

Australian Property Institute Limited

POLICY

PRIVACY POLICY

Reference	Privacy Policy
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Owner	Chief Operations Officer

Contents

1.	Introduction	3
2.	Why does Australian Property Institute collect Personal Information?	3
3.	Anonymity and Pseudonymity	5
4.	What information does Australian Property Institute collect?	5
5.	How is Personal Information collected?	6
6.	Collection Notices.....	7
7.	Quality of Personal Information.....	8
8.	Sensitive Information	8
9.	Use of Personal Information	8
10.	Use of government related identifiers.....	9
11.	Disclosure of Personal Information.....	9
12.	Security and storage of Personal Information	12
13.	Marketing	13
14.	Access to Personal Information	14
15.	Correction.....	15
16.	Website	15
17.	Links to other websites	16
18.	Social Media and networking.....	16
19.	Complaints.....	16
20.	Retention of Personal Information	17
21.	Contact Details	17
22.	Definitions	17
23.	Evaluation.....	18
	ATTACHMENT 1	19
	The Australian Property Institute Collection Notice	19
	ATTACHMENT 2	21
	The Australian Property Institute Ltd Privacy Complaint Form.....	21

Australian Property Institute Privacy Policy

Last revision: December 2017

1. Introduction

- 1.1. This Privacy Policy applies to Australian Property Institute Limited (ACN 608 309 128) and Australian Property Institute Valuers Ltd (ACN 143 638 975), Australian Property Institute Assets Limited (ACN 069 707 900), Australian Property Research & Education Fund Pty Ltd (ACN 624 761 093), and any other related body corporate of those organisations (together API, Us, We, Our). Personal Information that is collected by one API organisation may be used, stored by, and disclosed to the other API organisations.
- 1.2. API is committed to protecting Personal Information which it collects, uses, discloses and holds.
- 1.3. Australian Property Institute Limited is Australia's largest property industry professional body with a membership of more than 8,000 valuers, property management and property professionals across Australia.
- 1.4. We take seriously Our obligations under the *Privacy Act 1988 (the Act)* and the Australian Privacy Principles.
- 1.5. We are also required to comply with other legislation, regulations, and enactments in some circumstances, including:
 - a) applicable data protection and privacy legislation of the other national jurisdictions in which the API may operate, for example Hong Kong's Personal Data (Privacy) Ordinance;
 - b) applicable Australian State and Territory health privacy legislation, for example the *Health Records Act 2001* (VIC) when we collect and handle certain health information;
 - c) the *Spam Act 2003* (Cth); and
 - d) the *Do Not Call Register Act 2006* (Cth).
- 1.6. This Privacy Policy sets out how We manage Personal Information, and its implementation is one measure We take to ensure Our processes are open and transparent as required by the Act. Any person who provides Personal Information to Us consents to Us using, storing, and disclosing that Personal Information in accordance with this Privacy Policy.
- 1.7. This Privacy Policy is available for free on Our website at www.api.org.au or by contacting Us directly to request a copy free of charge.
- 1.8. We may revise or update this Privacy Policy from time to time by publishing a revised version on Our website. Revised versions take effect from the time published.
- 1.9. Employees and prospective employees should refer to Our Human Resources Policy, for information on the privacy of employee information and records.

2. Why does Australian Property Institute collect Personal Information?

- 2.1. The Personal Information You provide is important to Us as it can be used to identify You, make it easy for Us to contact You, and to allow Us to efficiently carry out Our business functions and activities.

- 2.2. We collect Personal Information from individuals to enable Us to perform our core functions, and provide various products, services, and offerings. This includes:
- a) administration of the API limited liability scheme;
 - b) admission to and administration of API membership;
 - c) providing Member services and publications;
 - d) assisting in migration activities;
 - e) supporting professional advisory groups, API boards and committees, and other Member groups;
 - f) facilitating discussion of topical issues relating to the property industry;
 - g) organising, promoting and running live chats and live interviews including digitally, online and face-to-face.
 - h) management of professional conduct of Members;
 - i) reporting to the Professional Standards Council;
 - j) providing information, education, training, and technical support to Members;
 - k) administration of the CPD educational program and other professional development or other events related to the property industry;
 - l) sending invitations to events;
 - m) administration of the valuer certification program (CPV);
 - n) providing the “Find a Property Professional” service to the general public;
 - o) providing lobbying advocacy services on behalf of Members;
 - p) administration of the research grant program;
 - q) conducting market research and surveys to improve services, and analyse trends;
 - r) administration of reciprocal memberships and cross membership recognition, including with the Royal Institution of Chartered Surveyors;
 - s) conducting competitions;
 - t) receiving, investigating, and taking action on complaints about Members and non-members;
 - u) completing administration for Your interactions and transactions with Us;
 - v) complying with Our corporate governance obligations;
 - w) communicating with You during the provision of Our services;
 - x) communicating with Our related entities, network of partners, customers, and supporters;
 - y) processing payments and arranging deliveries;
 - z) tailoring Our offerings to suit Our Member’s and customer’s preferences;
 - aa) communicating offerings from us, and third party offerings, to Our current and potential members, and customers; and
 - bb) Our other related activities from time to time.

