

# PRIVACY POLICY

## 1 Overview

The *Privacy Act 1988 (Cth)* requires entities bound by the Australian Privacy Principles to have a privacy policy. The *Privacy Act 1988 (Cth)* (“**the Act**”) and, in particular, the Australian Privacy Principles found in that Act set out requirements in relation to the collection, access, storage and use of personal information which we have obtained from you.

This privacy policy (Privacy Policy) sets out how Mark Devon Shearwood t/as My Property Empire (ABN 83 878 643 977) (“**My Property Empire**”). (‘The Supplier’, ‘Us,’ ‘We’) collects, stores, uses, protects and shares your personal information through the websites available at <https://www.facebook.com/www.mypropertyempire.com.au> and <https://mypropertyempire.com.au> and other social media platforms that We have that you use or directly from you. It applies to our website and all related websites, applications, services and tools (together the Website). By using our services, visiting or using the Website you agree to the collection, storage, usage and disclosure of your personal information by Us in the manner described in this Privacy Policy. We are committed to ensuring that your privacy is protected. Please read this Privacy Policy carefully.

You are not required to provide any personal information to us, but if you do not do so this decision may affect your use of this Website or the services offered by us to you.

Unless we obtain your written consent, we will not sell, disclose, licence or rent your personal information to a third party for that third party’s marketing purposes.

We reserve the right to amend this Privacy Policy at any time by posting the amended terms on the Website. You should check this page regularly to ensure that you are aware of any changes. By continuing to use our services and/or the Website after notice of changes has been sent to you or published on the Website, you are deemed to have consented to the changes.

## 2 Definitions

“Personal Information” means information that can be associated with a specific person and can be used to identify that person and includes your information. Information that has been made anonymous or aggregated so that it cannot be used, whether in combination with other information or otherwise, to identify a specific user is not personal information.

## 3 Collection

We collect personal information in a number of ways, including:

- (a) when you provide information directly to us in person, by phone or in writing (whether electronic, via our communication tools or otherwise);
- (b) when you visit and/or use the Website, in which case, we record information entered by you and/or sent to us by your computer, mobile device or other access device;
- (c) when you make your first appointment at our practice and complete our registration form;
- (d) during the course of providing services; and
- (e) where it is not practical or reasonable to collect it from you directly, your personal information may also be collected from a third party.

#### **4 What we collect**

We collect any information provided by you to use and/or access our services and the Website and for the purposes provided for in this Privacy Policy including but not limited to:

- (a) your name, phone number, mobile telephone number, email address and other contact information;
- (b) information about your business or personal affairs;
- (c) other information relevant to client surveys and/or promotions;
- (d) details of relationships with other persons such as family members or guardians and their contact details;
- (e) any other information requested on this Website or otherwise required by us or provided by you;
- (f) personal information based on your activities on the Website;
- (g) to the extent permitted by law, other personal information provided by or obtained from third parties (such as a credit bureau) including navigation and demographic data and credit check information;
- (h) additional personal information we ask you to provide to verify your identity or when we suspect that you are in breach of our Terms of Use, this Privacy Policy or other Website policies (including your personal ID and your answers to any questions we pose to you); and
- (i) personal information from your interaction with the Website and its content and advertising, including device identifiers, device type, geo-location information, connection information, statistics on page views, traffic to and from the Website, mobile network information, time, date, referring URL, the type of operating system and browser, ad data, IP address and standard web log data.

We may log information about your access and use of the Website, including through the use of internet cookies, your communications with the Website, the type of browser you are using, the type of operating system you are using and the domain name of your Internet service provider.

We may contact you to voluntarily respond to questionnaires, surveys or market research to seek your opinion and feedback. It is your choice whether or not to provide your information, opinions and/or feedback.

We may receive personal information from third parties. If we do, we will protect it as set out in this Privacy Policy.

