

Privacy Policy

At Erceg Management, we recognise the importance of protecting your information.

This privacy policy sets out how we collect, use, disclose, dispose and otherwise deal with information which you may supply to us or which we may collect about you.

We reserve the right, at our discretion, to modify or remove portions of this privacy policy from time to time. You should review this privacy policy periodically to ensure you are updated on any changes.

How and in what circumstances will Erceg Management use or disclose my personal information?

We may, in certain circumstances, collect, hold, use and/or disclose your personal and/or sensitive information.

By way of a guide, these terms are defined as follows in section 6 of the *Privacy Act* and in the *Australian Privacy Principles Guidelines*:

An entity “**holds**” personal information “*if the entity has possession or control of a record that contains personal information*”.

An entity “**uses**” personal information “*where personal information is handled, or an activity is undertaken with the information, within the entity*”.

An entity “**discloses**” personal information “*when it permits that information to become known outside the entity and releases it from its effective control*”.

We will use and disclose your personal information to provide our services to you or to fulfill administrative functions associated with these services.

In general, we will use and disclose your personal information for the following purposes:

- to notify you about an event you may wish to be involved in;
- to communicate with you;
- to provide and market our services;
- to help us manage and enhance our services;
- to purchase from you;
- for any purpose for which the information was provided; or
- any other purpose related to any of the above.

We will **disclose** personal information when we permit that information to become known and where we release it from our effective control. For example, we will have disclosed your personal information where:

- we share your personal information with another entity;
- we publish your personal information on the internet, so it is accessible by others;

- where one of our staff reveals your personal information in the course of a conversation with a person who does not work for Erceg Management; or
- where one of our staff members sends a document containing your personal information to someone who is not you.

Primary purpose and secondary purposes

Your personal and/or sensitive information will only be used and disclosed for the **primary purpose** for which it was submitted or for such other **secondary purposes** that are related to that purpose, unless we disclose other uses in this privacy policy or at the time of the collection of that information.

Definition pursuant to *Australian Privacy Principles Guidelines*:

Primary purpose refers to the particular purpose for which the information in question was collected.

Secondary purpose is any purpose other than the primary purpose for which we have collected your personal information.

We will only make use of or disclose your personal information for a **secondary purpose** if:

- you have consented to the use or disclosure of that information; or
- you would reasonably expect us to use or disclose the information for the secondary purpose; or
- the use or disclosure of that information is required or authorised by or under legislation or court/tribunal order; or
- a “permitted general situation” exists in relation to the use or disclosure of the information by Erceg Management; or
- Erceg Management reasonably believes that the use of the information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

When collecting your information we will inform you of the primary purpose of our collection and/or any anticipated secondary purpose that may arise. The purpose of our collection will vary from project to project, depending on the nature of the project and the nature of your involvement and/or interest in the project.

Who can access my personal information and what conditions apply to their use of my personal information?

As a general rule, your personal and sensitive information will only be accessed and/or viewed by Erceg Management staff and officers, as and when it is appropriate or necessary. However, your personal information may also be accessed, from time to time, by:

- Erceg Management contractors;
- Erceg Management project partners;
- Erceg Management suppliers; or
- Erceg Management professional advisors.

Where a party, other than an employee or officer of Erceg Management, has access to the personal information of individuals, they will be required to comply with the applicable Australian privacy legislation and, where appropriate, to enter into privacy agreements with Erceg Management.

The access and use of your personal or sensitive information by a third party will be restricted to the purpose for which it was first collected and/or to a closely related secondary purpose.

Use of Aggregate Data

Erceg Management may use personal information in aggregate form to improve services and make them more responsive to the needs of customers. This statistical compilation and analysis of information may also be used by us or provided to others as a summary report for marketing, advertising or research purposes.

Direct marketing

Definition pursuant to the *Australian Privacy Principles Guidelines*:

Direct marketing involves the use and/or disclosure of personal information to communicate directly with an individual to promote goods and services. A direct marketer may communicate with an individual through a variety of channels, including telephone, SMS, postal mail, e-mail and online advertising.

Erceg Management will not use or disclose your **personal information** for the purpose of direct marketing, unless:

- we collected the information from you;
- we obtained your consent to the use or disclosure of the information for that purpose (except where it was impracticable to do so); and
- you would reasonably expect Erceg Management to use or disclose the information for that purpose; and
- we provide you with an easy to use means of opting out of receiving any further direct marketing communications; and
- you have not requested that we cease sending you direct marketing communications.

Erceg Management will only make use of your **sensitive information** for direct marketing purposes if you have consented to the use or disclosure of that information for that purpose.

If you receive direct marketing communications from Erceg Management or from an associated entity, you are entitled to:

- request that you receive no further direct marketing communications for Erceg Management;
- and/or the associated entity; and
- request that Erceg Management disclose the source of the information.

Opting-out

Erceg Management will take reasonable steps to facilitate a request by you to opt-out of receiving direct marketing communications. This may be a request to opt-out of receiving certain communications or to opt-out altogether.

