



**Resolute**

# Privacy Policy

## 1. Introduction

Resolute is committed to protecting and taking all reasonable steps to securely manage the Personal Information that it holds.

Resolute is bound by the Privacy Act and the Australian Privacy Principles.

The Privacy Act defines “personal information” as: *“information or an opinion, whether true or not, and whether recorded in a material form or not, about an identified individual, or individual who is reasonable identifiable”*.

If you are located in or a resident in the European Union, Schedule A sets out additional privacy information which may be applicable to you under the GDPR.

## 2. Purpose of the Policy

This Policy explains how Resolute collects Personal Information, what we do with it, how you can access it and how we protect it in accordance with the Australian Privacy Principles set out in the Privacy Act.

Resolute may update this Policy (including Schedule A) from time to time. Please check this Policy regularly for any changes.

## 3. How we collect Personal Information

Resolute collects Personal Information that you provide to us which may be via email, telephone, social media, face-to-face contact or otherwise in writing. We may also obtain Personal Information when you interact with our website as we may automatically collect technical data about your equipment browsing actions and patterns by using cookies and other similar technologies. Please refer to our Cookies Policy for further details.

Resolute may also obtain Personal Information from third party sources including publicly available sources of information.

Any non-identifiable Personal Information that is collected from your visits to our website is used internally solely for the purpose of gauging visitor traffic, trends and delivering personalised content to you while you are on our website.

In some circumstances we may anonymise Personal Information or use pseudonyms where necessary so that the information can no longer be associated with you, in which case we may use such information without further notice to you.

## 4. Types of Personal Information Resolute collects and holds

Resolute collects and holds Personal Information which includes the following types of information:

Purpose for which Personal Information is collected	Other Personal Information collected
Engagement with contractors or sub-contractors	<ul style="list-style-type: none"> <li>• first name;</li> <li>• last name;</li> </ul>

	<ul style="list-style-type: none"> <li>• email address; and</li> <li>• country of residence;</li> <li>• other information relevant to dealing with contractors or sub-contractors.</li> </ul>
RSG News	<ul style="list-style-type: none"> <li>• first name;</li> <li>• last name; and</li> <li>• email address.</li> </ul>
Resolute's careers site	<ul style="list-style-type: none"> <li>• email address;</li> <li>• first name;</li> <li>• last name; and</li> <li>• country of residence.</li> </ul>
Website services	<ul style="list-style-type: none"> <li>• information about inquiries you make to us;</li> <li>• IP address; and</li> <li>• Information regarding website pages you access.</li> </ul>

Resolute does not collect Sensitive Information about you without first obtaining your informed consent.

## 5. Why we collect Personal Information and how we use it

Resolute collects and uses Personal Information necessary for operating its business.

The purposes for which Resolute collects and uses Personal Information may include:

- to ensure that content from our website is presented in the most effective manner for you and for your computer;
- to provide you with information that you request from us or which we feel may interest you, where you have consented to be contacted for such purposes;
- to allow you to participate in interactive features of our website, when you choose to do so;
- to provide RSG News and ASX announcements upon your request;
- to communicate with you and conduct our activities, including to respond to your inquiries, complaints or feedback;
- for quality assurance purposes, and to assist with compliance of applicable laws and regulations;
- to comply with our corporate social responsibility obligations including reporting to our stakeholders and other organisations;
- for considering the suitability of job applicants for employment with Resolute;
- to administer the employment of Personnel and contractors and in order to meet occupational health and safety needs;
- for the performance of any contract with you; and
- where we are required or authorised by law.

We may also process your Personal Information without your knowledge or consent, in accordance with this Policy, where we are legally required or permitted to do so.

If you refuse to provide us with certain Personal Information when requested, we may not be able to provide you with services you request or require. In addition, we may be unable to comply with our legal or regulatory obligations.

## 6. Data sharing and disclosure of Personal Information

Resolute may, from time to time, disclose your Personal Information to the following people or organisations:

- our Employees, subsidiaries, affiliates, controlled or related entities, contractors (or sub-contractors) or other third-party service providers in order to provide our services;
- share registry services who have an arrangement with Resolute;
- third party conference or event organisers;
- our professional providers or advisors (e.g. lawyers, accountants, business advisors, auditors);
- third parties with whom Resolute has sponsorship, commercial or other contractual arrangements with to provide its products or services, marketing, business or other related purposes;
- credit reporting agencies, courts, tribunals and regulators if you fail to pay for the services provided to you;
- Resolute's related entities; and
- any other individual or third party for any authorised purpose, with your consent or when authorised or required by law.