#### **5 How personal information is used**

Our principal purpose in collecting, using and storing your personal information is to provide you with access to and use of the Website in a personalised, safe and efficient manner. You consent to us collecting, using, storing and sharing your personal information to:

- (a) operate the Website, generate content and provide customer support (including updates and improvements);
- (b) research, develop and improve Our services;
- (c) to conduct surveys to determine use and satisfaction with Our services;
- (d) to generate statistics in relation to the Website;

- (e) detect, investigate and prevent potentially unlawful acts or omissions or acts or omissions with the potential to breach our Terms of Service, this Privacy Policy or other policies;
- (f) enforce our Use, this Privacy Policy or other policies;
- (g) verify information for accuracy or completeness (including by way of verification with third parties);
- (h) combine or aggregate your personal information with information we collect from third parties and use it for the purposes set out this Privacy Policy;
- (i) contact you at your contact details we have collected, by way of voice call, post, text message or email;
- (j) provide subscription, assessment treatment and/or products to you including any relevant third party's request to deliver or provide services to you by us or as recommended by us;
- (k) aggregate and/or make anonymous your personal information, so that it cannot be used, whether in combination with other information or otherwise, to identify you;
- (l) to respond to your queries for services;
- (m) to comply with any legal and regulatory obligations that we have to discharge;
- (n) to provide information to third parties for the purpose of assisting you, if required;
- (o) for internal record keeping;
- (p) use it for our legitimate business interests, such as undertaking business research and analysis, managing the operation of our websites and our business;
- (q) collect fees, resolve disputes and to identify, test and resolve problems; or
- (r) supply you with generalised, targeted or personalised marketing, advertising and promotional notices, offers and communications based on your preferences, and measure and improve our marketing, advertising and promotions based on your ad customisation preferences.

## **6 Opting out**

You may opt out of receiving our marketing, advertising and promotional notices, offers and communications by communicating this to us in writing at the email address: [admin@mypropertyempire.com.au](mailto:admin@mypropertyempire.com.au).

## **7 Disclosure to Third Parties**

You agree that we may disclose your personal information to:-

- (a) enforce our Terms of Use, this Privacy Policy and other policies;
- (b) comply with any applicable law, lawful request by a governmental agency or regulatory authority or legally binding court order;
- (c) respond to or resolve claims that a member has violated the rights of others;
- (d) protect a person's rights, property or safety;
- (e) Our directors, staff, contractors, professional advisers and related entities;

- (f) outsourced service providers who assist Us to provide its services such as information technology providers and marketing advisers (including in relation to fee collection, fraud investigations and Website operations);
- (g) third parties to whom you expressly ask us to send, or consent to us sending, your personal information;
- (h) credit agencies (including regarding missed and late payments or other defaults or breaches on your account);
- (i) solicitors;
- (j) any third party as authorised by you from time to time; or
- (k) such entities that we propose to merge with or be acquired by and in such case, we will require that the new entity following the merger or acquisition adhere to this Privacy Policy.

By providing us with personal information, you consent to this disclosure. Where We disclose your personal information to third parties, We will request or otherwise seek to get comfortable that the third party follows the Australian Privacy Principles regarding handling your personal information.

If there is a change of control of our business or a sale or transfer of business assets, We reserve the right to transfer to the extent permissible at law our user databases, together with any personal information and non-personal information contained in those databases. This information may be disclosed to a potential purchaser. We would seek to only disclose information in good faith and where We have sought to maintain confidentiality.

## **8 Use of Cookies**

- (a) We (or a third party providing services to Us) may use cookies, pixel tags, "flash cookies", or other local storage provided by your browser or associated applications (each a Cookie and together Cookies). A Cookie is a small file that stays on your computer or device until, depending on whether it is a sessional or persistent cookie, you turn your computer or device off or it expires.
- (b) We use traffic log cookies to identify which pages are being used. This helps us analyse information about web page traffic and improve our Website by tailoring it to your needs. We use this information for statistical analysis purposes only, following which the data is removed from the system.
- (c) We may also use web beacons on the Website from time to time. Web beacons or clear .gifs are small pieces of code placed on a web page to monitor the behaviour and collect data about the visitors viewing a web page. For example, web beacons can be used to count the users who visit a web page or to deliver a cookie to the browser of a visitor viewing that page.
- (d) Cookies may be used to provide you with our range of services including identifying you as a user or member of the Website, remember your preferences, customise and measure the effectiveness of the Website and our promotions, advertising and marketing, analyse your usage of the Website, and for security purposes.
- (e) Cookies may collect and store your personal information. This Privacy Policy applies to personal information collected via cookies. You may adjust your internet browser to disable cookies. If Cookies are disabled, We may not be able to provide you with the full range of Our services.

