

PRIVACY POLICY & CONSENT

ADRIAN KIRWAN REAL ESTATE A.B.N 24641565174



Adrian Kirwan Real Estate is committed to protecting individual's privacy and rights with respect to their Personal Information. This document sets out Adrian Kirwan Real Estate's privacy policy and how Adrian Kirwan Real Estate will comply with the Privacy Act when it collects, retains and manages your Personal Information (subject to exemptions that may apply to Adrian Kirwan Real Estate under the Privacy Act). Adrian Kirwan Real Estate requires your permission to collect, use and disclose your Personal Information and such consent is provided by you when you sign the Form 6 Appointment of Property Agent or request Adrian Kirwan Real Estate to provide the Services. If Adrian Kirwan Real Estate does not obtain your consent, then Adrian Kirwan Real Estate may not be able to provide the Services to you.

1. Definitions

(a) "Contact Details" means the following

i. Address: PO Box 275 Wavell Heights Qld 4012

ii. Phone: 0411 871 798

iii. Email: adrian@adriankirwan.com.au

(b) "Adrian Kirwan Real Estate" means Adrian Kirwan A.B.N. 24641565174 and its related bodies corporate, associated entities, successors and permitted assigns.

(c) "Personal Information" has the same meaning given to it in the Privacy Act including any information that can be used to identify you which may include, but is not limited to, names, phone numbers, email addresses and mailing addresses.

(d) "Privacy Act" means the Privacy Act 1988 (Cth).

(e) "Sensitive Information" has the same meaning under the Privacy Act.

(f) "Services" means those services that Adrian Kirwan Real Estate provides in the general course of their business including appraisals of properties, acting as a real estate for the buying or selling of real estate property, leasing properties, advertising properties and any other services provided from time to time.

(g) "Website" means [www.Adrian Kirwan Real Estate.com.au](http://www.AdrianKirwanRealEstate.com.au)

1. HOW ADRIAN KIRWAN REAL ESTATE COLLECTS AND HOLDS PERSONAL INFORMATION

1.1 Adrian Kirwan Real Estate will collect Personal Information directly from you unless it is unreasonable and impracticable to do so.

1.2 If Adrian Kirwan Real Estate is unable to collect Personal Information from you in accordance with clause 1.1 then Adrian Kirwan Real Estate will collect Personal Information in the following ways:

(a) from your representatives such as your solicitor, accountant, financial advisors or financial institutions;

(b) through your use of the Website and by any other electronic means such as social media;

(c) by telephone, letter, facsimile or email transmission;

(d) when sent to us by email or other communications from third parties;

(e) from publicly available sources of information;

(f) when you are required to do so by law;

(g) when you enter into a competition or promotion or requesting material from Adrian Kirwan Real Estate;

(h) from our own records;

(i) your employer;

(j) third parties companies such as credit reporting agencies, law enforcement and government entities.

1.3 If you supply Personal Information to Adrian Kirwan Real Estate about another person that you represent that you are authorised to provide the Personal Information for that person and that person has provided consent to disclose their Personal Information to Adrian Kirwan Real Estate.

1.4 When you visit the Website, Adrian Kirwan Real Estate may send a 'cookie' (which is a small summary file containing a unique ID number) to your computer. This enables us to recognise your computer and enables Adrian Kirwan Real Estate to keep track of your activity on our website for a period of time. Adrian Kirwan Real Estate also uses cookies to measure traffic patterns, to determine which areas of the Website have been visited and to measure transaction patterns in the aggregate. Adrian Kirwan Real Estate uses this to research our user's habits so that Adrian Kirwan Real Estate can improve its online products and services. Adrian Kirwan Real Estate's cookies do not collect Personal Information. If you do not wish to receive cookies then you can set your browser so your computer does not accept them.

1.5 As the internet is insecure Adrian Kirwan Real Estate cannot guarantee the security of transmission of information you communicate to us online. Adrian Kirwan Real Estate cannot guarantee that the information you supply will not be intercepted while being transmitted over the internet, therefore, any Personal Information you transmit online is at your own risk.

2. THE PURPOSES FOR WHICH ADRIAN KIRWAN REAL ESTATE COLLECTS, HOLDS, USES AND DISCLOSES PERSONAL INFORMATION

2.1 Adrian Kirwan Real Estate continuously strives to improve the quality of the Services it provides to its customers and in order to do so Adrian Kirwan Real Estate collects Personal Information from you.

