

## Privacy Statement

Last updated 28th May 2026

We take the protection of your personal information seriously. In this privacy statement “we” or “our” refers to BOC Limited (NZBN 9429040953946), Elgas Limited (NZBN 9429032428322) and Linde Holdings New Zealand Limited (NZBN 9429033073040), and the other related companies in the BOC/Elgas group in New Zealand, Papua New Guinea and Solomon Islands (“Region South Pacific”). Where necessary, we may distinguish between BOC Limited (“BOC”) or Elgas Limited (“Elgas”) or Linde Holdings New Zealand Limited (“Linde Holdings”).

This privacy statement (also called a “privacy policy”) explains how we handle the information we collect, including personal information, and how we comply with the requirements of applicable privacy laws (together the “privacy laws”), including the *Privacy Act 2020* (NZ) (“NZ Act”) and the Information Privacy Principles set out in Subpart 1 of Part 3 of the NZ Act (“Privacy Principles”).

### 1. Collection

Personal Information is any information about an identifiable individual. We will collect and use personal information as set out in this privacy statement. If you cannot be reasonably identified from information (for example, when personal information has been aggregated and anonymised) then this privacy statement does not apply to our handling of that information.

We collect personal information from our actual and prospective customers, from individuals who visit our website, as well as job applicants, contractors, suppliers and other individuals. This statement applies to all of these categories of individuals.

The types of information that we may collect and hold includes but is not limited to:

- contact details (including name, mailing and/or physical address, delivery address, e-mail addresses, phone numbers, emergency contact details);
- payment details (including credit and billing information);
- professional details (e.g. job and career history, educational background, names of referees) where you make an application for employment with us;
- photographs, videos and other recordings and contact details (including security camera footage) of visitors to our physical sites, along with information we derive from those recordings, such as detecting the persons and vehicles accessing our sites;
- general user information and location-based data such as internet protocol addresses, browser type, internet service provider details, information about actions you take on our websites, including purchase products or services and other technical information collected when you visit our websites; and
- information about your use of our goods/services and your health where it might be relevant to our engagement with you (e.g. if you use our sleep aids and/or any associated services, we may collect information about your use of the product, sleep patterns and health issues that may affect your sleep); and
- information to verify your identity, such as your Driver's Licence.

We collect information directly from you in the following ways:

- when we are establishing a business relationship for the supply or procurement, or the prospective supply or procurement of goods and services;
- when you visit our offices or sites;
- for recruitment purposes;
- when you use or access our website;
- when you purchase or use our goods or services;
- when you interact with our customer service centre.

We may also collect information from a third party instead of directly from you including where:

- you order our goods and/or services from one of our distributors;
- our service providers or other business associates are engaged in the provision of our goods and/or services to you (for example, when a health professional provides you with assistance in using our products);
- your information is collected by us from the manufacturer of one of our products, where those products connect to the manufacturer's online services;
- make an enquiry or request with any of our distributors, manufacturers, service providers or other business associates and they share your information to us; or
- you are a minor and your information is collected from your parent or guardians.

The kinds of personal information that we may collect from third parties include the information described above, as well as, information about your dealings with that third party (e.g. records of communications, service history and support).

Cookies and web beacons: Our website may use cookies or other analytical tools to monitor your browsing. Specifically, we use Google Analytics to give us insights into who is using our website. Google will use this information on our behalf for the purpose of evaluating your use of our website, compiling reports on website activity for us and providing us other services relating to website activity and internet usage.

Most internet browsers give you the option to reject all cookies, accept all cookies, erase cookies stored on your device or be notified before a cookie is stored on your device. You may refuse the use of cookies by selecting the appropriate settings on your browser, however please note that if you do this you may not be able to use the full functionality of this web site. You can also opt-out from being tracked by Google Analytics with effect for the future by downloading and installing Google Analytics Opt-out Browser Add-on for your current web browser.

Personal Information about others: If you submit personal information to us about another individual, you must obtain permission from that individual and take reasonable steps to ensure that that person understands what personal information we will collect and use.

Children: Our websites are not intentionally designed for or directed at children under the age of 16. BOC may collect the information of children, for example their health and contact information, when a child requires our goods or services for health reasons.

## **2. Collection, use, disclosure and other handling of your personal information**

We will collect, hold, use, disclose and otherwise handle your personal information for the following purposes:

- performing our obligations under our contracts and agreements
- maintaining customer records
- facilitating your use of our goods and/or services
- purchase and delivery of goods and services
- account keeping and invoicing
- debt collection
- locating and/or retrieving our equipment and gas containers
- to meet our requirements under regulations in relation to the goods
- credit reference checks
- to communicate with our customers and suppliers about quotations, shipments, deliveries and invoicing
- for assessment and acceptance of a prospective customer, supplier or business partner
- to enable us to answer our customers' and suppliers' enquiries
- for verifying customers' and suppliers' identity for security purposes
- for relationship management and marketing our services
- to make our website more user friendly and relevant to the needs of users
- to communicate with individuals about how to improve our services
- in relation to our current, former or prospective employees, providing internal services to our staff and seeking qualified candidates or otherwise assessing any application for employment that you make with us;
- to keep visitors to our physical sites safe
- compliance with mandatory legal obligations
- for other purposes relating to our business, including marketing, product development and market research
- to communicate with you about goods, services and/or promotions that may be of interest to you (although you can opt out of these communications by contacting us using the details set out below); and
- to manage product recalls.

