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**IMPACT PROPERTY MANAGEMENT PTY LTD
(ACN 604 506 149)**

PRIVACY POLICY

AS AT AUGUST 2014



Impact Property Management Pty Ltd – Privacy Policy

1. BACKGROUND

This Policy is made in accordance with the *Privacy Act 1988* (Cth) and the *Privacy Amendment (Enhancing Privacy Protection) Act 2012* (Cth).

The current version of this Policy is available from the Privacy Officer or on the Impact Property Management website at www.impactpm.com.au. This Policy may be updated, amended or revised from time to time by Impact PM and by continuing to interact with or receive services from Impact PM you will be deemed to have accepted the terms of any updated, amended or revised policy.

Comment [GL1]: We recommend that the Privacy Policy be made available on the business website.

Collection, use, disclosure and storage of Personal Information by Impact PM is governed by this Policy and any person whose Personal Information is collected, used, disclosed or stored by Impact PM agrees to the terms of this Policy.

2. DEFINITIONS AND INTERPRETATION

2.1 In this Policy, the following words have the corresponding meaning:

- (a) **“Clause”** means a clause in this Policy;
- (b) **“Direct Marketing”** means the use or disclosure of Personal Information for the purposes of communicating directly with an individual to promote goods or services;
- (c) **“Employees”** means employees, independent contractors, agents and consultants of Pinnacle;
- (d) **“Enforcement Body”** means an enforcement body as defined in section 6 of the *Privacy Act 1988* (Cth);
- (e) **“Government Related Identifiers”** means an identifier of an individual that has been assigned by:
 - (i) an agency or its agent;
 - (ii) a State or Territory authority or its agent; or
 - (iii) a contracted service provider for a Commonwealth or State contract;Examples of Government Related Identifiers include Medicare numbers, Tax File Numbers, Driver’s Licence numbers, and Australian passport numbers.
- (f) **“Personal Information”** means information or an opinion about an identified individual, or an individual who is reasonably identifiable:
 - (i) whether the information or opinion is true or not; and
 - (ii) whether the information or opinion is recorded in a material form or not;
- (g) **“Impact PM”** means Impact Property Management Pty Ltd (ACN 604 506 149);
- (h) **“Privacy Officer”** means the Impact PM employee who is responsible for overseeing privacy for Impact PM, presently ***Renae Richards***;
- (i) **“Policy”** means this privacy policy as amended from time to time;
- (j) **“Pseudonym”** means a name, term or descriptor that is different to an individual’s actual name;
- (k) **“Sensitive Information”** has the same meaning as in the Act; and
- (l) **“the Act”** means the *Privacy Act 1988* (Cth) as amended by the *Privacy Amendment (Enhancing Privacy Protection) Act 2012*.

Comment [GL2]: Does Pinnacle collect any Sensitive Information? Sensitive information is as defined in our letter of advice.

2.2 In this Policy, the following rules of interpretation apply:

- (a) a reference to the singular includes the plural and conversely;



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- (b) where a word or phrase is defined, its other grammatical forms have corresponding meanings;
- (c) headings are for convenience only and do not affect interpretation;
- (d) a reference to any agreement or document is to that agreement or document as amended, novated, supplemented, varied or replaced from time to time, except to the extent prohibited by this Agreement;
- (e) a reference to any legislation or to any provision of any legislation includes any modification or re-enactment of it, any legislative provision substituted for it and all regulations and statutory instruments issued under it; and
- (f) mentioning anything after include, includes or including does not limit what else might be included.

3. PURPOSE

- 3.1 This Policy is intended to inform the community including, in particular, those persons whose Personal Information Impact PM holds, of Impact PM's approach to collecting, using, disclosing and protecting the Personal Information that Impact PM collects.
- 3.2 Impact PM considers that protecting Personal Information is important and Impact PM takes the right to privacy seriously.