2.2 Adrian Kirwan Real Estate collects, holds, uses and discloses your Personal Information for the following purposes:

(a) processing enquiries;

(b) assisting you with the sale, purchase, advertising of properties and businesses;

(c) assisting you to lease a property, either as a tenant or owner, and to act as the property manager;

(d) for Adrian Kirwan Real Estate's internal business operations;

(e) complying with Adrian Kirwan Real Estate's legal obligations;

(f) advising you of additional services or information which may be of interest to you;

(g) providing your contact details to our partners and contractors who provide us with services;

(h) statistical, administrative, marketing, planning, product or service development, quality control, survey and research purposes of Adrian Kirwan Real Estate;

(i) insurance and governance purposes;

(j) promoting and advertising our business, products and services.

2.3 Adrian Kirwan Real Estate may send you direct marketing communications and information about our products and services that Adrian Kirwan Real Estate considers to be of interest to you. Communications may be sent in different forms including mail, SMS, email or fax in accordance with applicable laws. If you do not wish to receive this marketing material from Adrian Kirwan Real Estate then you may opt out by using the opt-out facilities provided for in the marketing communications.

2.4 In order to provide the Services, Adrian Kirwan Real Estate may disclose your Personal Information to third parties as described below:

(a) If you are the seller or a tenant then to prospective buyers of the property owned or leased by you;

(b) If you are the buyer or a tenant then to the seller of the property you are purchasing or leasing;

(c) Your legal advisor, financial institution, financial advisors involved in the transaction;

(d) Utility providers and utility connection service providers;

(e) employees, related bodies corporate, contractors, web hosting providers, IT System administrators, debt collectors, and professional advisors of Adrian Kirwan Real Estate;

(f) suppliers and other third parties that Adrian Kirwan Real Estate has a commercial relationship with for business, marketing, and related purposes; and

(g) any other organisation for any authorised purpose with your express consent in writing or verbally.

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3. ACCESS TO PERSONAL INFORMATION THAT IS HELD BY ADRIAN KIRWAN REAL ESTATE

3.1 You may contact Adrian Kirwan Real Estate to access your Personal Information by contacting our privacy officer on the Contact Details.

3.2 Adrian Kirwan Real Estate may charge you a fee to access your Personal Information

3.3 If you make a request for access to your Personal Information Adrian Kirwan Real Estate will request that you verify your identity.

3.4 There may be some instances where Adrian Kirwan Real Estate is unable to grant you access to the Personal Information that Adrian Kirwan Real Estate holds due to the privacy of others or if it results in a breach of confidentiality. If this happens then we will provide you with written reason for any refusal.

3.5 If you believe that any Personal Information Adrian Kirwan Real Estate holds about you is incorrect, incomplete or inaccurate then you may provide Adrian Kirwan Real Estate with a written request to amend it. Upon receipt of the written request to amend your Personal Information we will consider same and if Adrian Kirwan Real Estate does not consider the Personal Information requires amendment then we will provide you with a written reason for why Adrian Kirwan Real Estate disagrees.

4. HOW YOU MAY MAKE A COMPLAINT ABOUT A BREACH OF PRIVACY

4.1 If you: (a) believe that Adrian Kirwan Real Estate has breached your privacy; or (b) have any questions or concerns regarding this privacy policy, then you may contact Adrian Kirwan Real Estate on the Contact Details and provide details of your complaint so Adrian Kirwan Real Estate may investigate it.

4.2 Adrian Kirwan Real Estate will treat your complaint confidentially and will arrange for a representative to contact you within a reasonable time after receipt of your complaint with how the complaint may be resolved.

4.3 It is Adrian Kirwan Real Estate's aim to resolve your complaint in a timely and appropriate manner.

5. DISCLOSURE OF PERSONAL INFORMATION OVERSEAS

5.1 Adrian Kirwan Real Estate may disclose Personal Information to recipients in Australia or outside of Australia. If Adrian Kirwan Real Estate is disclosing your Personal Information to recipients overseas then Adrian Kirwan Real Estate will take reasonable steps to protect the privacy of your Personal Information.

5.2 Entities that may receive Personal Information outside of Australia include our related bodies corporate located in foreign countries, our data hosting and other IT service providers, located in various foreign countries – our cloud service providers may store data in several countries and other third parties located in various foreign countries.

6. CHANGE TO PRIVACY POLICY

6.1 Adrian Kirwan Real Estate may update this privacy policy from time to time. Any updated versions of this privacy policy will be made available on our website.