Your personal information will not be used for other purposes unless permissible under the relevant privacy laws, such as where we obtain your consent for such secondary use, or the secondary use is required or permitted by law.

If you choose not to provide us with personal information which we have requested from you, we may be unable to fulfil any of the above purposes, including providing goods and services to you, purchasing goods or services from you, responding to your requests, paying your invoices or processing your application for employment.

We do not collect non-health related sensitive information, including, biometric, racial or ethnic origin, political opinions, religious beliefs, sexual orientation, or union membership, as defined under the Privacy Act 1988 (Cth). We will only collect, use, or disclose sensitive information with your explicit consent, or as otherwise permitted by law.

### 3. Disclosure

We may disclose your personal information for any of the above purposes. This section provides further information about the disclosures that we are likely to make.

Transfers within the Elgas/BOC/Linde Holdings group of companies: Our group of companies is based in Australia and Region South Pacific. We may share your personal information between entities for administrative purposes and to provide the services to our customers. All our entities will handle your personal information as described in this privacy statement for Region South Pacific or our privacy statement for Australia which is available <https://www.boc.com.au/shop/en/au/privacy> (as the case may be) or in accordance with applicable laws.

Sharing with third parties: The personal information that you provide us may be shared with third parties to the extent necessary to facilitate the provision of our goods or services, complete your requests, for business purposes including marketing, and where required to disclose that information by law or for safety reasons, with your consent or as otherwise stated in this privacy statement.

Examples of this might include:

- Sharing with our suppliers and service providers: we work with reputable suppliers and service providers to meet our business needs, so that we may supply goods and perform services for our customers (such as distributors, manufacturers and health professionals who help facilitate the supply of our goods and services).
- Sharing with professional providers: we may share your personal information with our professional advisors, including agents, lawyers insurers in relation to any actual or potential claim made by or in relation to us.
- Sharing as required or permitted under applicable laws, regulations or professional standards: there may be occasions when courts or other regulatory bodies required us to share personal information with them in accordance with application laws.
- Sharing in the event of sale or transfer: In the event one of our businesses is sold, transferred or assigned, disclosure might be necessary for that sale, transfer, merger or assignment, or as a result of the sale, transfer, merger or assignment.
- Sharing with payment, marketing and recruitment service providers, your referees or any person from the organisations that they might represent.
- Sharing with online marketing providers such as Meta and Google to conduct targeted advertising campaigns with individuals who interact with our business and our websites.
- Sharing with government departments, regulatory bodies and law enforcement agencies where we are authorised or required to disclose your information to them by law.

All customers will have the opportunity to opt out from receiving direct marketing material including those sent by email, phone and post.

#### 4. Disclosure of personal information to overseas recipients and your rights

We may also disclose your personal information to recipients located outside of Region South Pacific for any of the above purposes.

It is not practicable for us to specify all of the countries in which these overseas recipients are likely to be situated, but we note for example:

- we may share personal information with other foreign entities which are part of our corporate group, including our parent company Linde which has offices in the United Kingdom, Ireland, US, Singapore and Germany;
- we have a call centre located in the Philippines;
- our SAP storage provider is located in Germany; and
- the manufacturers of our sleep aid products are also based in Germany and China, and we may share information with them if you use the cloud features of those products.

We will only transfer personal information to someone in a foreign country if we are confident that such transfer can be done in accordance with applicable privacy laws. For individuals located in New Zealand, it is important to note that, where we share your personal information outside of New Zealand, you will not have the same rights as you may have under the NZ Act.

Clause 12(1)(a) of the Privacy Principles states that, where we disclose personal information to a recipient located overseas, we are permitted to disclose information to an overseas recipient after expressly informing that the overseas may not be required to protect your information in a way that, overall, provides comparable safeguards to those in the NZ Act. We intend to rely on this clause 12(1)(a) - so, unless you notify us in writing to the contrary, you will be taken to have consented to the disclosure by us of personal information to overseas recipients on the basis that:

- clause 12(1)(a) of the Privacy Principles will not apply to the disclosure;
- the recipients may not be subject to obligations that afford you with a similar level of protection for your personal information to the NZ Act;
- you will not be able to seek redress under the NZ Act against the recipients in relation to their handling of your personal information; and
- the recipients may be the subject to a foreign law that could compel the disclosure of personal information to a third party such as an overseas authority.

