

# PRIVACY POLICY

## 1. Purpose

ZZIM Conveyancing Pty Ltd (we, us or our) (ZZIM) is committed to protecting your privacy. We comply with the Australian Privacy Principles (APPs) contained in the Privacy Act 1988 (Cth) (Privacy Act). This Privacy Policy explains how we collect, use, disclose, store and destroy personal information, how you may access and correct personal information we hold about you, and how you may make a complaint if you believe your privacy has been interfered with. This Privacy Policy is available on our website and in hard copy upon request.

## 2. Scope

This policy applies to all employees, contractors, consultants, volunteers, and any other individuals engaged by the organisation, regardless of location or employment status. In some cases, we may act outside the terms of this policy, but only with your informed consent or where required or permitted by law. This Privacy Policy may be updated from time to time. The current version will be made available upon request or on our website (if applicable).

## 3. Definitions

3.1. Personal Information - Information or an opinion about an identified individual, or an individual who is reasonably identifiable.

3.2. Sensitive Information - A form of personal information that may include information about the individual such as racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a Page 1 of 7 professional or trade association, membership of a trade union, sexual orientation or practices, criminal record, health, genetic or biometric information.

## 4. Contact us

The person responsible for privacy at ELC is our Privacy Officers. You may contact the Privacy Officers via:

- Email: [natalie.colgrave@zzim.com.au](mailto:natalie.colgrave@zzim.com.au) and [kate.walker@zzim.com.au](mailto:kate.walker@zzim.com.au)
- Post: PO Box 855 Launceston TAS 7250
- Phone: (03) 6334 8554

## 5. Client information

### 5.1. *What personal information do we collect?*

We only collect personal information that is reasonably necessary to provide conveyancing and associated services to you. If you do not provide the information requested, we may be unable to provide those services. Depending on the matter, we may collect a large range of personal information, including sensitive information. This may include contact details, history of the matter, relationships with others involved, employment history, qualifications, financial records, identity and verification information, health information, disability information, court records, religious affiliation, political affiliation, racial or ethnic origin, and business activities. We may also collect other personal or sensitive information, depending on the nature of the file. We will ensure you are aware when we collect your personal information. We will only collect sensitive information with your consent or where permitted by the Privacy Act.

### 5.2. *How do we collect personal information?*

We collect personal information when you:

- engage us to provide conveyancing or property related services;
- complete forms or provide documents;
- communicate with us in person, by phone, email, or other electronic means; or
- interact with our website or online portals (if applicable).

Where reasonable and permitted, we may also collect information from third parties such as real estate agents, lenders, government bodies, land registries, settlement platforms (including electronic conveyancing platforms), and publicly available sources.

### 5.3. *How do we use your personal information?*

5.3.1. **General use** - We collect personal information primarily to:

- provide conveyancing and related services (including estimates of costs for the provision of those services);
- communicate with you and other parties involved in a transaction; • comply with legal and regulatory obligations;
- manage our business operations, including billing and record keeping. We may also use your personal information for related purposes that you would reasonably expect. We take reasonable steps to ensure personal information we use is accurate, up-to-date, complete and relevant, having regard to the reasons why it is being used.

Sensitive information will be used and disclosed only for the purpose for which it was collected, a directly related secondary purpose, with your consent or as required or allowed by law.

#### *5.3.2. Direct marketing*

If you are or have been a client of ours, we may use your personal information for the purpose of direct marketing to you. We may provide you with information about relevant products and services offered by us. If you do not wish to receive direct marketing materials from us you can opt-out by contacting us. Our contact details are included with all direct marketing materials.

#### *5.3.3. Access to client files*

You may have a right to access your client files (including personal information) arising from your retainer with us, the Conveyancing Act 2004 (Tas) and the common law.

### **6. Information for parties related to a client matter**

#### *6.1. What personal information do we collect?*

We may collect personal information about individuals involved in a conveyancing transaction or other matter where we act for another party (for example, counterparties, guarantors, or occupants of properties).

#### *6.2. How do we collect personal information?*

We may collect personal information from our client, publicly available sources, or government authorities where it is unreasonable or impractical to collect it directly from you, or where permitted by law. This may occur without notifying you where notification would conflict with our duties of confidentiality or is otherwise permitted under the Privacy Act.

#### *6.3. How do we use your personal information?*

We collect this information for the primary purpose of providing conveyancing and related services to our clients.