(Activities and Functions)

- 2.3. We try at all times to only collect the Personal Information We require to enable Us to perform the particular function or activity We are carrying out.

3. Anonymity and Pseudonymity

- 3.1. Subject to this clause 3, when dealing with Us, You may ask not to identify yourself, and remain anonymous. Alternatively, when dealing with Us, You may use a Pseudonym, and require Us to use a Pseudonym when dealing with You, in lieu of providing Your Personal Information.
- 3.2. You acknowledge and accept that in most instances We cannot practically provide services to a person who wishes to engage with Us, but who is not prepared to provide their Personal Information.
- 3.3. You acknowledge and accept that for Us to perform or provide You with services, Your Personal Information must be provided and must be correct and up to date so as to enable Us to verify Your identity and provide such services. This includes for example, providing Your name, contact details, and other relevant professional details if applying for Membership with Us.
- 3.4. There may be circumstances where We require You to provide Your Personal Information and are unable to deal with You in a particular manner in the absence of Your Personal Information, including where:
- a) We are required or authorised by or under an Australian law, or a court/tribunal order, to deal with individuals who have identified themselves; or
 - b) it is impracticable for Us to deal with individuals who have not identified themselves or who have used a Pseudonym, for example We must check your photo identification and digital signature to confirm Your identity when You sit an API exam.

4. What information does Australian Property Institute collect?

- 4.1. We collect and hold Personal Information relating to a range of individuals, including: Members, customers, attendees of Our events, members of the public who have contacted Us or communicated with Us, newsletter subscribers, suppliers, employees, prospective employees, and other individuals from time to time.
- 4.2. Personal Information We collect, and hold may include Your name, address, email address, phone number, date of birth, country of residency, proof of identity, mailing address, other contact details, travel details, passport number, airline frequent flyer member number, dietary and accessibility requirements, qualifications, academic results, accreditations, licences and registrations, communication preferences, employment details, gender and credit card details. From time to time, We may collect more detailed Personal Information from You, example of which include to assist Us with Our program evaluations, marketing materials and staff emergencies.
- 4.3. When You become a Member, are granted a reciprocal membership, or join the API student network, We allocate You a Member number and status, that will be stored, used, and disclosed in accordance with this Privacy Policy.
- 4.4. We may also collect Your opinions, comments, and other data through surveys We conduct, which are generally hosted through 'Survey Monkey' and other third party providers. You can access the API Privacy Policy at www.api.org.au.

5. How is Personal Information collected?

- 5.1. The main way We collect Personal Information about You, is when You give it to Us.
- 5.2. We may collect Your Personal Information directly from You through various means including via Our website, in person, email, fax, online and written forms, phone calls, or other forms of correspondence, writing, or recording. Examples of when We may collect Your Personal Information include when, You:
- a) apply for API membership or become a Member;
 - b) subscribe to Our mailing list;
 - c) register for our newsletter subscription or as a Young Property Professional Contact;
 - d) supply Us with goods or services;
 - e) apply for a job with Us or are employed by Us;
 - f) contact Us for information on Our products or services;
 - g) make a complaint to Us;
 - h) obtain a refund or credit;
 - i) contact us through Our website or by another means;
 - j) order or otherwise obtain products, services, or information from Us;
 - k) become involved on an API board or committee;
 - l) undertake an API education program, conference or seminar;
 - m) register to attend one of Our events;
 - n) create an account on Our website;
 - o) join API's student network;
 - p) sponsor Us;
 - q) become a member of a related entity;
 - r) become an academic, industry expert, or media contact of Ours;
 - s) become licenced or registered under one of our certification programs;
 - t) subscribe to the *Australia and New Zealand Property Journal*;
 - u) attend Our premises; and
 - v) otherwise correspond with us by various means.
- 5.3. From time to time We may obtain Personal Information from third parties not disclosed in this Privacy Policy. When We do so, We will take reasonable steps to ensure that We make You aware of the collection of Your Personal Information in accordance with the Act.
- 5.4. Our obligation to inform You about the details of a third party may not apply in the case of formal member complaints processes. In these cases, the relevant API Member Complaints Policy will be followed.
- 5.5. We will only collect Personal Information about You indirectly from third parties if it is not reasonable or not practicable to collect the Personal Information directly from You, or where You

have otherwise consented to the Personal Information being provided to Us through that third party.

