforcement;
- (e) the enforcement of a law imposing pecuniary penalty;
- (f) the protection of the public revenue;
- (g) road safety;
- (h) release of information to solicitors acting as agents for their clients in relation to motor vehicle accidents where RMS is compelled to do so by a court order;
- (i) obtaining advice and professional services on a confidential basis;
- (j) market research and statistical analysis;
- (k) other purposes related or incidental to the purposes listed above; and
- (l) such other purposes as are permitted by Privacy Laws,

in each case both within and outside NSW.

"Personal Information" means information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual

whose identity is apparent or can reasonably be ascertained or is reasonably identifiable from the information or opinion and any other information subject to the Privacy Laws.

"Privacy Laws" means the privacy laws which apply to RMS from time to time, including the Privacy and Personal Information Protection Act 1998 (NSW) for so long as it applies to RMS and any other current or future legislation, mandatory codes and policies relating to the handling of Personal Information which apply to RMS.

"RMS" means Roads and Maritime Services (ABN 76 236 371 088).

Other capitalised terms in this document have the meaning given in clause 11 of the Roads and Maritime Services E-Toll Terms and Conditions.

Clause 12 of the Roads and Maritime Services E-Toll Terms and Conditions applies to the interpretation of this document.