Erceg Management will not charge you for making such a request or for giving effect to such a request.

Erceg Management will take reasonable steps to give effect to such request within a reasonable period of time after the request is made and will reply to a request for the source of the information in a reasonable period of time (unless it is unreasonable or impracticable for us to do so).

E-mails

We may use your e-mail address to send you Erceg Management publications, newsletters, marketing emails and information relating to seminars or events. We may also contact you by e-mail to seek your opinion or comment on our website and our service offerings.

Erceg Management, at all times, aims to comply with the terms of the *Spam Act 2003* (Cth) and will not send unsolicited commercial electronic messages or “spam”.

All commercial electronic messages sent by Erceg Management include information about the individual or organisation who authorised the sending of the message.

You can unsubscribe from our e-mails at any time. You can also contact us and instruct us not to send further information to you.

Security

We strive to ensure the security of your information and we take reasonable steps to protect your information from:

- from misuse, interference and loss; and
- from unauthorised access, modification or disclosure.

We regularly review and update our physical and data security measures in light of current technologies. Unfortunately, no data transmission over mobile data and communication services can be guaranteed to be totally secure.

In addition, our employees and contractors who provide services related to our information systems are obliged to respect the confidentiality of any personal information held by us.

We do everything reasonably within our power and control to prevent unauthorised use or disclosure of your information. However, we will not be held responsible for events arising from any unauthorised use or access to your information except to the extent that such unauthorised use or access is as a result of our failure to comply with our legal obligations in relation to the reasonable steps taken to secure the information we hold about you.

Accuracy of your personal information

We take reasonable steps to ensure that your personal information that we collect, use or disclose is accurate, complete and up-to-date. However, the accuracy of the information held by us largely depends on the accuracy of the information that you supplied to us. If at any time you discover that any information concerning you is inaccurate, out of date, incomplete, irrelevant or misleading, please contact us to correct the information.

Access to your personal information and complaints

Your privacy is very important to us and we take the matter very seriously. If you have any concerns about your privacy or how your personal information is being handled, please contact us at the email address at the bottom of this policy. We will respond within a reasonable time after the request is made and give access to the information in the manner you request, unless it is impracticable to do so.

Should we refuse you access to the personal information, we will explain the reasons for refusal and, if you wish to lodge a formal complaint about our refusal, we will explain the complaint procedure.

Please note that we will verify your identity before granting access to the personal information we hold about you.

If at any time you believe that the personal information we hold about you is incorrect, incomplete or inaccurate, then you may request that we amend such personal information. If we refuse your correction request, we will give you written reasons and provide you with information about our complaints-handling process should you not be satisfied with our reasons. Where we correct the personal information we hold about you, we will take reasonable steps to notify third parties bound by the APPs of the correction made to your personal information.

Third party websites

From time to time we may provide links to third party websites (**Linked Sites**). These Linked Sites are not under our control and we do not accept responsibility or liability for the conduct of the Linked Sites or their businesses and the information available on the Linked Sites. We recommend that you refer to the privacy policy of the Linked Sites before disclosing your personal information to the Linked Sites.

Notifiable data breaches

We are committed to protecting information we hold about you, and to compliance with the Notifiable Data Breaches scheme.

Where we become aware of a potential data breach which is likely to result in serious harm to any individuals about whom we hold information, we will:

- investigate the suspected breach and determine scope of any breach that has occurred and the risk of harm to affected individuals whose information may have been compromised;
- notify you and the Privacy Commissioner of the potential breach; and
- take steps to minimise any harm caused to affected individuals as a result of the breach.

Lodging a complaint

If you wish to complain about an alleged breach of the privacy of your personal/sensitive information, or an alleged breach of the APPs, the complaint should be made in writing and addressed to the attention of our Privacy Officer at the below address:

We will acknowledge receipt of your complaint and we will endeavour to deal with your complaint and provide you with a response within a reasonable time following our receipt of

your complaint (generally 30 days from our receipt of your complaint). Where a complaint requires a more detailed investigation it may take longer to resolve. If this is the case, we will provide you with progress reports.

We will verify your identity and seek (where appropriate) information from you in connection with the complaint.

Where required by law, we will acknowledge your complaint in writing and provide information in writing to you on how we will deal with your complaint. Further, if required to do so by law, we will provide our determination on your complaint to you in writing.

We may refuse to investigate and deal with a complaint if we consider it to be vexatious or frivolous.

If you are dissatisfied with the outcome of your complaint, you may seek an internal review of our decision, which will be completed by an officer not previously involved in your complaint. If you remain dissatisfied, you may escalate your complaint to the Office of the Australian Information Commissioner.

Contact us

If you have any further queries relating to our privacy policy or you have any comments or feedback, please contact us at:

Erceg Management

320 Lord Street, Perth WA 6000

(08) 9422 1888

FURTHER PRIVACY INFORMATION

For more information about privacy issues in Australia and protecting your privacy, visit the Australian Government, Office of the Australian Information Commissioner website www.privacy.gov.au.