



Transport
for NSW

Opal Privacy Policy

Opal Electronic Ticketing System



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1 Background

1.1 The Opal Ticketing System

Transport for NSW (**TfNSW**) provides an electronic ticketing system (**Opal Ticketing System**) for travel on public transport in the greater Sydney area. In this privacy policy, a reference to **us**, **we** or **our** is a reference to TfNSW.

The Opal Ticketing System uses a contactless smartcard (**Opal card**) for ticketing and payment. The Opal card functions as an electronic purse from which fares can be deducted and which can be “topped up”. The card contains a computer chip which stores value (a dollar amount), limited transaction history and a code that enables the correct fare to be charged. The computer chip can be read when tapping on to Opal card readers installed in or around public transport locations or vehicles. It can also be read by devices used by Transport Officers as part of revenue protection activities.

1.2 Channels for acquiring Opal cards

Under the Opal Ticketing System customers will be able to acquire Opal cards through various channels as and when they are established (**Opal Channels**) including via opal.com.au (**Opal Website**), a call centre (**Opal Customer Care**), approved retailers (**Opal Retailers**) and any Opal service centre (**Customer Service Centre**).

1.3 TfNSW

We are the lead agency of the New South Wales transport portfolio with primary responsibility for transport coordination, transport and policy planning, transport services, transport infrastructure, freight and marine pollution response.

Our goal with the Opal Ticketing System is to provide customers with a secure, effective and efficient public transport electronic ticketing system which complies with our obligations under applicable privacy legislation.

Our name and address is:

Transport for NSW

18 Lee Street

Chippendale

NSW, 2008

Telephone: 13 67 25 (13 OPAL)

2 Scope of policy

2.1 Applicable Privacy legislation

As a public sector agency that will be collecting personal information from customers, TfNSW is required to comply with the *Privacy and Personal Information Protection Act 1998 (NSW) (PPIPA)* and the *Health Records and Information Privacy Act 2002 (NSW) (HRIPA)*.

This policy addresses our privacy obligations under PPIPA and HRIPA and is intended to inform customers of the circumstances in which we will be collecting, using and disclosing personal information in relation to their use of the Opal Ticketing System. This policy has been developed in consultation with privacy consultants and legal advisors.

A reference to a “**customer**” is a reference to any person who uses the Opal card or the Opal Ticketing System including any person who uses an Opal card that was acquired for them by another person.

2.2 Incremental introduction

As the Opal Ticketing System is being introduced progressively over a period of time, some of the provisions of this policy are prospective and have been included even though they relate to elements that may be introduced in the future.

2.3 Amendments

We may make amendments to this privacy policy and our information handling practices from time to time. We will publish those changes on opal.com.au, if those changes are significant, and we will update this privacy policy to reflect any changes. In implementing any changes in information handling practices we will ensure compliance with PPIPA and HRIPA while considering our customers' expectations at the time personal information was collected.

3 Personal information and the Opal Ticketing System

3.1 We are collecting personal information

Under the Opal Ticketing System, we are collecting, storing, disclosing and using information relating to customers, some of which is personal information.

Some of the information being collected, when taken on its own, may not be personal information. For example, travel history alone does not allow an individual to be identified. However, it can be linked to customer details that we hold.

3.2 Purpose of collection

We will be collecting information that is necessary for the purpose of:

- (a) managing and operating the Opal Ticketing System; and
- (b) supporting our responsibilities for coordination, planning and policy development for transport, transport services and transport infrastructure.

In so doing, information collected will be used to:

- (a) supply Opal cards to customers;
- (b) provide services and support to customers including services related to Opal card ordering, setting up payment or notification preferences, adding value to Opal card balances and viewing travel history;
- (c) manage fare calculations and associated transactions;
- (d) support the administration of public transport concessions;
- (e) maintain and operate the Opal Website and other Opal Channels;
- (f) undertake planning, reporting, policy development and statistical analysis for transport, transport services and transport infrastructure;
- (g) engage in marketing and disseminating information regarding services and products to customers who choose to receive such information; and
- (h) support the provision of secure, effective and efficient transport services.

4 Opal cards and information collected under the Opal Ticketing System

4.1 Opal cards

Opal cards will be used as the primary form of ticketing and payment for travel on public transport in the greater Sydney area.