- 5.6. We may collect Personal Information from:
- a) another professional body for the purpose of granting You a reciprocal membership, or cross member recognition, for example the “Royal Institution of Chartered Surveyors”;
 - b) educational providers that assist Us in running educational programs;
 - c) direct marketing database providers;
 - d) Government agencies such as the Australian Taxation Office or the Australian Securities and Investment Commission, or other professional bodies such as the Professional Standards Council, Royal Institution of Chartered Surveyors, and CPA Australia, in relation to Member conduct; and
 - e) insurers in relation to professional indemnity matters.
- 5.7. We may also collect Your Personal Information from Your authorised representative, if You have one, and will assume if someone purports to be Your authorised representative that they are authorised to provide Us with Your Personal Information.
- 5.8. We may also collect Personal Information from publicly available sources to enable Us to contact stakeholders who may be interested in Our products or services.
- 5.9. Where We receive Personal Information about You from a third party which was not solicited, then that Personal Information will be dealt with in accordance with this Privacy Policy and the Act. Specifically, We will determine, within a reasonable period of time after receiving the Personal Information, whether We could have collected the Personal Information lawfully and fairly if We had solicited the Personal Information and only retain such Personal Information if We believe this is the case.
- 5.10. We may keep records of unsolicited Personal Information if the Act permits it (for example, if the Personal Information is reasonably necessary for one or more of Our Activities and Functions). If not, Our policy is to destroy or de-identify the Personal Information as soon as practicable, provided it is lawful and reasonable to do so.

6. Collection Notices

- 6.1. Where We collect Personal Information directly from you, We will take reasonable steps to notify You, at the time of collection, or as soon as practicable afterwards, of:
- a) Our identity and how to contact Us;
 - b) the purposes for which we are collecting the Personal Information;
 - c) whether the collection is required or authorised by or under an Australian law or a court or tribunal order;
 - d) the third parties (or types of third parties) to whom We would normally disclose information of that kind;
 - e) whether any of those third parties are located overseas and, if practicable to specify, the countries in which they are located;

- f) the fact that this Privacy Policy contains information about how to access and correct Personal Information and make privacy complaints (and how we will deal with those complaints).

6.2. Where Personal Information is collected on a paper form or website page, We will generally include a collection notice, or a clear link to a collection notice, on the form or website page.

7. Quality of Personal Information

7.1. We take reasonable steps to ensure that Personal Information that We collect is accurate, up to date and complete. This includes by:

- a) recording Personal Information in a consistent format;
- b) where necessary, confirming the accuracy of Personal Information We collect from a third party or a public source;
- c) promptly adding updated or new Personal Information to existing records;
- d) regularly auditing Our member contact lists to ensure accuracy;
- e) destroying or de-identifying Personal Information that is no longer required.

7.2. You can assist Us to keep Your Personal Information up to date by letting us know about any changes to your Personal Information, such as your email address or phone number. If you are a Member, you can review and update your Personal Information on an on-going basis, through our online "My Portal" page available at www.api.org.au.

8. Sensitive Information

8.1. We will only collect Sensitive Information about You if:

- a) You consent to Our collection of the Sensitive Information, and the Sensitive Information is reasonably necessary for Us to carry out one or more of Our functions or activities; or
- b) the collection is required or authorised by or under an Australian law or a court/tribunal order; or
- c) We are otherwise permitted or authorised by the Act or at law.

8.2. Where possible, We destroy Sensitive Information after it is no longer required by Us.

8.3. The type of Sensitive Information We may collect, includes information about Your health, dietary and mobility needs, copies of medical reports and psychiatric assessments in the course of conducting professional investigations, racial or ethnic origin, association, memberships or criminal history.

9. Use of Personal Information

9.1. We will make You aware at the time of collection of Your Personal Information, how We intend to use that Personal Information.

- 9.2. We will use and disclose Your Personal Information for the purposes advised to You at the time of collection and may also use and disclose Your Personal Information to enable us to perform and undertake Our Activities and Functions.
- 9.3. We may also make secondary use or disclosure of Your Personal Information, in addition to Our Activities and Functions, where:
- a) You would reasonably expect Us to use or disclose the Personal Information, that is not Sensitive Information, and such secondary use is related to the primary purpose for which it was collected; or
 - b) You have consented to Our use and disclosure of Your Personal Information; or
 - c) the use or disclosure is permitted or authorised by the Act, or any other Australian law or court/tribunal order.
- 9.4. We do not sell Your Personal Information to third parties, but it may be disclosed to third parties from time to time in order to facilitate and administer reciprocal membership, cross membership recognition, and related services.

10. Use of government related identifiers

- 10.1. Our policy is to not:
- a) use a government related identifier of an individual (such as a Medicare number or driver's licence number) as Our own identifier of individuals; or
 - b) otherwise use or disclose such a government related identifier unless this is permitted by the Act, or reasonably required for the performance or undertaking of Our Activities and Functions.

11. Disclosure of Personal Information

- 11.1. We do not disclose Personal Information to other organisations unless:
- a) We believe it is reasonably necessary to conduct Our Functions and Activities; or
 - b) You give Your consent; or
 - c) it is required or authorised by law including in emergency situations or to assist law enforcement, in which case the disclosure will be conducted in accordance with the Act and relevant law, including that We will make a written note of the use or disclosure.
- 11.2. We may disclose Your Personal Information, that is not Sensitive Information, in order to:
- a) manage and administer the products We provide to You;
 - b) enable third parties engaged by Us to provide services on Our behalf, for example deliver products You have ordered, or investigate complaints;
 - c) assist You with enquiries;
 - d) charge You for the products We provide and collect any amounts You may owe to Us, including any debt recovery action;
 - e) facilitate and administer reciprocal membership and cross membership recognition with other property related bodies, including to the Royal Institute of Chartered Surveyors.

