

PRIVACY POLICY

Document No.	6.17	Version	2.0
Version Date	27 October 2023		
Expiry Date	N/A		
Policy Owner	Chief People Officer		
Policy Author	General Counsel		
Approval Authority	Chief Executive Officer		
Next Review Date	June 2024		
Published Externally	Yes		

Policy Snapshot

This Policy embodies Titles Queensland's commitment to protecting the Personal Information that is held by Titles Queensland when carrying out the delegated functions relating to the Registers maintained by Titles Queensland. This Policy satisfies Information Privacy Principle 5 (IPP5) to take reasonable steps to ensure that people can find out the type of Personal Information held by Titles Queensland and how Titles Queensland collects, holds, uses and discloses that Personal Information.

1. Policy objective

Queensland Titles Registry Pty Ltd ACN 648 568 101, QFF Registry No. 1 Pty Ltd ACN 647 902 314 as trustee for the Registry Hold Trust and Registry Finance Pty Ltd ACN 645 947 226 (***Titles Queensland***) performs the functions relating to the land register, water allocations register and other registries, including recording of all land-related transactions in Queensland, domestic and foreign land ownership and interests, water allocations and leasehold registrations.

As a public authority under the *Enabling Act*, Titles Queensland is subject to the *Information Privacy Act 2009 (Qld)* (**IPA**) as well as other privacy legislation in relation to how Titles Queensland collects, stores, provides access to, uses and discloses

Personal Information. This Policy outlines Titles Queensland's obligations and expectations regarding the collection and management of Personal Information.

2. Roles and Responsibilities

This Policy applies to all individuals that Titles Queensland collects Personal Information from including users of Titles Queensland services, visitors to Titles Queensland offices, users of Titles Queensland websites, potential, current and past Employees and all contractors (**you, your**).

Titles Queensland may change this Policy from time to time. A link to most current version of this Policy will be available on the Titles Queensland website. We encourage you to check the website periodically to ensure that you are aware of the current policy.

3. Key terms/ definitions

Employees	means all employees and contractors of Titles Queensland, whether on a full time, part time or casual basis.
Enabling Act	means <i>Queensland Future Fund (Titles Registry) Act 2021</i> (Qld) as amended from time to time.
IPA	means the <i>Information Privacy Act 2009</i> (Qld)
IPPs	Information Privacy Principles under the IPA.
Notifiable Data Breach Scheme	means the Notifiable Data Breach scheme under the Privacy Act
OIC	Office of the Information Commissioner in Queensland.
Personal Information	means information or an opinion, including information or an opinion forming part of a database, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.
Policy	means this Privacy Policy, as amended from time to time
Privacy Act	means the <i>Privacy Act 1988</i> (Cth)
Registers	means: <ul style="list-style-type: none">(a) Register of Titles under the <i>Land Titles Act 1994</i> (Qld)(b) Register of Water of Allocations under the <i>Water Act 2000</i> (Qld);(c) Foreign Ownership of Land Register under the <i>Foreign Ownership of Land Register Act 1988</i> (Qld); and(d) any other statutory register maintained by Titles Queensland from time to time.

4. Legal Context

As a public authority under the *Enabling Act*, Titles Queensland's privacy obligations are governed by the IPA and the 11 Information Privacy Principles (IPPs) and also by the *Privacy Act*. The IPA (including the IPPs) governs how and when Personal Information may be collected, handled, stored, accessed, amended, transferred, used and disclosed by Titles Queensland when performing titles registry functions.

In limited circumstances, Titles Queensland may be subject to the *Privacy Act* and/or the Notifiable Data Breach Scheme, for example when handling tax file numbers or if Titles Queensland is performing functions that are not titles registry functions.

5. Collecting Personal Information

Titles Queensland may collect the following types of Personal Information:

- (a) name, address, age or date of birth, contact details (including phone and email) and signature;
- (b) information collected in connection with the Registers including information:
 - (i) about real property titles, interests and other dealings connected to you;
 - (ii) required by law, to amend a land titles or water allocation record or other interest recorded in a Register (for example a marriage certificate lodged with a form); and
 - (iii) related to a lodgement or process which is not recorded on a Register (for example financial information in a Form 24 or a will deposited with a form);
- (c) information collected via eLodgement or Online Title and Image Searches (OTIS) including bank account details or credit card information;
- (d) your device ID, device type, geo-location information, computer and connection information, statistics on page views, traffic to and from the sites, advertising data, IP address and standard web log information;
- (e) information you provide through customer surveys and feedback; and
- (f) any other information that may be required in order to facilitate your dealings with Titles Queensland (for example drivers licence details and personal identification used to verify your identity).

If a person applies for employment, Titles Queensland may collect the following additional types of Personal Information:

- (a) prior employment history, reference checks, educational and trade qualifications;
- (b) eligibility to work in Australia, criminal history and working with children checks;
- (c) emergency contact, next of kin and medical information and records;
- (d) tax file number, bank details, superannuation details and financial information;
- (e) photographs for identification and signatures; and

- (f) information about gender, age, disability, nationality, cultural background and ethnicity, marital, family and relationship status, religious beliefs and gender identity of a person.

6. How Personal Information is collected

Directly from you

Titles Queensland may collect Personal Information directly from you or your authorised representative (such as a solicitor, surveyor, broker etc) when you lodge dealings with Titles Queensland, access a product or service, or when you contact Titles Queensland by phone, email or through the Titles Queensland website, including any forms.

From Third Parties

Titles Queensland may also collect Personal Information about you from third parties, including third parties who access or otherwise interact with the Registers. This includes when Titles Queensland audits third party operators such as Electronic Lodgement Network Operators who provide services to electronically lodge dealings with Titles Queensland, information brokers, and other government authorities.