## 7. Why might you share my Personal Information with third parties?

We will share your Personal Information with third parties where you have consented to us doing so, when we are required by law, when it is necessary to administer the relationship between us or where we have another legitimate interest in doing so (for example in the context of a possible sale or restructuring of the business).

## 8. Which third party service providers may process my Personal Information?

Third party service providers may carry out the following activities: IT and cloud services, professional advisory services, administration services, marketing services, banking services, payroll, recruitment and employment screening services, share registry and investment services.

All of our third party service providers are required to take commercially reasonable and appropriate security measures to protect your Personal Information. We only permit our third party service providers to process your Personal Information for specified purposes and in accordance with our instructions.

## 9. Storage and security of Personal Information

Resolute takes reasonable steps to protect Personal Information from misuse, loss, modifications and unauthorised access. We have put in place commercially reasonable and appropriate security measures to protect your Personal Information and to prevent your Personal Information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

Resolute stores Personal Information in various systems, databases and cloud services. Resolute's security measures include restricting access to Resolute computer systems through the use of usernames and passwords, firewalls and virus scanning tools to protect against unauthorised persons and viruses from accessing the information, and other security measures as implemented from time to time. Where paper records containing Personal Information exist, locked storage is utilised.

In addition, we limit access to your Personal Information to those Employees, agents, contractors and other third parties who have a business need to know. Third parties will only process your Personal Information on our instruction and where they are subject to confidentiality obligations.

We have put in place procedures to deal with any actual or suspected data security breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## 10. Direct Marketing

Marketing products, services or securities is important for us to meet our business objectives. We may use various direct marketing strategies and channels including via our website, email, mail, SMS, social media and telephone to provide you with information relating to our securities which we reasonably think may be of interest to you.

We will provide you with a way of opting out of receiving direct marketing communications or you can opt out by contacting our Privacy Officer (see contact details in section 17).

Resolute's contracted third parties may use similar marketing strategies and channels as Resolute. Please refer to the relevant third parties website for further details.

Resolute will never sell, trade, lease or rent any personally identifiable information to other organisations except as stated and agreed when collecting information from members or other persons.

## 11. Data retention

We will only retain your Personal Information for as long as is necessary to fulfil the purposes for which it is collected. We assess what retention period is appropriate for your Personal Information by taking into consideration:

- our business requirements;
- the purposes for which we originally collected the Personal Information;
- the lawful grounds on which we based our processing;
- the types of Personal Information we have collected;
- the amount and categories of your Personal Information; and
- whether the purpose of the processing could reasonably be fulfilled by other means.

Personal Information that is no longer needed or required to be retained by law or court order will be destroyed in a secure manner, deleted or de-identified as appropriate.

## 12. Analytics

Resolute uses Google Analytics to collect and process data. Details and information about Google Analytics and how Google uses the collected data is available at [www.google.com/policies/privacy/partners/](http://www.google.com/policies/privacy/partners/).

## 13. Cross-border disclosure of Personal Information

The Personal Information of users of our website is held in the Cloud by third party customer relationship management systems providers (or other systems) that may be located overseas. Any overseas disclosures will only be made once Resolute has taken all reasonable steps to ensure the Personal Information will be treated at least in accordance with the Privacy Act and other applicable privacy laws.

Resolute may disclose your Personal Information to entities or third parties located in the following countries/jurisdictions: Africa and the United Kingdom.

Resolute's agreements with third party providers address compliance with the Privacy Act and any amendments to those laws. We are confident that the providers will maintain administrative, technical, and physical safeguards to help protect the security, confidentiality and integrity of member and customer data consistent with applicable requirements of Australian privacy laws.

## 14. Access, correction and updating Personal Information

It is important that the Personal Information we hold about you is accurate and current. If your Personal Information changes, please notify us by contacting our Privacy Officer (see contact details in section 17).

Resolute will take reasonable steps to ensure that Personal Information held is current, accurate and complete.

Unless specific exceptions apply by applicable law, you may request access to the Personal Information that we hold about you, and to request its correction. You can request to access and correct your Personal Information by contacting our Privacy Officer in writing or by email (see contact details in section 17). Upon receiving such a request, we will take steps to verify your identity before granting access or correcting the information. If we do not agree to provide access or make the correction of Personal Information as requested, we will notify you.

## 15. Contracted service providers

Contracts with all service providers or consultants whose service involves access to Personal Information must be subject to contract terms that are compliant with this Privacy Policy and the Office of the Australian Information Commissioner guidelines and rules that are legally binding.