- f) ensure that Our internal business operations are running smoothly including any reporting or legal requirements We may be required to fulfil; and
 - g) otherwise to conduct Our Functions and Activities.
- 11.3. We will not disclose any Sensitive Information about You, unless You have provided express consent for Us to do so, or We are required by Law. By becoming a Member you expressly consent to Us disclosing to third parties Your association status with Us.
- 11.4. Currently, deliveries are completed for Us by [Australia Post](#) and other third party providers, such as [couriers](#). We request that they dispose of Your Personal Information when the delivery is complete.
- 11.5. We outsource information technology (IT) services to various providers. We require these providers to confirm their compliance with this Privacy Policy.
- 11.6. Currently, Our online payments are processed through '[SecurePay](#)'. We recommend You consider each of their privacy policies and data retention for any information provided through these payment services. Copies of each of their privacy policies are available on the respective provider's website, or by contacting the provider directly. The links to the providers' privacy policies are provided above for convenience.
- 11.7. We may disclose Your Personal Information to third parties who are contracted by Us to carry out advisory, administrative, analytical or technical research functions for Us or Our related bodies corporate. Where We do so, We will require those third parties to comply with the Privacy Act and Australian Privacy Principles. These third parties may include:
- a) financial institutions for payment processing;
 - b) universities and other educational service providers involved with or engaged by Us for the API Educational programs and other professional programs;
 - c) Member benefits partners and sponsors (so that they can provide Members with information about their products and services);
 - d) Members' employers (to confirm membership status and provide educational program results where the employer or API subsidises some or all of the individual's API Program fees);
 - e) university tuition providers (to provide education program results if the Member is concurrently enrolled in a post-graduate qualification with the tuition provider);
 - f) Australian and international property industry bodies with which We, from time to time, may have affiliations (for example, to confirm a Member's membership status);
 - g) members of API committees (such as State/Territory Committees, advisory committees, Member and discussion groups formed to consider topics of interest to the property industry);
 - h) government and regulatory bodies (such as the Department of Immigration and Citizenship, Australian Education International – National Office for Overseas Skills Recognition and the Department of Education, Employment and Workplace Relations);
 - i) an individual's migration agent (in connection with applications for General Skills Migration);
 - j) referees whose details are provided to us by job applicants;
 - k) third parties who have complained about Members (including to advise them of the conduct and outcome of the complaint);

- l) the API Group's contracted service providers, including:
 - (i) electronic content delivery providers;
 - (ii) information technology service providers;
 - (iii) publishers of our newsletters, student handbooks and course material;
 - (iv) online voting providers;
 - (v) conference organisers;
 - (vi) marketing and communications agencies;
 - (vii) call centres and call training centres (including the third party that conducts Member surveys on our behalf);
 - (viii) mailing houses, freight and courier services;
 - (ix) printers and distributors of direct marketing material;
 - (x) external business advisers (such as recruitment advisers, auditors and lawyers);
 - (xi) transcript recording service providers, in relation to disciplinary proceedings; and
- m) regulatory bodies as required by law;
- n) other professional bodies of which a Member is also a Member in relation to disciplinary proceedings; and
- o) other enforcement bodies where We believe the disclosure is reasonable necessary to an enforcement related activity.

11.8. In the case of these contracted service providers, We may disclose Personal Information to the service provider and the service provider may in turn provide Us with Personal Information collected from You in the course of providing the relevant products or services.

11.9. We may disclose Personal Information to overseas parties, in the following situations:

- a) using secured cloud services from time to time, the location of which is not reasonably available;
- b) providing Member's names and relevant addresses to an overseas direct mail provider to send marketing material to Members;
- c) disclosing Member details to international property bodies with whom we may have affiliations for example cross membership recognition;
- d) where Members are located in one of the international jurisdictions in which API operates, any disciplinary proceedings are likely to be conducted in the relevant jurisdiction. Information relevant to the proceedings, including Personal Information may be disclosed to panel members located overseas;
- e) conducting examinations in the international jurisdictions in which API operates. Personal Information about candidates may be disclosed to a third party contracted to conduct such examinations;
- f) providing information to Members to advise them of complaints made against them and to seek responses from them;
- g) disclosing information for members of disciplinary tribunals to consider complaints; and

- h) disclosing information about individuals applying for General Skills Migration to their migration agents, who may be located anywhere around the world.
- 11.10. In each case, Our policy is to comply with the requirements of the Act that apply to cross border disclosures of Personal Information, as well as with any legal requirements applicable in the relevant jurisdiction.
- 11.11. We anticipate in future that We may disclose the Personal Information of API Members to the Royal Institution of Chartered Surveyors and its related bodies corporate located predominately in the United Kingdom and Singapore. We will require the Royal Institution of Chartered Surveyors to comply with the Act and the APPs when We disclose Personal Information to it.
- 11.12. We may operate in international jurisdictions, or have office locations overseas, in the future. Any of Our overseas offices or subsidiaries will form part of API for the purposes of the Act, and will collect, use, disclose, and store Information in accordance with this Privacy Policy.
- 11.13. If We disclose Personal Information to overseas parties, We will take such steps as are reasonable to ensure that any overseas recipient does not breach the Australian Privacy Principles in relation to the Personal Information and otherwise comply with Australian Privacy Principle 8.