#### Online advertising

We use various services from Google, Meta and other third party vendors to conduct online remarketing and advertising that is targeted at previous visitors to our website. When you visit our website, third parties, including Meta and Google, may use cookies, web beacons and other storage technologies stored on your browser to collect or receive information from our website and elsewhere on the internet and use that information to provide measurement services, and target and deliver ads. You can opt out of targeted ads provided through Google by visiting the [Google Ads Settings page](#). For ads provided through other vendors, visit the following links: <http://www.aboutads.info/choices> and <http://www.youronlinechoices.eu/>).

## **5. Automated decision making and the use of AI**

We use computer programs to make or assist with decisions that might affect your rights or interests. These decisions are used for purposes which include marketing, credit management, customer service (e.g. when and how queries are dealt with and account closure) and scheduling and product usage analysis.

We will use and disclose the kinds of personal information described above in the operation of these computer programs.

We may also use and disclose the same kinds of personal information in our day-to-day operations, including to adapt, predict, recommend and personalise processes using artificial intelligence ("AI") technologies.

Your personal information may also be disclosed to service providers that we engage to provide us with and conduct AI, and other persons involved in our use of this kind of technology including developers or owners of the technology.

## **6. Data Quality and Correction**

We will take reasonable steps to ensure that information we collect, use and disclose is accurate, complete and up-to-date. This includes using the services of third parties to validate the data that we hold against external sources. We disclose personal information to, and collect personal information from, those third party service providers as part of those data validation exercises.

Otherwise, if we are made aware of an error or change in a person's personal information, then we will correct such errors upon being notified of the error.

You can make requests to access personal information by emailing us at the email address below, in most instances, we will require you to provide some form of identification (such as a driver's licence or passport) so we can verify that you are the person to whom the information relates.

## **7. Data Security and Retention**

We use appropriate technical and organizational measures to ensure that personal information is well protected from loss, unauthorised access, use, modification, disclosure or misuse. Some measures that we use to ensure that personal information is kept secure in line with good industry practice including appropriate access controls and encryption of relevant files. Despite our best efforts, security cannot be guaranteed against all threats. To the best of our ability, access to your personal information is limited to those who need to know it. Those individuals who have access to the data are required to maintain the confidentiality of the information.

We may store personal information in "cloud" systems like AWS/Azure/Confluence that we assess meet appropriate security standards to protect our data.

We do not guarantee that our website provides facilities for the secure transmission of information across the internet. Users should be aware that there are inherent risks transmitting information across the internet.

We retain personal information to provide our services, stay in contact with you and to comply with applicable laws and regulations. We retain personal information as long as necessary for the processing purposes for which the information was collected, and any other permissible, related purpose.

## **8. Access**

This privacy statement is available on the applicable Elgas and BOC websites.

Upon written request clearly identifying the personal information you seek access to, we will provide an individual with access to or advice on the personal information held on that person by us. A reasonable fee may be charged for providing access, although no fee is payable upon application. If you wish to request access, you can contact us using the below details.

Sometimes, we may not be able to provide you with access to all of your personal information and where this is the case, we will tell you why.

## **9. Complaints**

If you think that we may have breached our privacy obligations, or you wish to contact us including to make a complaint about the way we have handled your personal information, you can contact us using the below details.

Please include your name, email address and/or telephone number and clearly describe your complaint. We will acknowledge your complaint and respond to you regarding your complaint within a reasonable period of time.

If you think that we have failed to handle your complaint satisfactorily, we will provide you with information about the further steps you can take.

For individuals in New Zealand, more information about your rights and our obligations in relation to privacy, and information on making a privacy complaint are available from the Privacy Commissioner, which can be contacted at <https://www.privacy.org.nz/>, or by calling 0800 803 909, or by email to [enquiries@privacy.org.nz](mailto:enquiries@privacy.org.nz).

## **10. Links**

Our website may contain links to other websites and those third party websites may collect personal information about you. We are not responsible for the privacy practices of other businesses or the content of web sites that are linked to our web site. We encourage users to be aware when they leave the site and to read the privacy statements of each and every web site that collects personally identifiable information.

## **11. Changes to this Privacy Statement**

We reserve our right to amend this privacy statement from time to time. Any amendments become effective when published on this web site. You should review the privacy statement regularly for any such amendments.

## **12. How to Contact Us**

For further information about this privacy statement, your rights or the processing of your personal information you can contact the Privacy Officer in New Zealand directly via email on [PrivacyOfficerNZ@linde.com](mailto:PrivacyOfficerNZ@linde.com) and the Privacy Officer in Papua New Guinea and Solomon Islands directly via email on [PrivacyOfficerPacifcls@linde.com](mailto:PrivacyOfficerPacifcls@linde.com).