#### *6.4. Access restrictions*

It may be reasonable for us not to notify you we have collected your information when doing so would breach our duty of confidentiality to a client. This may include circumstances like contract negotiations. Where we hold personal information about you in client files, but you are not the client, we cannot provide you with access to your personal information, unless you are specifically authorised to access the file by the client. You may at any time request access to your personal information in writing, however we may refuse you access to that information. If we refuse you access to your

personal information, we will provide you with an explanation for that refusal. In some circumstances we may not be able to confirm whether or not we hold personal information about you, as to do so would conflict with our obligation to keep information about our clients confidential.

## **7. All other personal information**

We may collect personal information from prospective employees, contractors, service providers, or other individuals where necessary for our business operations. This information will be collected, used and disclosed only for legitimate business purposes and in accordance with the APPs. There may be consequences if you do not provide us with all information sought from you. We will let you know what those consequences are when requesting the information. If you provide us with more information than we have requested we will destroy it unless it is necessary for our functions or activities.

## **8. Storage and security of personal information**

Personal information may be stored electronically, on paper, or both. We take reasonable steps to protect personal information from misuse, interference, loss, unauthorised access, modification or disclosure, including physical security, access controls, and secure storage systems. In the event of a data breach likely to result in serious harm, we will comply with our obligations under the Notifiable Data Breaches scheme, including notifying affected individuals and the Office of the Australian Information Commissioner where required.

## **9. Unsolicited personal information**

If we receive personal information that we did not request, and we determine that we could not have collected it in accordance with the Australian Privacy Principles, we will destroy or de-identify the information as soon as practicable, unless we are otherwise required or authorised by law to retain.

## **10. Access and correction**

You may at any time request access to your personal information and, subject to any exemptions in the APPs applying, we will give you access by providing you with copies of or allowing you to inspect the requested personal information. We may charge you a reasonable fee to access that information, for example to recover the costs of photocopying or if we have to spend a significant amount of time to provide you with access. We may need to verify your identity before providing access to your personal information. If we refuse you access to your personal information, we will provide you with an explanation for that refusal. We will try to provide you with access to your personal information within 14 days of receipt of your written request for access or 30 days where responding to the request is more complicated. If you believe personal

information we hold is inaccurate, incomplete or out-of-date, you may request correction. If we agree the information needs correcting, we will take reasonable steps to correct that information. If we do not agree the information needs correcting, you can ask us to put a statement on your file explaining what you say needs to be corrected. We will do that in such a way as is apparent to our staff who use your personal information. If we refuse to correct your personal information, we will provide you with a written explanation for that refusal. We will try to resolve all requests within 14 days of receipt of your written request or 30 days where the matter is more complicated. We may charge you a reasonable fee to correct that information, for example if we have to spend a significant amount of time to correct it.

## **11. Destruction and retention**

We securely destroy or de-identify personal information when it is no longer required. Conveyancing files are generally retained for at least six years after completion, unless longer retention is required by law or for risk management purposes. Certain records, such as client names and transaction references, may be retained indefinitely to manage conflicts of interest.

## **12. Disclosure of personal information**

We may disclose personal information to: • government bodies and land registries; • electronic conveyancing platform operators; • lenders; • professional advisers and service providers (including IT providers, accountants, auditors and insurers); • regulators or authorities, where required or authorised by law. M001 Page 6 of 7 We will take reasonable steps to ensure the information we disclose to others is accurate, up-to-date, complete and relevant, having regard to the reasons why it is being disclosed. We will not disclose your personal information to anyone overseas unless: • we have taken reasonable steps to ensure that the overseas recipient does not breach the APPs; • you have provided consent; • we reasonably believe that the overseas entity is subject to a law or binding scheme that has the effect of protecting your personal information in a way that, overall, is at least substantially similar to the way in which the APPs protect the information, and that you can access mechanisms to enforce those protections; or • the disclosure is otherwise authorised by the Privacy Act. We do not adopt, use or disclose government-related identifiers except where required or authorised by law, or for the purpose of verifying your identity.

### **13. Complaints**

If you are concerned about an interference with your privacy, this policy or the APPs please submit a complaint in writing, marked to the attention of the Privacy Officer. We will consider and respond to your complaint within 10 working days. We will seek to resolve the complaint with you. We prefer to address all matters in this manner prior to a complaint being taken further. If you are not satisfied with our response, you may lodge a complaint with the Office of the Australian Information Commissioner (OAIC). Their contact details are:

- Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au) • Phone: 1300 363 992 • Post: GPO Box 5218, Sydney NSW 2001 • Web: <https://www.oaic.gov.au>