Each Opal card has its own unique card identification number (**Opal card number**). The Opal card and its Opal card number will not, of itself, convey any personal information about a customer. The Opal card number is stored on the chip of the Opal card and is also printed on the Opal card. The Opal card number is used in routine communications with customers through channels such as Opal Customer Care or a Customer Service Centre.

The chip of the Opal card will store data relating to the most recent transactions connected to the Opal card. The distinction between different categories of Opal cards and different categories of concession entitlements will also be electronically encoded on the Opal card chip. For example, an Opal card number assigned to an adult Opal card means that fare calculations will be at the applicable adult fare rate. Opal cards may also have visually distinctive designs depending on their type. These distinctions in design are necessary for administrative and revenue protection purposes. For example, when customers tap on a card reader with an Opal card that is concessional, a distinctive light may appear on the card reader that is tapped.

Although the Opal card will not store a customer's personal information, we will be able to connect the Opal card number of the customer's Opal card to customer details that we hold in relation to a registered Opal card. This is not the case for unregistered Opal cards, and providing personal information for the purposes of the Opal Ticketing System is voluntary. For more information see section 5.

4.2 Our collection and use of information

The nature of the personal information that we will be collecting under the Opal Ticketing System and the way we collect it will depend on the type of Opal card, how a customer acquires it, adds value to it and uses their Opal card and whether (or, in the case of certain concessional Opal cards, when) they register their Opal card.

When collecting personal information, while we will take such steps as are reasonable in the circumstances to ensure that, having regard to the purpose for which it is to be used, the information we collect is relevant, correct, not misleading and up to date before we use any such personal information, we will rely on customers to provide us with accurate and up to date information. However, information that is provided in support of an application for certain categories of concessional Opal cards may be validated by or on behalf of us. Customers must notify us when personal information that they have supplied to us has changed.

The following is an outline of the personal information we collect and the circumstances in which we collect personal information:

4.2.1 Unregistered cards

Customers are able to acquire certain Opal cards without registering them through Opal Retailers or a Customer Service Centre. In such circumstances, customers will obtain immediate possession of the Opal card and neither we nor the Opal Retailer

will collect any personal information from the customer at that point. Refer to section 4.2.7 for details of information collected when value is added to an Opal card.

4.2.2 Registered cards

Opal cards may be acquired and registered through the following Opal Channels as and when they are established:

- (a) Opal Website;
- (b) Opal Customer Care; and
- (c) a Customer Service Centre.

If a customer wishes to do so, an unregistered Opal card can be registered at any time after it is acquired.

When a customer registers an Opal card, a customer profile is created that is then linked to that Opal card. In creating a customer profile we will be collecting the following information:

Customer profile – general information required

The required information collected for a customer profile will be:

- (a) the customer's title, first name and last name;
- (b) the customer's account address;
- (c) the customer's personal identification number (**PIN**) for the Opal card being registered; and
- (d) the customer's answer to a security question.

Customer profile – required information if registered online

If a customer registers the Opal card online, the information collected in their customer profile will also include:

- (e) their username;
- (f) their password; and
- (g) for certain concessional and free travel Opal cards which are required to be registered, an entitlement identifier.

Optional customer profile information

The customer will also be invited to provide the following optional information for their customer profile:

- (h) the customer's date of birth (to assist in customer authentication);
- (i) the customer's mobile number (to assist in customer communication);
- (j) the customer's email address (to assist in customer communication); and
- (k) if a customer wishes to establish an auto load facility (also called an "auto top up") for a registered Opal card, or to store their payment details for a registered Opal card on the Opal Ticketing System, such bank account, credit card and payment details as may be necessary to establish the auto load facility or to store the payment details.

The customer profile is stored on a central usage database (**Customer Relationship Management Database**) and we will be able to link that information to:

- (l) the Opal card number of the registered Opal card; and
- (m) information about how, when and where a registered Opal card has been used.

