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PROJECT MARKETING

PRIVACY POLICY AND COLLECTION NOTICE

The *Privacy Act* 1988 (Cth)(the **Act**) allows for 'personal information', including 'sensitive information' (which are defined in the Act) about you to be collected, used and disclosed provided we have provided you with notice and in certain circumstances also obtained your consent. In this Privacy Policy and, where appropriate, a reference to 'personal information' includes 'sensitive information'.

We may (from time to time) update, revise, amend or replace this Privacy Policy by posting any changes to it on our website or by giving you any other form of notification.

This Privacy Policy is available on our website, at our office and may also be made available to you at any property inspection or when we first communicate with you by email.

What personal information do we collect?

- Identity - Full name
- Contact details - Address, phone, email
- Buyer type
- Intended time to purchase
- Property preference
- Financial status to purchase
- Legal representation - Lawyer/conveyancer details
- Residency status - Australian or foreign resident
- Tax information - TFN, ABN/ACN (Only if you are not an Australian Citizen)
- ID verification - Drivers Licence
  - Passport (Only if you are not an Australian Citizen)
- Signature verification – Signature
- Financial details - Loan details and deposit

How we collect personal information from you

We will collect personal information from you in the following circumstances

<u>Sales</u>

- if you are a prospective or current vendor and you want us to act as your sales agent, then we will collect personal information from you in order to identify you and the property;
- if you are a prospective or current purchaser and you inspect any property, then we will collect personal information from you when you attend the inspection; and
- subject to the other provisions of this Privacy Policy, we may also collect personal information from you when you make any other enquiry with us about the property.

PO Box 167, Isle of Capri
Gold Coast 4217

40 Lemana Lane
Miami 4220

E: admin@youandipm.com.au
P: 0415 748 450

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How we collect personal information from other sources

We can collect personal information about you from other sources in any manner permitted by the Act. We will only collect personal information from other sources where it is reasonably necessary for us to do so in relation to, or in connection with, any services we are supplying in connection with our real estate business. Examples of such sources of personal information include:

- from your agents, other owners, insurers and underwriters, contractors, legal, financial and other advisors in relation to or in connection with any contract for sale of the property;
- from public registers including those managed by the NSW Land & Property Information;
- from publicly available information;
- from property valuers or related service providers; and
- from our other service providers including any third party that has been authorised to supply us with personal information.

When the law authorises or requires collection of personal information

There are laws that may require us to collect and disclose your personal information. For example, we may be required to collect and disclose your personal information pursuant to the *Property, Stock and Business Agents Act* 2002 (NSW), including any regulation under that law.

How your personal information may be used

We may collect and disclose your personal information for the following purposes including:

Sales

- to identify and/or verify the identity of any prospective or actual vendor for any property;
- to advertise, market and promote the sale of any property;
- to negotiate and manage the sale of any property (including to provide non-legal assistance with the exchange of the contracts for the sale of property as well as the preparation of any required statements of account);
- to liaise and exchange information with the vendor, purchaser (including any prospective purchaser) as well with their respective agents, contractors, legal, financial and other advisors in relation to or in connection with the sale of the property;
- to ensure the safety and security of vendors and existing occupiers and of each of their property in connection with auctions and the inspection of any property by prospective purchasers;
- to comply with any applicable law in connection with the sale of the property;
- to confirm whether the vendor or purchaser is registered for GST purposes;
- to tell you about any other property that we are selling or any other service that we provide, unless you tell us not to (this is referred to as direct marketing);

Automated Decision Making

- to be used in the operation of ADM (e.g. computer programs) to make various decisions that may impact our services, including but not limited to client's rights under an arrangement and access to a significant service or support;

Generally

- to provide statistical and other information to the Real Estate Institute of New South Wales;
- to allow us to run our business efficiently and to perform administrative and operational tasks;
- to comply with any dispute resolution or other legal process;
- to act on behalf of clients in accordance with any agency agreement and to comply with our obligations under that agreement;
- in order to update our records and your contact details;
- to operate controlled money accounts;
- if we enter into or propose to enter into any agreement or arrangement with any party for the purpose of, or in connection with, the acquisition of our business (including any part of our business that includes personal information), then we may provide that party (including its legal, financial and other professional advisers) with personal information in relation to or in connection with those arrangements; and
- any other purpose to which you have consented.

You can tell us at any time if you no longer wish to receive direct marketing information or offers from us. We will process your request as soon as reasonably practicable after receipt of the request.

