

Introduction

Nankivell Conveyancing Pty Ltd ACN 642 193 977 ("**Nankivell Conveyancing**") ("**we**", "**our**", "**us**") is bound by the Australian Privacy Principles ("**APP**") as set out in the *Privacy Act 1988* (Cth) (the "**Privacy Act**").

Nankivell Conveyancing has adopted all the principles set forth in the APP that govern the collection, use, disclosure, quality, security, access, and correction of personal information. Under the Privacy Act, 'personal information' means information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not and whether the information or opinion is recorded in material form or not.

This Privacy Policy applies to all personal information that Nankivell Conveyancing may collect, use, and disclose, whether that information is manually or digitally processed.

By accessing our website and/or using our services, you agree to this Privacy Policy. You agree that using the website and/or our services implies your consent to the collection, storage, and use of your personal information in accordance with this Privacy Policy.

This Privacy Policy is additional to any other terms and conditions applicable to the website and our services.

Personal Information and collection

Nankivell Conveyancing collects personal information from you when you engage our services. We collect this information in order to provide the services to you that you request from us. Nankivell Conveyancing may collect personal information from you such as your title, full name, residential and postal address, telephone number, email address, date of birth, citizenship, identification required to satisfy ARNECC Verification of Identification Requirements, and transactional information including method of payment of our services. This information is collected at the time of engaging our services. We will usually collect that personal information directly from you.

Sensitive Information

Nankivell Conveyancing will not collect any sensitive information about an individual. Under the Privacy Act, 'sensitive information' includes but is not limited to information or an opinion about an individual's racial or ethnic origin, religious beliefs, and health information.

In the event that sensitive information is required from an individual, Nankivell Conveyancing will not collect that information without the individual's consent to do so, and the information is reasonably necessary for the delivery of our services, or as permitted or required under law.

Credit Card Details

Credit card details are used to process payments for our services. Your credit card may be charged with our fee to enable you to secure our services. Your credit card may be charged before or after the provision of the services at our discretion and in accordance with any of our terms we may have in place from time to time for provision of our services. We will advise you beforehand when services will be charged and will obtain your prior consent to do so. We use a third-party provider to process any of your credit card payments.

Use of Information

Nankivell Conveyancing uses personal information collected from you to provide our services to you and to fulfil administrative functions associated with those services (for example billings or entering contracts with you or third parties).

We will not use or disclose your personal information for a purpose other than:

- as set out in this Privacy Policy;
- a purpose you would reasonably expect (including but not limited to communications with relevant industry professionals and offers to other related services);
- a purpose required or authorised by law; and/or
- a purpose for which we have otherwise sought your prior consent.

Disclosure of Personal Information

Nankivell Conveyancing does not disclose personal information that it holds, without the individual's prior consent, unless permitted under the Privacy Act or otherwise required by law or as required in provision of the services requested from us. Nankivell Conveyancing respects the privacy of users visiting our website or using our services and does not share personally identifiable information with any third parties unless prior consent has been provided.

Uploading or transmitting data and including your personal information may be handled by third parties. In such circumstances, we are not responsible for that uploading and transmission and you are responsible for your disclosure of your personal information.

Data Integrity

Nankivell Conveyancing only uses the personal information necessary to perform the services requested. Occasionally, you may provide more personal information than is necessary for that purpose (for example, providing us with a name, street address and email address, when only the name and email address are necessary). In such cases, Nankivell Conveyancing identifies and utilises the required data. The rest of the data remains secure and unused until it is destroyed or returned to the client, upon request. Nankivell Conveyancing only stores personal information when specifically requested to do so by the client, or as part of standard back-up/archiving processes. All archived files are stored in a secure facility.

Data Security

Nankivell Conveyancing utilises reasonable and appropriate protections to ensure that personal information in its care is not misused, interfered with, lost, accessed, or modified, without proper authorisation. Access to personal information stored on Nankivell Conveyancing's servers is restricted to those employees or contractors who require such access to perform a legitimate business purpose relating to the services, maintenance, internal security, or other related issues. All Nankivell Conveyancing employees and contractors are required to sign and be bound by confidentiality obligations in relation to the personal information to which they will have access.

In the event of a data security breach, the affected individual/s and the Office of the Australian Information Commissioner ("OAIC") will be notified.

When your personal information is no longer needed, and Nankivell Conveyancing is not required by or under any law or an order of a court or tribunal to retain the information, Nankivell Conveyancing will take such steps that are reasonable in the circumstances to destroy or de-identify the information.