12. Security and storage of Personal Information

- 12.1. We take reasonable steps to protect the Personal Information We hold from misuse, interference and loss and unauthorised access, modification, or disclosure.
- 12.2. Information may be stored in hard copy or electronic format in facilities that We own and operate, or that are owned and operated by Our service providers.
- 12.3. If We engage service providers or third parties to perform services for Us, We will endeavour to require them to comply with Our Privacy Policy.
- 12.4. Our employees, contractors, and third party service providers are required to ensure that Personal Information they are privy to is not divulged, except under appropriate circumstances. They are required to ensure that any such Personal Information available to them is protected from theft, damage, loss, unauthorised access and any other form of abuse or improper use.
- 12.5. Improper use or suspected improper use of Personal Information will result in appropriate disciplinary action being taken.
- 12.6. Our electronic databases are secured by firewall and anti-virus software to ensure, so far as practicable, that it is not accessed by unauthorised parties. Our website has security measures designed to protect against loss, misuse, or alteration to Your Personal Information under Our control.
- 12.7. We use EFTPOS and online technologies to processes assessments, membership and other payments to ensure that all transactions meet industry security standards to ensure payment details are protected. Any payment information we stored is encrypted, masked and de-identified.
- 12.8. We conduct regular internal and external audits to assess the suitability of Our security measures.
- 12.9. Physical access points to Our server are protected by locks, alarms, and surveillance cameras.
- 12.10. All unencrypted information exchanged via the internet may be accessed and used by people other than those for whom it is intended. If You provide Us any Personal Information by email or online, you do so at Your own risk.

- 12.11. You can help to protect the privacy of your Personal Information by keeping passwords secret and by ensuring that you log out of the website when you have finished using it. In addition, if You become aware of any security breach, please let Us know as soon as possible.
- 12.12. Once We no longer have a need for Your Personal Information then We will destroy the Personal Information when it is reasonably practicable to do so.
- 12.13. If You wish to have Your Personal Information removed from Our database, We will take reasonable steps to comply with Your request unless We need to keep the information for legal, auditing or internal risk management reasons.

13. Marketing

- 13.1. Where We have collected Your Personal Information directly from You, We may use or disclose Your Personal Information, for the purposes of Direct Marketing if:
 - a) the Personal Information is not Sensitive Information;
 - b) You would reasonably expect that Your Personal Information would be used for the purposes of Direct Marketing; and
 - c) You have not advised Us that You do not want Your Personal Information to be used for the purposes of Direct Marketing.
- 13.2. We may collect Personal Information from someone other than You for the purpose of Direct Marketing, where:
 - a) the Personal Information is not Sensitive Information;
 - b) You have consented to the disclosure of Your Personal Information for that purpose; and
 - c) You have not advised Us that You do not want Your Personal Information to be used for the purposes of Direct Marketing.
- 13.3. If we have collected Personal Information from someone other than You for the purpose of Direct Marketing, You can ask Us to provide you the source of the Personal Information. Our policy is to do so unless it is unreasonable or impracticable.
- 13.4. We may disclose you Personal information, that is not Sensitive Information, to the Royal Institute of Chartered Surveyors for the purpose of it conducting Direct Marketing, provided it is conducted in accordance with Australian Privacy Principle 7.3.
- 13.5. Where Your consent is impractical to obtain, We may use or disclose Your Personal Information in accordance with Australian Privacy Principle 7.3 and the below clause 13.7.
- 13.6. We may collect and use Your Personal Information for the purpose of Direct Marketing, if We enter a service provider contract with the Commonwealth which directly or indirectly obliges us to do so.
- 13.7. In any Direct Marketing, We will provide a clear and simple means by which You may easily request, free of charge, not to receive direct marketing communications from Us.
- 13.8. Alternatively, Members and prospective members of API can update their communications preferences, (including opting out of participating in surveys), free of charge, by:
 - a) visiting the “Edit Communications Preferences” page on the API website www.api.org.au;

- b) sending a letter to: API, PO Box 26, Deakin West ACT 2600 or an email to national@api.org.au; and
- c) if You receive a marketing call, advising the caller that You no longer wish to receive marketing calls.

13.9. This clause 13 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), and any other applicable Commonwealth legislation, regulation, or enactment.

14. Access to Personal Information

14.1. Under the Australian Privacy Principles, You have a right to access Your Personal Information held by Us, unless a permitted exception exists at law.