4.2.3 Information collected when the Opal card is used

We will collect information about journeys made with an Opal card in order to account for fares charged, to make payments to transport operators and to manage the Opal Ticketing System. The information collected with respect to each Opal card is:

- (a) the Opal card number of the Opal card that is used;
- (b) the time and date of tap on and tap off of the Opal card;
- (c) start and end location;
- (d) route identifiers;
- (e) journey transfers (if any);
- (f) the discount (if any); and
- (g) the fare charged on the Opal card.

Further, the information collected when a customer adds value, or “tops up” an Opal card are:

- (h) the location or channel through which value was added to the Opal card;
- (i) the amount of the transaction; and
- (j) the date and time of the transaction.

4.2.4 Services available to registered Opal cards

Customers will have the ability to take advantage of services and facilities that enable them to manage and view or find information, obtain activity statements, manage payments and establish an auto load facility for their registered Opal cards. In order to enable customers to do these things, we will retain the personal information necessary to provide such services and facilities. If a customer wishes to manage such services and facilities online, the customer will have to provide us with their Opal card number of their registered Opal card or the username and password connected to their customer profile.

4.2.5 Registration on behalf of others

When registering an Opal card on behalf of another customer over the age of 16:

- (a) the person making such registration must ensure that the other customer knows, understands and consents to the provision of their personal information to us and its use in accordance with this privacy policy;
- (b) we will be assuming that such consent has been obtained and that the other customer has read and agrees with this privacy policy; and
- (c) if the other customer’s personal information has been collected or disclosed without their consent, they can contact us at any time and request that we de-register their Opal card.

A customer may only register an Opal card belonging to a child under the age of 16, if the person is the parent or guardian of that child.

4.2.6 Linking registered Opal cards to a common customer profile

4.2.6.1 Linking generally

Under the Opal Ticketing System customers will have the ability to link two or more registered Opal cards together (**Linked Opal cards**) so that they can conveniently manage the usage, payment and information connected to those Opal cards under one customer profile. For example, one family member will be able to manage all the family's Opal cards under one customer profile. In such circumstances, the Opal card number of all relevant registered Opal cards will be linked within the Customer Relationship Management Database and the one family member will be able to access registration details and card usage information for all those Linked Opal cards.

When customers establish Linked Opal cards, we will be linking their specific customer profile to:

- (a) the Opal card number of those Linked Opal cards; and
- (b) information about how, when and where those Linked Opal cards have been used,

notwithstanding the fact that those Linked Opal cards may be used and possessed by other customers. Customers are also advised that:

- (c) we may disclose certain personal information about the customer profile an Opal card has been linked to (including the identity of the customer to whom that customer profile belongs, but not the payment or travel history of that customer) to any other customer who uses or possesses an Opal card linked to that customer profile; and
- (d) in some of the circumstances set out in section 6.2 we may be required to disclose the fact that Linked Opal cards and the Opal card number of those cards and related usage data are linked to a particular customer profile.

4.2.6.2 Customer obligations when linking Opal cards

When linking an Opal Card used by another customer over the age of 16:

- (a) the customer must ensure that the other customer over the age of 16 knows, understands and consents to:
 - (i) the provision of their personal information to us and its use in accordance with this privacy policy; and
 - (ii) the disclosure of their personal information (including information about how, when and where their Linked Opal card has been used) to the customer in accordance with this privacy policy;
- (b) we will be assuming that such consent has been obtained and that the other customer over the age of 16 has read and agrees with this privacy policy; and
- (c) if the personal information of the other customer over the age of 16 has been collected or disclosed without their consent, they can contact us at any time and request that we de-register their Opal card.

A customer must only link an Opal Card belonging to a child under the age of 16, if the customer is the parent or guardian of that child.

4.2.7 Adding value to an Opal card – general

When a customer adds value to an Opal card (whether registered or unregistered) by using a credit card or debit card, the customer will be providing personal information

required for making a credit card or debit card payment. TfNSW does not retain identifiable payment card information. This information is instead passed directly to the relevant financial institution for processing.

4.2.8 Concessions and free travel

The Opal Ticketing System accommodates various concessions that depend on a customer's fare entitlement status. Before a concession card is issued, the customer's eligibility status will be verified (with the Customer's consent) against information held or provided by various organisations such as universities, Centrelink, TAFE, etc.

