

Confidentiality Policy

1. Purpose

The purpose of this policy is to assist members of the Energy Charter Independent Accountability Panel to manage the risk of inadvertent disclosure of confidential information that has been given to the Panel a Signatory.

2. Objective

Confidential Information provided for the purposes of the Energy Charter by Signatories to the Charter is for the purposes of consideration, analysis, assessment and reporting by the Panel as set out in the Energy Charter and related documents.

3. Scope

This policy applies to the Chair, members, Panel expert and Host of the Panel.

4. Policy

1. Confidential information will not be disclosed, published or communicated to any other person or otherwise made public except with the prior approval in writing of the Signatory.
2. Except for personal use of the Panel, confidential Information will not be copied or moved from the Panel's secure cloud based workspace except with the prior approval in writing of the Signatory.
3. The Signatory will be notified immediately of unauthorised copying, use, storage or disclosure in any way, or a legal duty to disclose is detected.
4. Any request from the Signatory to return or destroy Confidential Information will be promptly complied with.
5. The provisions of this policy are continuing obligations and survive the termination of the Energy Charter arrangements and contracts.

5. Definitions

For the purposes of this policy:

'*Host*' means the secretariat of Energy Consumers Australia; and

'*Confidential Information*' means information supplied to the Independent Accountability Panel by the Signatory in connection with its annual Energy Charter Disclosure (Disclosure) that is clearly identified as being the subject of a confidentiality claim.

Information disclosed, observed or communicated cannot be regarded as Confidential Information for the purposes of this policy where the information:

- (a) is in the public version of the Signatory's Disclosure; or
- (b) is, or becomes part of, the public domain (otherwise than by breach of this policy);
or
- (c) is lawfully obtained from another person without any restriction as to use and disclosure.

Agreed by the Energy Charter Independent Accountability Panel

Wendy Craik Chair

Cassandra Goldie

Andrew Richards

Phil Weickhardt

Date 27 August 2019