4. COLLECTION

- 4.1 Subject to clause 4.2 when dealing with Impact PM, you may ask to not identify yourself or not use or disclose, or not let Impact PM use or disclose, your Personal Information. Alternatively, when dealing with Impact PM, you may use a Pseudonym, and require Impact PM to use a Pseudonym when dealing with you, in lieu of providing your Personal Information.
- 4.2 You acknowledge and accept that Impact PM cannot practically provide agency or management services to a person who wishes to engage Impact PM but who is not prepared to provide his or her Personal Information. You acknowledge and accept that for Impact PM to perform or provide you with agency or management services, your Personal Information must be provided and must be correct and up to date so as to enable Impact PM to verify your identity and provide such services.
- 4.3 Impact PM collects Personal Information about you in order to provide its services to you and only where it is reasonably necessary to its functions and activities. Impact PM may collect Personal Information such as your name, date of birth, contact details, passport details, driver's licence details, employment details, financial information (such as bank account numbers) and information about how you use Impact PM's services.
- 4.4 The full details of the Personal Information Pinnacle collects can be found in the questions that Impact PM asks and in the forms you have completed during your involvement with Impact PM.
- 4.5 In some situations Impact PM may need to collect Personal Information about you from a third party including **employment reference/contact, past/current landlords, personal references, solicitors, mortgage brokers**. If Impact PM needs to collect Personal Information about you from any third party not mentioned in this Policy Impact PM will first endeavour to obtain your consent. If that is not possible Impact PM will only obtain your Personal Information from a third party if that is necessary for us to do our job or comply with laws or regulations. In any event, Impact

Comment [GL3]: Please confirm if this is correct and how Pinnacle collects the information.



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PM will inform you and will use such Personal Information only in accordance with this Policy.

- 4.6 If Impact PM receives Personal Information about you from any third party not mentioned in this Policy which information Impact PM did not request, Impact PM will determine whether it is entitled to collect that information and:
- (a) if Impact PM is not entitled to collect the Personal Information – Impact PM will destroy or de-identify the Personal Information;
 - (b) if Impact PM is entitled to collect the Personal Information – Impact PM will deal with the Personal Information in accordance with this Policy.
- 4.7 Impact PM will take any reasonable steps to ensure that the Personal Information collected about you is accurate, current and complete.
- 4.8 If you provide Impact PM with another person's Personal Information, you guarantee that you have that person's consent to disclose such information and have informed that person of the existence of this Policy.
- 4.9 Except as permitted under the Act, Impact PM will only collect Sensitive Information about you with your consent and for purposes including, but not limited to, your employment with Impact PM or where relevant to your matter with Impact PM.

Comment [GL4]: Please confirm if this is correct.

5. STORAGE OF INFORMATION

- 5.1 Subject to Clause 7 below, all of the Personal Information held by Impact PM about you is held on a **password protected database** and may be stored in hard copy or electronic format in facilities that Impact PM owns and operates itself, or that are owned or operated by Impact PM's service providers.
- 5.2 Only authorised Impact PM personnel and Employees may access your Personal Information and only for the purposes set out in this Policy.
- 5.3 Impact PM will take reasonable steps to maintain the security of your Personal Information; however you should be aware of the many information security risks that exist and take appropriate care to safeguard your Personal Information.
- 5.4 Impact PM will take all reasonable steps to protect Personal Information from:
- (a) misuse, interference and loss; and
 - (b) unauthorised access, modification or disclosure.
- 5.5 Once Impact PM no longer has a need for your Personal Information Impact PM will either destroy or de-identify it, unless:
- (a) the Personal Information is part of a Commonwealth record; or
 - (b) Impact PM is required by law or Court order to retain the Personal Information.
- 5.6 Impact PM will retain, securely and confidentially, Personal Information for at least 5 years in accordance with the *Agents Act 2003 (ACT)*, *Agents Regulations 2003 (ACT)* and all other record keeping obligations Impact PM may be required to comply with from time to time.

Comment [GL5]: Please confirm if anyone else accesses the information held by Pinnacle.

