

# STANDARD REIWA MEMBER'S COLLECTION NOTICE FOR USE ON INTERNET SITES

## (AUSTRALIAN PRIVACY PRINCIPLES COLLECTION NOTICE)

### JMW Real Estate WA

**Last updated: 17<sup>th</sup> September 2024**

1. The notice is provided to you pursuant to the obligations placed upon this real estate agency and other organisations by the *Privacy Act, 1988*, and the associated Australian Privacy Principles (**APPs**).
2. It is important that readers of this statement note that we may change our collection notices from time to time as part of our commitment to ensuring that we comply with all of our obligations under the APPs. Persons who access this real estate agency's internet site are urged to check to see whether we have amended our collection notices by returning to this site from time to time. To assist in this process, the date of the last update to this collection notice is recorded at the top of this statement.

### **The facts and circumstances of information collection**

3. This real estate agency collects information in the following circumstances:
  - a) from individuals, agents and representatives (e.g. lawyers, settlement agents, accountants, financial advisers, banks);
  - b) by buyers, sellers, lessors, tenants or other users of our services or, alternatively, by potential users of those services;
  - c) through our website;
  - d) through publicly available information services (e.g. social media, local councils, Landgate, telephone white pages, internet records);
  - e) when we are required to collect the information by virtue of legal or regulatory requirements (e.g. the provisions of the Real Estate and Business Agents Act, 1978);

- f) when individuals participate in competitions or surveys conducted by the real estate agency (or third parties, on our behalf) including, but not limited to, surveys relating to the quality of our services provided and surveys relating to real estate matters;
- g) from data bases kept by third parties regarding individual's rental histories;
- h) from other real estate agents (e.g. when the agency is involved in a conjunctural sale of land or when we act for a buyer in a transaction);
- i) from forms used by us as part of the delivery of our services (e.g. listing authorities, property reports, leases, leasing applications).

#### **Legal requirements to collect information**

- 4. This real estate agency may, from time to time, be required to collect information as a consequence of legal requirements upon us to collect information. Examples of these requirements included information that we are obliged to collect under the *Real Estate and Business Agent's Act, 1978*, such as details for listing authorities, and information under the *Residential Tenancies Act, 1987*, such as a tenant's details for a lease.
- 5. Further information regarding these obligations can be obtained by contacting our Privacy Officer at the details set out below.

#### **Purposes for which information collected**

- 6. We collect information on our internet site and elsewhere for the following purposes:
  - (a) we collect information to enable us to provide services in connection with the sale and/or leasing of properties and/or businesses;
  - (b) we collect information to provide advice to customers and prospective customers with respect to real estate and/or business agency matters;
  - (c) we obtain information from Landgate, to assist us in the valuing, selling and/or leasing of properties and/or businesses;
  - (d) we collect information to assess applications for residential and commercial tenancies;

- (e) we obtain information to assist us with marketing the services of the agency;
- (f) we collect information to enable us to advise our clients of additional information or services supplied by us (or by third parties) that may be of interest to them;
- (g) we provide personal information to our contractors, who provide us with services to assist us with conducting our business;
- (h) we collect information to enable us to efficiently manage our business;
- (i) we collect information to assist with our delivery of services via the internet;
- (j) we provide information to the Real Estate Institute of Western Australia (Inc) and other providers of real estate internet services to enable us to market properties, promote our services and conduct our business through the internet;
- (k) we provide information to third parties such as the Real Estate Institute of Western Australia (Inc) which may provide personal information (such as information relating to the sale, purchase and/or leasing of properties) to third party providers of services to the real estate industry, with such third parties including, but not being limited to, entities that provide web site development and management services to real estate agents, data collection agencies such as RP Data Pty Ltd, and providers of internet listing portal services to the real estate industry;
- (l) we provide information to debt collection agencies for the purpose of managing tenancies and conducting our business; and
- (m) we collect information for research and statistical purposes.

### **Consequences to an individual if information not provided**

7. Should a person object to this real estate agency collecting information about that individual via its website or otherwise, we may not be able to provide its services as effectively, or at all, to that person. Further details may be obtained regarding these consequences by contacting our Privacy Officer at the details set out below.