Where necessary, formal non-disclosure agreements are in place. Third parties, such as mailing houses, which receive Personal Information in order to provide a service for Resolute, are required to sign an undertaking that the information will only be used for the purpose for which the information was provided.

## 16. Complaints

Complaints concerning the collection, disclosure or handling of your Personal Information by Resolute or breaches of the Australian Privacy Principles should be addressed to our Privacy Officer (please refer to contact details in section 17). Any complaint should be first made in writing and include the date, details of your complaint or the alleged breaches, and how you would like your complaint resolved.

Our Privacy Officer will attempt to resolve the complaint within 30 business days, but this timeframe may be extended if further information is required from the complainant and/or an involved third-party.

If the complaint is not resolved to your satisfaction, you can refer it to the Office of the Australian Information Commissioner on 1300 363 992 or online at [www.oaic.gov.au](http://www.oaic.gov.au). Such complaints are generally resolved through conciliation.

## 17. Privacy Officer

You have a right to access your Personal Information, subject to some exceptions allowed by law. Resolute's Privacy Officer is your first point of contact in relation to privacy-related matters and to assist in our compliance with privacy obligations. Please refer to the following contact details if you have any queries or wish to contact our Privacy Officer: [privacy@rml.com.au](mailto:privacy@rml.com.au) or +61 8 9261 6100.

## 18. Definitions

**Australian Privacy Principles** means the Australian privacy principles set out in the Privacy Act.

**Director** means a director of RSG.

**Employee** means employee of, or consultant to, Resolute.

**GDPR** means the EU General Data Protection Regulation.

**Personal Information** means 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 material form or not.

**Personnel** means all Directors and Employees.

**Policy** means this Privacy Policy, as amended from time-to-time.

**Privacy Act** means the *Privacy Act 1988* (Cth).

**Privacy Officer** means the senior executive or manager of RSG designated to act as Resolute's privacy officer from time to time.

**Resolute** means RSG and its subsidiaries and related entities.

**RSG** means Resolute Mining Limited ACN 097 088 689.

**Sensitive Information** means information concerning your religion, ethnic origin, political opinions, religious beliefs or affiliations, union membership, sexual preferences or health information.

**Shareholder** means a shareholder of RSG.

**You** means any sub-contractor, contractor, Personnel, Shareholder or any other person with whom Resolute may have dealings with, including anyone who visits our website.

## 19. Related documents

- Code of Conduct.
- Information Security Policy.
- Cookies Policy.

## 20. Approval and review

This document is to be reviewed annually by the Board.

Version	RIGS Document Category	Date	Status	RIGS Document Owner	Reviewer	Approver	Approval Date
1.0	Board	23/08/2018	Reviewed	<b>Amber Stanton</b> <i>General Counsel &amp; Company Secretary</i>	<b>John Welborn</b> <i>Managing Director &amp; CEO</i>	<b>Martin Botha</b> <i>Chair</i>	23/08/2018
2.0	Board	21/02/2019	Reviewed	<b>Amber Stanton</b> <i>General Counsel &amp; Company Secretary</i>	<b>John Welborn</b> <i>Managing Director &amp; CEO</i>	<b>Martin Botha</b> <i>Chair</i>	21/02/2019
3.0	Board	19/02/2020	Reviewed	<b>Amber Stanton</b> <i>General Counsel &amp; Company Secretary</i>	<b>John Welborn</b> <i>Managing Director &amp; CEO</i>	<b>Martin Botha</b> <i>Chair</i>	19/02/2020

## Schedule A

This Schedule A is to be read in conjunction with the Privacy Policy and provides additional privacy information as required under the GDPR, as to how Resolute collects, holds, uses or otherwise processes the Personal Information of individuals who are located in the EU. Resolute is committed to upholding these practices when dealing with the Personal Information of EU residents.

In most cases, Resolute is primarily the “data controller” of Personal Information and will be responsible for deciding how we hold and use Personal Information about you, and ensuring Personal Information will be processed fairly, lawfully and in a transparent manner, and collected and processed only for specified and lawful purposes.

### 1. Legal basis for processing

Resolute will only collect and process your Personal Information where we have a legal basis for doing so. Depending on the services you seek or use, Resolute may rely on the following legal bases for processing Personal Information:

- when it is necessary for the performance of a contract to which you are a party, or to respond to your inquiries before entering into such a contract;
- for the purposes of our own legitimate interests provided that those interests do not override any of your own interests, rights and freedoms which require the protection of Personal Information. This includes processing for marketing, business development, statistical and management purposes;
- for certain additional purposes with your consent and in these limited circumstances where your consent is required for the processing of your Personal Information then you have the right to withdraw your consent to processing for such specific purposes; and
- where Resolute must process the Personal Information to comply with its legal obligations.