14.2. We will request that You verify Your identity, before We provide You with access to Your Personal Information.

14.3. We may refuse to provide You with access to Your Personal Information, or to provide access in the manner You have requested, if:

- a) We reasonably believe doing so would pose a serious threat to the life, health or safety of any individual, or to public health or safety;
- b) giving access would have an unreasonable impact on the privacy of other individuals;
- c) the request is frivolous or vexatious;
- d) the Personal Information relates to existing or anticipated legal proceedings between Us and You, and would not be accessible by the process of discovery in those proceedings;
- e) giving access would reveal the intentions of Us in relation to negotiations with You in such a way as to prejudice those negotiations;
- f) giving access would be unlawful;
- g) denying access is required or authorised by or under an Australian law or court/tribunal order;
- h) both of the following apply:
 - i) We have reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to Our functions or activities has been, is being or may be engaged in; and
 - ii) giving access would be likely to prejudice the taking of appropriate action in relation to the matter;
- i) giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body;
- j) giving access would reveal evaluative information generated within Our company in connection with a commercially sensitive decision-making process; or
- k) We are otherwise permitted or authorised to refuse at law.

14.4. If We refuse to provide You access to Your Personal Information, We will provide You with written notice that sets out Our reasons (other than to the extent it would be unreasonable to do so) and inform You of the mechanisms available to complain about the refusal.

- 14.5. If You would like to access the Personal Information that We hold, please make a request directly to Us using the contact details provided in clause 21 of this Privacy Policy. We will provide You with access to Your Personal Information, within a reasonable period after the request, and in a way that is reasonable in the circumstances, unless exempted by the Act.
- 14.6. We may charge a reasonable fee for providing You with access to Your Personal Information, which will be confirmed at the relevant time.

15. Correction

- 15.1. We take reasonable steps to ensure that the Personal Information We collect, hold, use and disclose is complete, accurate and relevant.
- 15.2. We will correct or update Your Personal Information if You request that We do so, or if We are otherwise satisfied that the Personal Information We hold is inaccurate, out of date, incomplete, irrelevant, or misleading.
- 15.3. If We correct Your Personal Information after We have disclosed it to a third party who is also subject to the Act, We will only inform that third party of the corrected details at Your request. If You do request that We inform that third party of the correction, We will take reasonable steps to do so at no cost, unless this would be unreasonable, impracticable, or unlawful.
- 15.4. If We refuse to correct Your Personal Information:
 - a) We will provide You with written notice in a reasonable timeframe that sets out Our reasons (other than to the extent it would be unreasonable to do so) and inform You of the mechanisms available to complain about the refusal; and
 - b) if You request Us to do so, We will associate with Your Personal Information a statement that You believe the Personal Information is incorrect and the reason why.
- 15.5. If we refuse to correct Your Personal Information, you may request that We make a record of Your claim that the Personal Information is inaccurate, out-of-date, incomplete, irrelevant, or misleading. We will take reasonable steps to associate the record in such a way that will make it apparent to users of the Personal Information, including the exercise of a right to inspect the members register.
- 15.6. You can contact Us if you would like to correct the Personal Information that We hold about You. We may ask You to verify Your identity before processing any correction requests, to ensure that the Personal Information we hold is properly protected.
- 15.7. Members and prospective members can readily access and correct some Personal Information, including changing their communication preferences, by visiting the “My Portal” pages on the API website at www.api.org.au.

16. Website

- 16.1. We may collect Personal Information through Our website, including when You become a Member, place an order, register for an event, subscribe to Our newsletter list, contact us about a service, or set up an account.
- 16.2. We may also collect the following information through Our website, either ourselves or through Google Analytics (which is hosted by a third party):
 - a) Your computer or device’s IP address (collected and stored in an anonymised format);

- b) device screen size;
- c) device type, operating system and browser information;
- d) geographic location (country only);
- e) referring domain and out link if applicable;
- f) search terms and pages visited (clickstream data); and
- g) date and time when website pages were accessed.

16.3. Our website may also transfer cookies on computers and devices that access Our website for record-keeping purposes. You may be able to change Your browser preferences to reject all cookies before accessing Our website.

17. Links to other websites

- 17.1. Our website may contain links or references to other websites or organisations. We are not responsible for the privacy practices or content of the linked web sites and other pages hosted by Us on behalf of non-Australian Property Institute organisations.
- 17.2. Third party websites may have their own privacy and security policies, which we encourage You to read before supplying any Personal Information to them.
- 17.3. Links to third party websites are provided for information, and do not indicate Our endorsement of that business or any assurances about the content on that site.

18. Social Media and networking

- 18.1. We use social media networks, including Facebook, LinkedIn and Twitter, to communicate with the public. When You communicate with Our social media platforms, We may collect Your Personal Information, for the purpose of using it to communication with You and the public. The social media webpages may also collect, use and hold Your Personal Information, for its own purpose. We recommend You consider the Privacy Policies of these social media websites prior to using the same.
- 18.2. These social media websites may store Your Personal Information overseas.

19. Complaints

- 19.1. Any issues or complaints in relation to the collection, use, disclosure, quality, security of, access to and correction of Your Personal Information should be made to Us directly, via the contact details provided in clause 21 of this Privacy Policy.
- 19.2. We will respond to Your complaint within a reasonable period, and in the first instance Our Privacy Officer will endeavour to take any steps necessary to resolve the matter within five business days.
- 19.3. If Your complaint can not be resolved at the first instance, We will ask You to complete a Privacy Complaint Form, which details the date, time and circumstances of the matter that You are complaining about, how You believe Your privacy has been interfered with and how would You like your complaint resolved.