How we share your personal information

Sharing personal information with third parties

We may seek and use personal information about you from, and use or disclose personal information about you to, third parties in relation to or in connection with the potential or actual sale and purchase of a property or other business or administrative functions for the real estate agency. These third parties may include:

- your representatives, attorneys, lawyers, settlement agents, accountants, brokers;
- any conjunction, co-listing, buyers' or other property agents that acts on your behalf in connection with the sale and purchase of property;
- auctioneers;
- your financier including any mortgage brokers that may be assisting you with any existing mortgage loan or application in relation to the sale or purchase of property;
- valuers, surveyors, insurers, re-insurers, claim assessors and investigators;
- financial institutions including deposit taking institutions;
- organisations in and associated with debt collecting;
- law enforcement agencies;
- government and/or regulatory bodies including (without limitation) the NSW Land and Property Management Authority, Australian Taxation Office, the NSW Office of State Revenue. In many cases, these organisations may share information with foreign authorities;
- mailing houses and telemarketing agencies that assist us to communicate with you;
- if we enter into, or propose to enter into, any agreement or arrangement with any party for the purpose of, or in connection with, the acquisition of our business (including any part of our business that includes personal information), that party (including its legal, financial and other professional advisers) to provide personal information in relation to or in connection with those arrangements; and
- service providers including IT and data consultants, agents, contractors and advisers that assist us to conduct our business.

Sharing personal information with related companies

We may share personal information about you with our related companies for any of the purposes described above.

Sharing personal information outside of Australia

We may store information about you in cloud or other types of networked or electronic storage. As electronic or networked storage can be accessed from various countries through an internet connection it is not always practical to know in which country personal information about you may be held

If you do not provide personal information

If you do not provide your personal information to us, it may not be possible to provide you with the service that you have requested or applied for, for example:

- if personal information is not disclosed by a vendor in connection with the sale of their property, we will not be able to verify that they are the owner of the property and/or to advertise and market the property;
- if personal information is not disclosed by a prospective purchaser at an open inspection, then we may not be able to admit them into the inspection;
- if personal information is not disclosed by a prospective purchaser at an auction, then we will not be able to register them as a bidder;
- to let you know about other services we provide that might be suitable for your needs (unless you opt out of this by telling us that you do not wish to receive such information).

Personal information about other people

If you give us personal information about any other person in relation to, or in connection with, the sale of any property:

- we are entitled to assume that you have sought their consent to the disclosure of such personal information to us;
- we have collected their personal information for the purposes set out in this Privacy Policy;
- we may exchange their personal information with other organisations for the purposes set out in this Privacy Policy;
- we will handle their personal information in the same way as set out in this Privacy Policy and they can:
  - access or request a copy of this Privacy Policy; or
  - access the personal information we hold about them.

Anonymity and pseudonymity

We are not always able to deal with people who do not wish to identify themselves. This will be particularly the case when we are proposing to, or we do, act for a vendor in relation to the sale of any property.

Further, we are not able to allow people through any property inspections who do not wish to identify themselves as this can create security and other concerns for the property owner (among other considerations).

However, where possible, we can provide information of a general nature such as, for example, we can respond to general telephone and related enquiries about the sale of a property to unidentified individuals. Of course, if an individual makes an enquiry by email or other electronic or written methods then there is every possibility that the mode of communication may identify you.

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Information security

We take reasonable steps to protect all information which we hold (including any personal or sensitive information) from misuse, loss, unauthorised access, modification or disclosure.

Marketing and opt-out

We may also use the information, including personal information (excluding sensitive information), provided by you for marketing and research purposes, to analyse and improve products, services and benefits and to inform you of products, services and benefits provided by us, our related entities, suppliers or sponsors, which we consider may be of value or interest to you, unless you tell us (see the marketing opt-out below), or have previously told us not to. We will not use your sensitive information for these purposes without your consent.

Accessing your Personal Information

Unless we are entitled to withhold access to your personal information (there are various reasons why this may be the case), you have the right to request access to any personal information held by us which relates to you. We may charge a reasonable fee where access to personal information is provided. Any requests for access to your personal information should be made in writing to the Privacy Officer (details specified below). You also have the right to request the correction of any personal information which relates to you that is inaccurate, incomplete, irrelevant, misleading or out-of-date.

If you require any further information about our management of personal information or have any queries or complaints, you should contact:

The Privacy Officer

You and I Project Marketing Pty Ltd

40 Lemana Lane, Miami 4220

0415 748 450

admin@youandipm.com.au

The Office of the Information Commissioner can be contacted as follows:

Phone enquiries	1300 363 992 Mon–Thurs 10am–4pm AEST/AEDT
Online enquiries	www.oaic.gov.au.
Post	GPO Box 5288 Sydney NSW 2001
Fax	+61 2 9284 9666