Note that we may process your Personal Information for more than one lawful ground depending on the specific purpose for which we are using your data.

Third parties will only process your Personal Information in accordance with Resolute’s instructions and where the third party complies with the GDPR requirements or other data protection laws for the processing and transfer of Personal Information.

### 2. Change of purpose

Where we need to use your Personal Information for another reason, other than for the purpose for which we collected it, we will only use your Personal Information where that reason is compatible with the original purpose.

If it is necessary to use your Personal Information for a new purpose, we will notify you and communicate the legal bases which allows us to do so before starting any new processing.

### 3. Profiling and automated processing of Personal Information

Resolute does not make decisions or predict personal aspects of an individual using automated processing of Personal Information. However, we may collect certain information from you in relation to your website visits and online activity. This may in some circumstances constitute ‘profiling’ under the GDPR. Furthermore, Resolute may undertake ‘profiling’ to personalise your website experience, our communications with you and improve our service offerings to you.



## 4. Cookies

Our website uses cookies to provide a number of services to you, such as data on user access on webpages and session management. Cookies in use may identify individuals who log into our website. For further details on cookies, please refer to our Cookies Policy.

## 5. Direct marketing

Resolute will not use direct marketing as outlined in the Privacy Policy to market its products and services to you unless:

- Resolute has received express consent from you to use your Personal Information for that purpose; or
- as otherwise permitted by law.

If an individual has agreed to receive marketing, the individual may always opt out at a later date. Refer to the Privacy Policy for the process in which this can be done.

## 6. Transferring information outside of the EU

Personal Information may be stored and processed in any country where we have operations. Resolute is based in Australia and outside the EU, and your Personal Information may be transferred to and processed in Australia.

Whenever we otherwise transfer your Personal Information out of the EU, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- where we use certain service providers, we may use specific contracts approved by the European Commission which give Personal Information the same protection it has in Europe. For further details, see European Commission: Model contracts for the transfer of personal data to third countries; and
- where we use providers based in the US, we may either use the above contracts approved by the European Commission or we may transfer data to them if they are part of the EU–U.S. Privacy Shield which requires service providers to provide similar protection to Personal Information shared between the Europe and the US. For further details, see European Commission: EU-US Privacy Shield.

Please contact us using the details in section 17 of the Privacy Policy if you want further information on the specific mechanism used by us when transferring your Personal Information out of the EU.

## 7. Your rights regarding your Personal Information

Under certain circumstances, by law, you have the right to:

- request access to your Personal Information. This enables you to receive details of the Personal Information we hold about you and to check that we are processing it lawfully.
- request correction of the Personal Information that we hold about you.
- request erasure of your Personal Information. This enables you to ask us to delete or remove Personal Information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your Personal Information where you have exercised your right to object to processing (see below).
- object to processing of your Personal Information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your Personal Information for direct marketing purposes.
- request the restriction of processing of your Personal Information. This enables you to ask us to suspend the



processing of Personal Information about you, for example if you want us to establish its accuracy or the reason for processing it.

- request the transfer of your Personal Information to another party.

If you want to exercise any of the above rights, you can contact us, using the contact details in section 17 of the Privacy Policy.

You will not have to pay a fee to access your Personal Information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

We will otherwise endeavour to respond to your request in a timely manner and within one month of receipt of the request. This period may be extended by two further months where necessary, taking into account the complexity and number of the requests. Resolute will inform you of such an extension within one month of receipt of the request, together with the reasons for the delay.

If Resolute decides not to take action in response to your the request, we will inform you of our decision within one month of receipt of the request, provide our reasons for not taking action, and provide you with details on how you may lodge a complaint with a supervisory authority and seek a judicial remedy, if you are dissatisfied with the outcome.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that Personal Information is not disclosed to any person who has no right to receive it.

## 8. Right to withdraw consent

In limited circumstances where you may have provided your consent to the collection, processing and transfer of your Personal Information for a specific purpose (for example, in relation to direct marketing that you have indicated you would like to receive from us), you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact us using the contact details set out in section 17 of the Privacy Policy.

Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

Your duty to inform us of changes

It is important that the Personal Information we hold about you is accurate and current. If your Personal Information changes, please notify us by using the contact details in section 17 of the Privacy Policy.

## 9. Complaints

If you have a complaint about the processing of your Personal Information or our response to your requests or complaint, you have a right to lodge a complaint with the relevant supervisory authority.