Customers who use a concessional fare Opal card for travel will not have the option of using that Opal card without registering it. They must also produce the approved proof of concession eligibility on demand if required by authorised revenue protection officers or other authorised officers when they use a concessional Opal card (e.g. Senior Card, Student Card, etc).

We may require some concessional fare Opal cards to be personalised with information such as a customer's name, age and/or photo, depending on the type of concession they have.

4.2.9 School Student Transport Scheme

Under the SSTS, TfNSW, transport operators, schools and education authorities collect personal information about applicants and recipients of an SSTS concession.

4.2.10 Refunds or balance transfers/adjustments

Customers will be entitled to obtain a refund, a balance transfer or a balance adjustment of the balance of their Opal card in certain circumstances. In order to enable us to respond to the customer's requests for a refund, balance transfer or balance adjustment we may obtain personal information (normally, a name, contact number, address and/or email address) from the customer.

4.2.11 Contacting customers

If a customer provides us with a contact number, address or email address, the customer is consenting to us using that information to contact them and communicate with them for the purposes stated in section 3.2. This includes us contacting the customer in the event that we have an issue (such as billing or the processing of a transaction) relating to the Opal Ticketing System or an Opal card.

4.2.12 Enquiries or complaints

Personal information (normally a name, contact number, address and/or email address) will be obtained from a customer in order to enable us to respond to the customer's enquiries or complaints.

4.2.13 Emails

When a customer sends an email to us, we record their email address. Emails sent via opal.com.au are treated as state records and will be retained in compliance with relevant legislation. Email messages may be monitored for system troubleshooting and maintenance purposes.

4.3 Health or other sensitive information

We will not routinely collect any health information or sensitive information, such as ethnic or racial origin, political opinions, religious or philosophical beliefs, trade union membership or sexual activities that attract particular protection under PPIPA or HRIPA. We will not collect any information about a customer's criminal record.

5 Travel using unregistered cards

5.1 Choice in providing personal information

Providing personal information for the purposes of the Opal Ticketing System is voluntary for Adult and Child/Youth Opal card holders.

Customers who wish to travel anonymously may do so by:

- (a) using a MyZone ticket and paying cash for it; or
- (b) using an Opal card that has been acquired and topped up with cash and has not been registered.

Use of an Opal card to pay for public transport fares will be anonymous for customers who do not register their Opal card and always top up with cash. However, we will have non personal information relating to travel connected to an unregistered Opal card using the card's Opal card number and we could potentially be required to disclose that information in the manner described in section 6 below.

5.2 Unregistered card: what is collected?

When a customer uses an Opal card for travel, the Opal Ticketing System will have a record of the Opal card number of that Opal card and the travel associated with that card. If an unregistered Opal card was acquired and topped up with cash, we will not have collected any personal information about the customer, nor will we have a record of the identity of the customer who made the top up.

Note however that, if required or authorised by law or in other circumstances described in section 6, we may be required to disclose the Opal Channel through which an unregistered Opal card was acquired and/or the travel history connected to an unregistered Opal card. The unregistered Opal card and its related activity may be matched to a customer (for example by law enforcement agencies) by using other evidence such as video footage or a camera image of the customer.

5.3 Facilities available to holders of unregistered cards

Notwithstanding the above, customers using unregistered Opal cards may:

- (a) check the balance of their unregistered Opal card by tapping it on at an Opal card reader; or
- (b) check the balance of their unregistered Opal card or information on recent activity through any Opal Channel,

by providing the Opal card number of the unregistered Opal card and, in some cases, the card security code (a four digit number that appears after the padlock icon on the back of the Opal card) of the unregistered Opal card.

5.4 Benefits available only to holders of registered cards

Where customers choose to provide their personal information and register their Opal cards they will be able to take advantage of the services, facilities and balance protection available for registered Opal cards. The advantages of registering an Opal card are that:

- (a) the balance of a registered Opal card that is lost or stolen will be protected while the balance of an unregistered Opal card that is lost or stolen will not be protected; and

- (b) customers will be able to use services related to card ordering, setting up payment or notification preferences, adding value to Opal card balances automatically through stored payment details, setting up payment or notification preferences and viewing detailed travel history – these service are not available for unregistered cards.