- (f) You also may encounter Cookies used by third parties and placed on certain pages of the Website that we do not control and have not authorised (such as webpages created by another user). We are not responsible nor liable for the use of such Cookies.

## **9 Accessing and amending your personal information**

- (a) If We hold personal information about you, you may request access to that information by putting the request in writing and sending it to [admin@mypropertyempire.com.au](mailto:admin@mypropertyempire.com.au). We will respond to any request within a reasonable period and a charge may apply for giving you access to the personal information. We will require that you provide proof of identity before we will allow you access to your information. We may charge reasonable costs for meeting your request. There are certain circumstances in which We may refuse to grant you access to the personal information. In such situations We will give you written notice that sets out:
  - (i) The reasons for the refusal; and
  - (ii) The mechanisms available to You to make a complaint.
- (b) If you need to update or correct any information you have given us or we are holding, or you have any questions in relation to this Privacy Policy, then please contact us.

## **10 Destruction of personal information**

We take reasonable steps to destroy or permanently de-identify your personal information where it is no longer required and to protect your personal information from unauthorised access, disclosure, loss, misuse and alteration.

If you wish to have your personal information removed from Our records, You may request that your personal information be deleted or destroyed. It will not always be possible to comply with your request to delete or destroy your personal information.

## **11 Social Media Applications**

This website may host various social media applications or services that allow you to share content with other users (collectively “Social Media Applications”). Any personal information or other information that you contribute to any Social Media Application can be read, collected and used by other users of that Social Media Application over whom We have little or no control. Therefore, We are not responsible for any other user’s use, misuse or misappropriation of any personal information or other information that you contribute to any Social Media Application. These features may be included in The Supplier’s sites or applications and if you use these features We may have the ability to obtain certain information about you from your social networking profile and any information that is part of your profile on a third party social network and that you allow your third party social network to share with Us. We may use this information to match information with a social network for advertising purposes.

## **12 Links to other websites**

Websites that may be linked to this website, are not affiliated with or controlled by Us and are not governed by our Privacy Policy. We are not responsible for the content of these websites. Any hyperlinks to websites included by Us does not imply any endorsement of the material on those websites or any association with their operators. We encourage visitors to review each website’s privacy statement before disclosing any personal information.

### **13 Log Information and Cookies**

This website collects standard internet log information including your IP address, browser type and language, access times and referring website addresses. Your visits to The Supplier's website are associated with cookies, which are unique identifiers and contain information by which We can identify your computer to our servers. We may use the information it is provided in cookies to improve our website, our products and services, and to focus our advertising. You are able to disable your cookies, please refer to the help menu within your Internet browser.

### **14 Website Usage Information**

Any information about how you use and navigate The Supplier's website and applications, including links you click on and what content you have viewed etc. will be automatically collected.

### **15 Technical Computer Information**

Any information about a computer system or other technological device that you may be using to access the Supplier's website or applications will be automatically collected.

### **16 Complaints**

If you believe that We have breached the Australian Privacy Principles and wish to make a complaint about that breach then please email us setting out details of the breach. We will promptly investigate your complaint and will endeavour to respond to you in writing within 28 days setting out the outcome of our investigation, what steps we propose to take to remedy the breach and any other action we will take to deal with your complaint.

#### **Please contact us at:**

My Property Empire

[admin@mypropertyempire.com.au](mailto:admin@mypropertyempire.com.au).