- 19.4. We will endeavour to acknowledge receipt of the Privacy Complaint Form within five business days of receiving it, and to complete our investigation into Your complaint in a timely manner. This may include, for example, gathering facts, locating and reviewing relevant documents, and speaking to relevant individuals.
- 19.5. Our response to the Privacy Complaint Form will set out:
- a) whether in the Privacy Officer's view there has been a breach of this Privacy Policy or any applicable privacy legislation; and
 - b) what action, if any, API will take to rectify the situation.
- 19.6. If We are unable to resolve Your complaint or You are unhappy with the outcome, You may be able to lodge a complaint with the relevant regulator, such as the Office of Australian Information Commissioner via its enquiries line on 1300 363 992, or via its website at <http://www.oaic.gov.au>.

20. Retention of Personal Information

All Personal Information that has been collected from you will only be kept for a limited duration that is relevant to the purpose for which your Personal Information is to be used and for as long as required by applicable law.

21. Contact Details

If You would like to request access to or amend Your Personal Information, would like to make a complaint regarding Our conduct in relation to Your Personal Information, or have any general enquiries in relation to Your Personal Information, please contact Us via the following details:

The Privacy Officer
Australian Property Institute
Mail: PO Box 26, Deakin West ACT 2600, Australia
Phone: 1800 111 274 or + 61 2 6282 2411
Fax: +61 2 6285 2194
E-mail: privacy@api.org.au

22. Definitions

In this Privacy Policy the following words have the following meaning:

- a) **"Act"** means the Privacy Act 1988 (Cth);
- b) **"Activities and Functions"** as defined in clause 2.2;
- c) **"Australian Privacy Principles"** means the privacy principles set out in Schedule 1 of the Act;
- d) **"Direct Marketing"** means the use or disclosure of Personal Information for the purposes of communicating directly with an individual to promote goods or services;
- e) **"Member"** means a member of API, "Members" has a corresponding meaning;
- f) **"Personal Information"** has the same meaning as in the Act;
- g) **"Privacy Policy"** means this document;
- h) **"Pseudonym"** means a name, term or descriptor that is different to an individual's actual name;

- i) **“Sensitive Information”** has the same meaning as in the Act;
- j) **“Us”** means together Australian Property Institute Limited (ACN 608 309 128), Australian Property Institute Valuers Ltd (ACN 143 638 975), Australian Property Institute Assets Limited (ACN 069 707 900), Australian Property Research & Education Fund Pty Ltd (ACN 624 761 093), and all other related entities **“API”**, **“Our”**, **“We”** has a corresponding meaning; and
- k) **“You”** means a person to whom this Privacy Policy applies and **“Your”** has a corresponding meaning.

23. Evaluation

As part of a continuous improvement system this Policy shall be reviewed annually, upon recommendation following review by senior management in consultation with staff, or following changes to relevant legislation.

Version Control	Date	Approved By	Amendments
API Privacy Policy	22 February 2018		

ATTACHMENT 1

The Australian Property Institute Collection Notice

Australian Property Institute Limited (ACN 608 309 128), Australian Property Institute Valuers Ltd (ACN 143 638 975), and related entities (together API) collect your personal information to perform its functions and provide you with API's various services.

All personal and sensitive information is held by API and its staff in accordance with the API Privacy Policy. For further information about API's collection, use, disclosure, and management of personal information:

- (a) please read API's Privacy Policy at: <https://www.api.org.au/privacy-policy>; or
- (b) contact API's Privacy Officer via the following details:

The Privacy Officer
Australian Property Institute
PO Box 26, Deakin West ACT 2600, Australia
Phone: 1800 111 274 or + 61 2 6122 8700
Fax: +61 2 6285 2194
E-mail: privacy@api.org.au

The purposes for which API collects your personal information are specified in clause 2 of the API Privacy Policy. Generally, you can deal with API without identifying yourself, however in certain circumstances it would be impractical to deal with you anonymously.

API's Privacy Policy also contains information about how you may:

- (a) access, or seek to request, the personal information API holds about you, at clause 14;
- (b) seek correction of your personal information held by API, at clause 15;
- (c) complain about a breach of API's privacy obligations and how API will handle such a complaint, at clause 19;

and includes information about the:

- (d) consequences if all or some of the personal and sensitive information is not collected by API, at clause 3;
- (e) entities, bodies or persons and types of entities, bodies or persons, from which API may collect personal information about you, at clause 5.6;
- (f) entities, bodies or persons and types of entities, bodies or persons, to which API usually discloses personal information, at clause 11.7; and
- (g) circumstances in which API is likely to disclose your Personal Information to overseas recipients, at clause 11.9.

The countries in which overseas recipients of personal information are likely to be located are the United Kingdom, Singapore, the United States, and otherwise in locations which are impracticable to specify, for example when API utilises cloud storage facilities.