6 Use and disclosure of personal information

6.1 Use of personal information

Personal information collected by us will be used by us, and by third parties referred to in section 6.2 below, for the purposes set out in section 3.2 and as otherwise set out in this policy.

6.2 Disclosure to third parties

Personal information about customers may also be provided to third parties (subject, where applicable, to them providing appropriate non disclosure undertakings) in the following circumstances:

6.2.1 Key contractors

We may disclose personal information to the main contractor engaged by us to implement, manage and operate the Opal Ticketing System, Cubic Transport Systems (Australia) Pty Limited (**Cubic**). Cubic is the lead contractor for the Pearl Consortium which also includes Downer EDI Engineering Power Pty Ltd, the Commonwealth Bank of Australia, Parkeon Pty Ltd and Epay Australia Pty Ltd, to whom we may also disclose personal information.

6.2.2 Contractors generally

We may disclose personal information to other contractors and advisors who are engaged by us to implement, manage and operate the Opal Ticketing System.

6.2.3 A bank or financial institution

A customer's personal information and account information will be provided to financial institutions in order to facilitate payments.

6.2.4 Other parts of Government

If functions relating to the Opal Ticketing System (such as information services, software development or transport planning) are performed by other parts of Government (whether State or Federal), or statutory bodies such as IPART, we may need to disclose personal information to them.

6.2.5 Public transport operators and trusted approvers

Public transport operators and certain authorities designated as 'trusted approvers' may handle some personal information for processing concession applications and for enforcement and complaint resolution.

6.2.6 Research organisations

Information may be disclosed to research organisations for the purpose of analysing data about our services to assist in improving the delivery of our functions and activities. Public transport operators may also obtain de-identified information from us for the purposes set out in section 3.2 which includes planning and management purposes.

6.2.7 Revenue protection

Authorised revenue protection officers and the NSW Police officers are responsible for enforcing ticketing compliance and monitoring public transport fare evasion. Some of them will be using hand held Opal card readers in order to read an Opal card balance, recent transaction history and the fare status of the Opal card, for example, it is a concession card. If required, we and/or they may combine this information with other personal information obtained directly from a customer in order to generate a compliance report for enforcement purposes.

These officers may also check the travel history connected to a customer's concessional or free travel Opal card in order to ascertain whether that customer has complied with the travel conditions or rules applicable to the use of that concessional or free travel Opal card.

6.2.8 Law enforcement

We may disclose personal information or travel history to a law enforcement agency that is necessary for law enforcement purposes, for the investigation of an offence, for the enforcement of criminal law or to assist in locating a missing person.

6.2.9 Requirement by law

We may disclose personal information to third parties when we are permitted or required to do so by law. For example, we may disclose personal information in response to a warrant, summons or subpoena.

6.2.10 Threat to life or health

We may disclose personal information to third parties where we reasonably believe that the disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of a person.

6.2.11 Offences

We reserve the right to make disclosures to relevant authorities where the use of the Opal Ticketing System raises a suspicion that an offence under any law may have been or may be committed.

6.3 Marketing

We will only send marketing materials to customers who have opted in to receiving them by ticking the box in the relevant online form on the Opal Website, by calling Opal Customer Care or by contacting a Customer Service Centre.

7 Accuracy, data storage and security

7.1 Reliance on customer for accuracy of information

While we take such steps as are reasonable in the circumstances to ensure that, having regard to the purpose for which it is to be used, the information we collect is relevant, correct, not misleading and up to date, we will be relying on our customers to provide us with accurate and up to date information. It is in each customer's best interests for their address to be correct, for them to be readily contactable and for there to be clarity over their identity or personal information.

The steps we take in the collection of personal information include training staff about collection of personal information from customers and adopting processes for customers to update or correct their personal information.

7.2 Central usage databases

Personal information on the use of Opal cards will be periodically uploaded to various databases including the Customer Relationship Management Database, a travel history database and a card issuance database. This information will be retained in a way that can link personal information to a customer's Opal card for as long as is reasonably needed to answer questions from the customer, to reconcile any payments and in any event will be retained for the period required by law. We de-identify personal information before using it for transport planning and statistical purposes.

7.3 Security

We are committed to protecting the privacy and security of the personal information provided to us. We take reasonable steps and precautions to protect personal information.