6. USE AND DISCLOSURE



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- 6.1 Impact PM may use or disclose your Personal Information in order to:
- (a) manage and administer the services it provides to you;
 - (b) enable third parties engaged by Impact PM to provide services on Impact PM's behalf;
 - (c) assist you with enquiries;
 - (d) charge you for the services Impact PM provides and collect any amounts you may owe to Impact PM, including any debt recovery action; and
 - (e) ensure that Impact PM's internal business operations are running smoothly including any reporting or legal requirements it may be required to fulfil.
- 6.2 Impact PM may also make ancillary use of your Personal Information for purposes other than those described above where:
- (a) you would reasonably expect Impact PM to use or disclose the information;
 - (b) you have consented to Impact PM's ancillary use or disclosure of your Personal Information; or
 - (c) the use or disclosure is authorised by the Act, any other Australian law or Court order.
- 6.3 Impact PM is not likely to disclose Personal Information to an overseas recipient unless you have requested or consented for Impact PM to do so.
- 6.4 Impact PM will only disclose your Personal Information to an overseas recipient where:
- (a) Impact PM has taken reasonable steps to ensure that your Personal Information will only be used or disclosed in accordance with this Policy;
 - (b) Impact PM believes that the overseas recipient is subject to laws which would protect your Personal Information in a substantially similar way to this Policy;
 - (c) you have consented to Impact PM disclosing your Personal Information to an overseas recipient; or
 - (d) the use or disclosure is authorised by the Act, any other Australian law or Court order.

Comment [GL6]: Is this correct or does Pinnacle disclose information to overseas recipients, including for example on a storage system or server located overseas.

7. ACCURACY AND CORRECTION

- 7.1 Impact PM will take all reasonable steps to ensure the accuracy of your Personal Information, however it is your responsibility to ensure that Personal Information you provide to Impact PM is accurate, up to date and complete.
- 7.2 Impact PM will correct Personal Information if it is satisfied that the information is inaccurate, out of date, incomplete, irrelevant or misleading having regard to the purpose for which the information is held.
- 7.3 Impact PM will correct or update your Personal Information if you request that Impact PM do so.



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8. DIRECT MARKETING

8.1 Where Impact PM has collected your Personal Information directly from you, Impact PM will only use or disclose your Personal Information for the purposes of Direct Marketing if:

- (a) you would reasonably expect that your Personal Information would be used for the purposes of Direct Marketing; and
- (b) you have not advised Impact PM that you do not want your Personal Information to be used for the purposes of Direct Marketing.

8.2 Impact PM may use or disclose your Personal Information for the purposes of Direct Marketing if required to do so under the terms of a contract with a Commonwealth Department.

8.3 This Clause 8 is subject to the operation of other Direct Marketing legislation including the *Do Not Call Register Act 2006* (Cth) and the *Spam Act 2003* (Cth).

9. GOVERNMENT RELATED IDENTIFIERS

9.1 Impact PM will not adopt, use or disclose your Government Related Identifier except in situations permitted under the Act.

10. ACCESS TO PERSONAL INFORMATION

10.1 You may request access to the Personal Information that Impact PM holds about you and you may ask Impact PM at any time to correct it where you believe it is incorrect or out of date. Impact PM will not charge a fee for accessing or correcting your Personal Information.

10.2 To access Personal Information that Impact PM holds about you, or to obtain more information about your rights or Impact PM's Policy, please contact the Impact PM Privacy Officer at:

Impact Property Management
PO Box 6111
MAWSON ACT 2607
Email: renae.richards@impactpm.com.au

Comment [GL7]: Insert appropriate contact address including email.

11. COMPLAINTS

11.1 If you believe that your privacy rights have been breached by Impact PM, you may lodge a complaint with Impact PM directly by contacting the Impact PM Privacy Officer. The Impact PM Privacy Officer will then review your complaint, decide what (if any) corrective action is required and then reply to you within a reasonable time from receipt of your complaint.

11.2 Impact PM will use reasonable endeavours to resolve your complaint without needing to involve third parties, but you may be able to lodge a complaint with a relevant regulator, such as the Australian Information Commissioner (www.oiac.gov.au).

12. WEBSITE PRIVACY POLICY



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- 12.1 No attempt will be made to identify users or their browsing activities except where authorised by law. For example in the event of an investigation, an Enforcement Body may exercise its legal authority to inspect the internet service provider's logs.
- 12.2 If you send Impact PM an email message Impact PM will record your contact details and this information will only be used for the purpose for which you have provided it. Impact PM will not use your email for any other purpose and will not disclose it without your consent. When users choose to join a mailing list their details are added to that specific mailing list and used for the stated purpose of that list only.
- 12.3 From time to time Impact PM may use cookies on the website. Cookies are small pieces of information exchanged between your web browser and Impact PM's website.