By providing API with your Personal Information, you will be deemed to have read and accepted API's Privacy Policy, as amended from time to time, and the most recent version of which is made available on API's website at: <https://www.api.org.au/privacy-policy>.

Please ensure you have read and understood the API Privacy Policy prior to providing your personal information or contact the API Privacy Officer if you have any concerns.

Australian Property Institute
PO Box 26 Deakin West ACT 2600
Phone: 1800 111 274 or +61 2 6122 8700
Fax: +61 2 6285 2194

ATTACHMENT 2

The Australian Property Institute Ltd Privacy Complaint Form

Australian Property Institute Ltd (API)

Australian Property Institute Valuers Limited (APIV)

Particulars of Complaint under the Privacy Act

IN THE MATTER of a complaint by

Complainant's Name

Complainant's Address

('Complainant')

Concerning

[a Member of the Institute - Name and Address or API, APIV, or a related entity]

('Respondent')

Please nominate your preferred method of contact:

Email Phone Post Mobile phone Other

PARTICULARS OF COMPLAINT

Complaint

What **happened**? Describe the event or action you want to complain about. We need to know **what** happened, **where** and **when** it happened and **who was involved**. Please give us all the dates and other details you know, including the type of information the complaint relates to (for example financial details, tax file number, contact information, health information, or other personal information).

How has this affected you?

If this complaint relates to a data breach:

If you received notification of the data breach, who did you receive notification from, and on what date?

Have you suffered any harm from the data breach, financial, physical, or otherwise? Please include relevant details of any harm suffered.

Have you discussed/addressed this matter with the Institute directly?

If yes, when and with whom?

What was the result?

Have you taken any other action in relation to the complaint, or submitted a complaint to any other body/entity regarding this matter?

Has a breach of the Privacy Act occurred?

The specific provisions of the *Privacy Act 1988* (Cth) or the Australian Privacy Principles (APP), alleged to have been breached by the API (Respondent), if known, and the conduct allegedly giving rise to the said breaches are as follows:

1. The Respondent breached Section / Rule _____ of the Privacy Act by:

2. The Respondent breached Section / Rule _____ of the Privacy Act by:

3. The Respondent breached Section / Rule _____ of the Privacy Act by:

What outcome are you seeking?

Supporting Information

Please attach any relevant information or documents in support of the complaint.

Dated

Complainant's Name

Complainant's Signature

By signing this form I acknowledge and give my permission and consent to API to complete the tasks listed below, as per API's standard process:

- *Disclose your identity (as the Complainant) to the Respondent.*
- *Provide a copy of your initial complaint and supporting documentation to the Respondent*
- *Provide the Respondent with further information upon their request and at API's discretion*
- *If required, provide a copy of your initial complaint and supporting documentation, including your identity, to the Office of the Australian Information Commissioner.*

All complaints should be submitted to the API via either:

Mail

Privacy Officer
The Australian Property Institute
Level 3
60 York Street
SYDNEY NSW 2000

Email

privacy@api.org.au

If you have any queries, please contact us via telephone on 02 6122 8700 or email: privacy@api.org.au.

Collection Notice

Australian Property Institute Limited (ACN 608 309 128), Australian Property Institute Valuers Ltd (ACN 143 638 975), and related entities (together API) need to collect the personal information requested on this form to enable us to process and address your complaint.

If you do not provide us with the information in this form or any additional information we request, we may not be able to adequately deal with your complaint. In some circumstances, it may mean we decide not to investigate your complaint further.

We will usually collect information about you from the entity which is the subject of your complaint, and from others if they have information relevant to your complaint.

For further information about API's collection, use, disclosure, and management of personal information:

- (a) please read API's Privacy Policy at: <https://www.api.org.au/privacy-policy>; or
- (b) contact API's Privacy Officer via the following details:

The Privacy Officer
Australian Property Institute
PO Box 26, Deakin West ACT 2600, Australia
Phone: 1800 111 274 or + 61 2 6122 8700
Fax: +61 2 6285 2194
E-mail: privacy@api.org.au

API's Privacy Policy also contains information about how you may:

- (a) access, or seek to request, the personal information API holds about you, at clause 14;
- (b) seek correction of your personal information held by API, at clause 15; and
- (c) complain about a breach of API's privacy obligations and how API will handle such a complaint, at clause 19;

API will use the information you have provided to process and address your complaint, which may include an investigation or dispute resolution process. API will usually disclose the information you give us to the subject of your complaint, and, if necessary, to others who have information relevant to your complaint. API may also disclose the details of your complaint and the information you give us to entities such as the Office of Australian Information Commissioner (OAIC).

API is not likely to disclose information about the complaint to overseas recipients, unless your complaint relates to an overseas entity or circumstance, in which case the information is likely to be disclosed to recipients in the relevant country.

If you are unhappy with the API complaint process or the outcome, you may be able to lodge a complaint with the relevant regulator, such as the Office of Australian Information Commissioner (OAIC) via its enquiries line on 1300 363 992, or via its website at <http://www.oaic.gov.au>.

If you make a further complaint to the OAIC, we may need to disclose information to OAIC.