We adopt industry standards to protect our customers' personal information from misuse, loss and unauthorised access, modification or disclosure.

Customers are also required to assist us by complying with security measures designed to protect their Opal cards, usernames (and other identification codes) and passwords that are set out in the Opal Terms of Use which can be viewed at www.opal.com.au.

8 Online

8.1 Collection of information via website activity

We will be collecting information through the use of cookies on the activity on the Opal Website. This information includes:

- (a) the number of users visiting the Opal Website and other TfNSW websites which the Opal website may rely on to provide information relevant to customers;
- (b) the date and time of those visits;
- (c) the number of pages that customers view;
- (d) customers' web navigation patterns;
- (e) the countries from which customers accessed the Opal Website; and
- (f) when entering any third party website, the address of that website.

8.2 Cookies

A 'cookie' is a packet of information that allows the server (the computer that hosts the website) to identify and interact more effectively with the customer's computer.

When a customer uses the Opal Website, we send them a cookie that gives them a unique identification number. A different identification number is sent each time the Opal Website is used. Cookies do not identify individual users, although they do identify a user's browser type and the customer's Internet Service Provider (ISP).

Customers can configure browsers to accept all cookies, reject all cookies or notify them when a cookie is sent. Customers can refer to browser instructions or help screens on the computer to learn more about these functions.

8.3 Use of third parties

To evaluate the effectiveness of advertising on the Opal Website, we may use third parties to collect statistical data. No personal information will be collected on these occasions.

8.4 Links to other websites

The Opal Website may contain links to other non-TfNSW websites. Whilst such links are provided for convenience, customers should be aware that the information handling practices of the linked websites might not be the same as ours.

8.5 Marketing

We will only send marketing materials to customers who have opted in to receiving them by ticking the box in the relevant online form on the Opal Website, by calling Opal Customer Care or by contacting a Customer Service Centre.

9 Access to personal information

9.1 Accessing and correcting personal information

Customers can access, review or correct their personal information by:

- (a) logging into their account at the Opal Website and following the procedure for accessing, reviewing and correcting their information contained in their customer profile - if they have established an online Opal card account; or
- (b) contacting Opal Customer Care or enquiring at a Customer Service Centre.

Customers may be asked questions about their account or to provide other information in order to identify themselves before being allowed to access, review or correct their personal information.

9.2 Privacy officer

We have appointed a privacy officer as a person to handle privacy issues under this policy.

The contact details of our privacy officer are:

The Opal Privacy Officer
Transport for NSW
18 Lee Street
Chippendale
NSW, 2008

Email: opalprivacy@transport.nsw.gov.au

10 Complaints

10.1 Complaints procedure

We are committed to protecting customer privacy and complying with PPIPA and HRIPA. We aim to deal with all matters quickly and we encourage customers to raise privacy issues with a Customer Service Centre first so we can resolve issues if possible.

Customers can make a privacy enquiry or complaint by:

- (a) speaking to Opal Customer Care by calling 13 67 25 (13 OPAL);
- (b) writing to our privacy officer at the address specified in section 9.3; or
- (c) completing our enquiry form online at the Opal Website and indicating that the enquiry relates to privacy and sending it to us (see our contact details set out in section 9.2).

10.2 Internal reviews

If a customer's complaint is not resolved or a customer is aggrieved by our actions in handling personal information, they have a right to request an internal review. A request for an internal review can be made by writing to our privacy officer at the address specified in section 9.3.

An internal review is an internal investigation that we conduct into a complaint pursuant to PPIPA. In the review we will assess whether or not we have complied with our privacy obligations and then advise the customer of our findings and what we will do as a result. We will also notify the NSW Privacy Commissioner about the review and its outcomes.

If the customer is not satisfied with the outcome of an internal review they can appeal to the NSW Administrative Decisions Tribunal.

10.3 Notifying customers about security breaches relating to privacy

We will take reasonable steps to protect personal information from loss, unauthorised access, unauthorised use or disclosure. In the event of a security breach that affects a customer's personal information, we will notify the NSW Privacy Commissioner and affected customers where there is a real risk of serious harm.

Effective date: This policy is effective from 30 January 2015. This privacy policy can be accessed by customers at opal.com.au.