### **Disclosure of personal information**

8. We may disclose personal information in the following circumstances:
  - (a) we provide personal information to our contractors, who provide us with services to assist us with conducting our business;
  - (b) we provide information to the Real Estate Institute of Western Australia (Inc) and other providers of real estate internet services to enable us to market properties, promote our services and conduct our business through the internet, including on the basis that the Real Estate Institute of Western Australia (Inc) may use/disclose information relating to the sale, purchase and/or leasing of properties by providing that information to third parties including, but not being limited to, entities that provide web site development and management services to real estate agents, data collection agencies such as RP Data Pty Ltd, and providers of internet listing portal services to the real estate industry;
  - (c) we disclose information for research and statistical purposes;
  - (d) we may disclose information to tenancy database providers, in circumstances where we reasonably believe those providers comply with their obligations under the APPs;
  - (e) we may store information on data storage facilities provided by third parties; and
  - (f) we may provide information to debt collection agencies for the purpose of managing tenancies and conducting our business.

## Our Privacy Policy

9. We maintain a privacy policy in compliance with our obligations under APP 1. This privacy policy may be viewed on our website or a copy may be obtained by contacting our Privacy Officer at the details set out below.

## Disclosure of personal information to overseas recipients

10. It is likely that we will disclose personal information to overseas recipients (e.g. data storage services), when that disclosure is consistent with the purposes set out above.
11. The countries associated with the overseas recipients are, potentially, as follows: UK, Commonwealth Countries, Central Europe, Singapore and Hong Kong.

## Our contact details and Privacy Officer

12. The contact details for this real estate agency are available from this website. The particular contact details for our Privacy Officer are as follows:

**Name:** Ben Jecks

**Email:** info@jmwrealestate.com.au

**Telephone:** (08) 9756 8800

## Cookies

13. “*Cookies*” are pieces of information that websites transfer to an individual computer’s hard drive for record keeping purposes. That “*cookie*” assigns a unique identification that allows a website to recognise you when you return to that site.
14. This real estate agency uses cookies so as to collect aggregated site-visitation statistics. The use of cookies also enables persons to login to their accounts with us and to personalise their experience when browsing our site. This enables us to ensure that we manage our website effectively so as to provide relevant content to those who access the site. We do not track an individual’s use of the internet by using cookies and do not otherwise use these tools to obtain personally identifiable information regarding an individual.

15. Most internet browsers enable individuals to refuse to accept cookies. If an individual exercises such a choice you will still be able view most of the text on this internet site. However, you will not experience a personalised visit.

### **IP Addresses**

16. Whenever you use our website, and many other websites, the computer on which the web pages are stored (the web server) needs to know the network address of your computer so that it can send the requested web pages to your internet browser. The unique network address of your computer is called its "*IP address*" and is sent automatically each time you access any internet site. From a computer's IP address, it is possible to determine the general geographic location of that computer, but otherwise it is anonymous.
17. We do not keep a record of the IP addresses from which users access its site except where the user has specifically provided it with information about itself, in which case we also record the user's IP address for security purposes.

### **Right to gain access to information and complaints handling processes**

18. Any information that is stored us about an individual is stored in a reasonable state of security. Individuals have certain rights under the APPs to access information stored by an organisation about them.
19. Should a person wish to contact us to gain access to the details of the information stored by us regarding that individual, that person should make contact with our Privacy Officer. Subject to legal obligations upon this real estate agency, including our rights and obligations under the *Privacy Act*, 1988, we will provide that access. We reserve the right to make a reasonable charge to cover our costs for granting that access.
20. Should a person wish to make a complaint about the manner in which this real estate agency has dealt with any privacy issue, that person should make contact with our Privacy Officer.
21. Further details regarding access to information and our complaints handling process is set out in our Privacy Policy or can be obtained by contacting our Privacy Officer at the details set out above.

**Queries regarding privacy**

22. Any queries that the reader of this document may have about this real estate agency's privacy compliance should be directed to our Privacy Officer at the details set out above.