

# Privacy Statement

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This privacy policy outlines the personal information handling practices of Richards Properties Mackay T/A Elders Real Estate Mackay ABN 28 139 319 092.

We respect the privacy of your personal information. If you have any concerns about how we hold or manage your personal information, please contact:

Sally Richards

Shop 2, 171 Victoria Street, Mackay

07 4951 9000

srichards@eldersmackay.com.au

## 1. Personal Information

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If we deal with you as a current or prospective seller, buyer, lessor or lessee, we may collect personal information from you in order to provide any of our services to you. We do not collect personal information unless it is reasonably necessary for, or directly related to, one or more of the services we provide or functions we carry out.

Personal information means information from which your identity can be reasonably ascertained. The types of personal information we may collect from you include:

- 1.1. Name;
- 1.2. Date of birth;
- 1.3. Residential address;
- 1.4. Postal address;
- 1.5. Email address;
- 1.6. Telephone numbers;
- 1.7. Your occupation and place of work;
- 1.8. Employment details – such as the name of your employer and income;
- 1.9. Financial information including about your bank accounts;
- 1.10. Details of your spouse (de facto or married) dependent children and room mates; and
- 1.11. Details of properties owned by you.

## 2. Collection of your personal information

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You may provide us with personal information that we need to use to provide you with our services. The main way we collect personal information about you is when you give it to us, for example when you complete a form, application or survey or contact us to ask for information.

We collect, hold, use and disclose your personal information which is necessary to carry out our business' functions or activities. These functions and activities include:

- 2.1. Assisting you in:
  - (a) selling your property;
  - (b) purchasing a property;
  - (c) leasing a property (either as tenant or landlord; and/or
  - (d) paying or obtaining a refund of a bond.
- 2.2. Coordinating repairs or maintenance to a property owned or leased by you;
- 2.3. Recording or accessing information:
  - (a) at the Titles Registry Office or other governmental agency;
  - (b) at the Residential Tenancies Authority or on a tenancy information service or database;
- 2.4. Marketing of products and services to you;
- 2.5. Undertaking activities related to our functions and activities such as human resources, corporate administration, property management and public relations activities.

In order to perform the functions and/or activities described above, we may disclose your personal information to any of the persons or organisations described below:

- 2.6. If you are a seller or lessee, we may disclose your personal information to prospective buyers of the property owned or leased by you;
- 2.7. If you are a buyer or a lessee, we may disclose your personal information to the sellers of the property you are purchasing or leasing;
- 2.8. Your legal advisor and the legal advisor representing the other party involved in your transaction;
- 2.9. Your financial institution, accountant and/or financial advisor;
- 2.10. Insurance providers and brokers;
- 2.11. Utility providers and utility connection service providers;
- 2.12. Tradespeople engaged by us to repair or maintain a property owned or leased by you;
- 2.13. Organisations involved in maintaining, reviewing, upgrading and developing our computer and business systems;
- 2.14. Organisations involved in a corporate re-organisation or involved in a transfer of all or part of the assets or business of our organisation;
- 2.15. Credit reporting agencies;
- 2.16. Organisations involved in the payments systems including financial institutions, merchants and payment organisations;
- 2.17. The Titles Registry Office or other governmental agency;

- 2.18. The Residential Tenancies Authority;
- 2.19. RP Data;
- 2.20. Veda;
- 2.21. Tenancy information services or databases (including TICA and NTD);
- 2.22. Real estate bodies and websites;
- 2.23. Police;
- 2.24. As required or authorised by law and/or where you have given your consent.

### **3. Business without identifying you**

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Where it is lawful and practical to do so, you may wish to deal with us without providing any personal information, such as by providing a pseudonym or dealing with us anonymously, when you make general enquiries about real estate or the market. However, in order to provide some of our services to you, we may need to identify you.

### **4. Direct marketing**

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We may use your personal information to provide you with updates on our services, new products we are offering, changes to our business or general information about the real estate market and our services.

If at any time you no longer wish to receive marketing information from us, you may decline to receive such information by notifying us by email [reception@eldersmackay.com.au](mailto:reception@eldersmackay.com.au) or phone 07 4951 9000.

### **5. Disclosure**

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We will not sell or otherwise disclose your personal information to other companies or organisations without your prior consent.

### **6. Overseas Recipients**

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We may disclose your personal information to overseas recipients.

We may use cloud storage to store the personal information we hold about you. The cloud storage and the IT servers may be located outside Australia.

Prior to disclosing your personal information to an overseas recipient, we will take all reasonable steps to ensure that:

- 6.1. the overseas recipient does not breach the Australian Privacy Principles; or
- 6.2. the overseas recipient is subject to a law, or binding scheme, that has the effect of protecting the information in a way that, overall, is at least substantially similar to the way the Australian Privacy Principles protect the information; or
- 6.3. you have consented to us making the disclosure.

## **7. Opt-Out procedure**

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In each marketing communication we send to you, we will provide you with information as to how you may advise that you do not wish to receive any further communications from us, such as an unsubscribe option at the bottom of each email we send you. In any event, you can opt-out from receiving marketing material from us by emailing us at [reception@eldersmackay.com.au](mailto:reception@eldersmackay.com.au) or by contacting us by mail or telephone and asking to be removed from our mailing list.

## **8. Access to your personal information**

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You can request, at any time, for us to inform you of the personal information we hold about you. We usually respond to you within seven days of receiving your request.

We may refuse to give you access to the personal information we hold about you if we reasonably believe that giving access would pose a serious threat to the life, health or safety of an individual, would have an unreasonable impact on the privacy of other individuals, or if we consider the request to be frivolous or vexatious.

If any of the information we hold about you is inaccurate, out of date, incomplete or irrelevant, please contact us.

If you wish to access or correct any of the personal information we hold about you, please email us at [reception@eldersmackay.com.au](mailto:reception@eldersmackay.com.au) or contact us by phone on 07 4951 9000.

## **9. Complaints**

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Should you wish to make a complaint about the management of your personal information, please email us at [reception@eldersmackay.com.au](mailto:reception@eldersmackay.com.au) or contact us by phone on 07 4951 9000. We will make a record of your complaint and take steps to correct any deviation from Australian Privacy Principles.

We will acknowledge your complaint within seven days. We will provide you with a decision on your complaint within 30 days.

If you are dissatisfied with the response of our complaints officer you may make a complaint to the Privacy Commissioner which can be contacted on either [www.oaic.gov.au](http://www.oaic.gov.au) or 1300 363 992.

## **10. Sensitive information**

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We will only collect sensitive information from you with your consent. Sensitive information is personal information that includes information relating to your racial or ethnic origin, criminal history, sexual orientation, membership of any trade or professional associations.

## **11. Security**

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We use all reasonable efforts to protect your personal information from misuse, interference and loss, as well as unauthorised access, modification or disclosure.

## **12. How we may change this statement**

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We may amend or update this Policy at any time. Any changes to our Privacy Policy will be publicised on our website.

This privacy policy came into existence on 1/04/2014.