Data Storage

Nankivell Conveyancing stores data securely on servers based in Australia and overseas. Where Nankivell Conveyancing or Nankivell Conveyancing's agents store data on behalf of Nankivell Conveyancing, Nankivell Conveyancing will take steps to ensure that the APP will apply to the agents Nankivell Conveyancing engages. During electronic communications, Nankivell Conveyancing or our agents may electronically deliver information requested by you to nominated email accounts or websites where their data may not be stored in Australia. If this is of concern to you, please check your nominated delivery address.

Please be aware that when you access electronic communications from Australia, the data may be stored on an overseas server. Where your nominated electronic delivery address stores data overseas, Nankivell Conveyancing expects that you will be aware of this and have knowingly consented to the communication being delivered overseas.

Where Nankivell Conveyancing communicates personal information to our agents or our service providers through a server that is overseas, Nankivell Conveyancing will only do so where we have your consent, where we are expressly allowed through other means, or where we hold a reasonable belief that the recipient is subject to a law, binding scheme, or contract which effectively upholds the principles for the fair handling of the information that are substantially similar to our obligations under the APP.

Correction of Personal Information

Nankivell Conveyancing takes reasonable steps to ensure that all personal information it holds is accurate, complete, and up to date. You should also promptly notify Nankivell Conveyancing if any personal information that it holds about you is incorrect or out of date. We will take reasonable steps to ensure the personal information we hold remains accurate and, if you advise us of a change of details, we will amend our records accordingly.

Access to Personal Information

Individuals may request access to the personal information that Nankivell Conveyancing holds about them via Nankivell Conveyancing's Privacy Officer at the contact details set out below. Nankivell Conveyancing will respond to the request for access within a reasonable period after the request is made and give access to the information in the manner requested by the individual, if it is reasonable and practical to do so, or in a way that meets the needs of Nankivell Conveyancing and the individual. Nankivell Conveyancing may charge its reasonable costs in responding to a request for access to personal information. If Nankivell Conveyancing refuses to give access to any personal information, Nankivell Conveyancing will provide the individual with a written statement that sets out the reasons for the refusal and how the individual may complain about the refusal.

Online Links to Third-Party and Co-Branded Sites

Nankivell Conveyancing may establish relationships with third parties that allow visitors to our internet sites to link directly to sites operated by these third-parties. Some of these sites may be 'co-branded' with our logo; however, these sites may not be operated or controlled or maintained by or on our behalf. We do not accept any responsibility in respect of any third-party sites. These sites may collect personal information from you that may be shared with us. This Privacy Policy will apply to any personal information Nankivell Conveyancing obtains in this manner.

Nankivell Conveyancing is not responsible for the content or practices of websites operated by third parties that are linked to our sites. These links are meant for the user's convenience only. Links to third-party sites do not constitute sponsorship, endorsement, or approval by Nankivell Conveyancing of the content, policies, or practices of those third-party sites. Once you have left our site via such a link, you should check the applicable privacy policy of the third-party site.

Updates to Policy

This Privacy Policy is effective from 13 November 2023. We reserve the right to change this Privacy Policy from time to time, including as required under relevant legislation, without further notice to you. Any variations made will be updated on our website. Your use of our website or of the services following any such change to the Privacy Policy will confirm your acceptance of the changes.

Applicable Law

Our services are governed and construed according to the laws of the State of South Australia. By using our website and/or our services, you agree to submit to the jurisdiction of the courts of South Australia.

Knowing Your Privacy Rights

You may interact with us anonymously where this is lawful and practicable.

You have the right to request access to the personal information you provide, and to correct or update your personal information. This right is subject to certain exceptions allowed by law.

You can obtain further general information about your privacy rights and privacy law from the OAIC by:

- Calling their Privacy Hotline on 1300 363 992: or
- Visiting the official web site at www.privacy.gov.au

How to Contact Us

If you have any enquiries, concerns, or complaints relating to this Privacy Policy or practices, or you wish to request access to and correct any of the personal information Nankivell Conveyancing holds about you, please contact Nankivell Conveyancing's Privacy Officer as follows:

Address: PO Box 766 Victor Harbor SA 5211

Email: info@nankivellconveyancing.com.au

If you wish to make a formal privacy complaint, you should contact Nankivell Conveyancing by emailing info@nankivellconveyancing.com.au and placing 'PRIVACY COMPLAINT' in the subject header. Nankivell Conveyancing will deal with all complaints fairly and in confidence. After an initial complaint, if you are unsatisfied with our resolution, you may escalate your complaint to the OAIC after 30 days have passed from when you informed Nankivell Conveyancing of your complaint.

If you are unsure about whether you can complain to the OAIC please use the OAIC's 'complaint checker' on their website: <https://www.oaic.gov.au/privacy/privacy-complaints/before-you-lodge-a-complaint-with-us/question-1> or contact the OAIC enquiries line on 1300 363 992. Complaints can be made to the OAIC over the internet or by completing and submitting the OAIC's Privacy Complaint Form.