In addition, when a person applies for employment, Titles Queensland may collect certain information about them (including name, contact details, working history and relevant records check) from recruitment consultants, previous employers and others who may be able to provide information to assist in the hiring decision.

7. Use and disclosure of Personal Information

Titles Queensland collects, holds, uses and discloses your Personal Information in line with registry operations and associated activities including:

- (a) administering and maintaining the Registers and meeting any associated statutory obligations (for example to verify your identity in a particular dealing);
- (b) to provide products and services including:
 - (i) registration services, and titling and plan services;
 - (ii) the supply of information including:
 - (A) information maintained on a Register or verifying third party information;
 - (B) combining the information maintained on the Register with other data sources, whether maintained by Titles Queensland or publicly available;
 - (C) developing alerts, notices or other services based on activity on the Register; and
 - (D) the combination, compilation, integration or analysis of information to facilitate information supply services or to create reports and

insights;

- (iii) the supply of information to third parties, including information brokers or information services provided directly to third parties;
- (c) for Titles Queensland internal administrative operations, including eLodgement, Enquiries and OTIS logins and portals and otherwise evaluate and improve Titles Queensland products and services and business operations;
- (d) communicating with you and other customers, consider feedback and complaints, provide marketing and promotional material and other information that is useful for you, including the Titles Queensland mailing list;
- (e) considering an employment application;
- (f) undertaking audits of Electronic Lodgement Network Operators and other third parties who access a Register, or comply with audits of Titles Queensland systems by government authorities or internal auditors;
- (g) as required by law (for example providing Personal Information to the Valuer General or Queensland Revenue Office, local councils and other rating authorities or utilities); and
- (h) resolving any dispute that Titles Queensland has with any user or to enforce Titles Queensland agreements with third parties.

8. Disclosure of Personal Information

Titles Queensland may disclose Personal Information for the purposes described in this Policy to:

- (a) Titles Queensland's employees, related bodies corporates and shareholder;
- (b) third party suppliers and service providers (including IT providers);
- (c) professional advisers, dealers and agents;
- (d) payment systems operators (for example merchants receiving card payments);
- (e) Titles Queensland existing and potential agents, business partners or partners;
- (f) anyone to whom Titles Queensland's assets or business (or any part) might be transferred to;
- (g) third parties that you authorise to receive information held by Titles Queensland;
- (h) third parties set out in this Policy, including authorised deposit-taking institutions, credit reporting bureaus, information brokers, information service providers and electronic network operators;
- (i) other persons, including government agencies (for example the Registrar General), regulatory bodies and law enforcement agencies, or as otherwise required, authorised or permitted by law.

Titles Queensland has licensing arrangements with information brokers which allows them access to information on Registers and use of the data collected by Titles Queensland as well as licensing arrangements with other third parties for products and services. Use of any Personal Information by those third parties is subject to strict use restrictions in the relevant agreement they have with Titles Queensland.

Titles Queensland may also seek your consent from time to time to disclose Personal Information for purposes not set out in this Policy and in some cases, if you do not consent, Titles Queensland may not be able to provide some products and services to you.

The Registers that Titles Queensland manages are public as required by law, and Personal Information may be disclosed outside of Queensland and Australia where persons searching the Registers are located outside of Queensland and Australia.

9. Storing Personal Information

Titles Queensland holds Personal Information in either electronic or hard copy form. Titles Queensland takes reasonable steps to protect all Personal Information it holds from loss, misuse, interference or unauthorised disclosure, modification or destruction and uses various physical, administrative, personnel and technical controls to protect Personal Information.

10. Access to your Personal Information

Details of how you may access any Personal Information that Titles Queensland hold about you, at any time, can be found in the Right to Information Policy.

11. The Right to Privacy

Under the *Human Rights Act 2019* (Qld), public entities must act compatibly with human rights and give them proper consideration before making a decision. The Enabling Act specifies that Titles Queensland is a public entity for the purposes of the *Human Rights Act*. The rights set out in the *Human Rights Act 2019* (Qld) include a right to privacy. When meeting the obligations under this Privacy Policy and the IPA, Titles Queensland and its staff will recognise, and act compatibly with, this right to privacy.

12. Complaints

If you have a concern about how your Personal Information is being collected, stored, used or disclosed, or that Titles Queensland has not complied with this Policy, you may make a complaint to Titles Queensland. Your complaint must be in writing and be sent to privacy@titlesqld.com.au and include details about your concerns and/or the actions of Titles Queensland.

Upon receipt of a complaint, Titles Queensland may, if required, seek further clarification of your issues and concerns and then will facilitate an investigation into the matter.

Titles Queensland will notify you within 45 business days of the outcome of your complaint however if a longer period is required, Titles Queensland will contact you to arrange and extension of this timeframe.

If you have made a complaint to Titles Queensland under the IPA and you have not received a response to your complaint within 45 days or you are not satisfied with the response you receive, you can refer your complaint to the OIC.

For more information visit the OIC [website](#).

13. Further Information

For general enquiries on the operation and application of Queensland's Privacy Laws, you can contact Titles Queensland at privacy@titlesqld.com.au or the OIC enquiry service:

- (a) Telephone: (07) 3234 7373 or 1800 642 753
- (b) Email: enquiries@oic.qld.gov.au
- (c) Website: www.oic.qld.gov.au

14. References

2.10 Right to Information Policy

Privacy Act 1988 (Cth)

Information Privacy Act 2009 (Qld)

Right to Information Act 2009 (Qld)

Human Rights Act 2019 (Qld)