



## **Privacy Policy**

**First National Real Estate Yamba & Iluka**  
**ACN 120 062 508**

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## Privacy Statement

The Privacy Act 1988 requires entities bound by the Australian Privacy Principles (**APPs**) to have a Privacy Policy. This Privacy Policy outlines how First National Real Estate Yamba & Iluka ACN 120 062 508 ("First National", "us" or "we") collects, uses, stores and discloses your personal information under the *Privacy Act 1988 (Privacy Act)* and the APPs. This policy is written in simple language.

By providing personal information to us, you expressly consent to our collection, use and disclosure of your personal information and sensitive information in accordance with this Privacy Policy and any other arrangements that apply between you and us.

We may change our Privacy Policy from time to time by publishing changes to it at our premises, on our website and / or as an email update to all users. We encourage you to check our website and for our email updates periodically to ensure that you are aware of the terms of our current Privacy Policy.

We respect the privacy of your personal information and treat it in accordance with this statement. If you have any concerns or would like to access your personal information that we hold, please contact:

First National Real Estate Yamba & Iluka  
1/19-21 Coldstream Street, Yamba, NSW 2464  
CONTACT PERSON: Richard Hunt  
PHONE: 0498462291  
EMAIL: richard@fnyamba.com.au

## Overview

We collect, hold, use and disclose personal information to carry out business functions or activities. These functions and activities include:

- promoting and marketing the First National network;
- promoting and marketing First National Members;
- providing information to vendors, purchasers and the public on real estate and related areas;
- advertising properties listed with First National Members;
- establishing training programs, seminars and conferences for First National Members; and
- undertaking activities in support of our functions and activities including human resources, corporate administration, property management and public relations activities.

## Collection of your personal information

Personal information has the meaning given to that term in the Privacy Act. At all times we try to only collect the information we need for the particular function or activity we are carrying out.

We collect information from you on a voluntary basis. You are not under any obligation to provide information to us. However, if we do not collect your personal information, we may not be able to provide our services to you. Depending upon the circumstances, we either might not be able to provide our services at all, or only partly provide our services.

Each time you contact us, you may provide us with personal information about yourself or others that we need to use to provide you with our services. The main way we collect personal information about you is when you give it to us, for example when you:

- complete forms, applications or surveys;
- contact us to ask for information;
- attend an open for inspection of a property listed with First National;
- participate in forums on our website; or
- otherwise specifically provide us with your personal information.

Information that we may collect directly from you may include:

- your full name;
- your residential address;
- your email address;
- your gender;
- your mobile number and other contact details;
- your age and date of birth;
- products and services you are interested in or require more information about;
- your bank account details;
- any information that is required or authorised by law; and
- any other personal information that you choose to provide in connection with your dealings with us.

You may provide personal information to us to receive information about products or services offered through this website, to purchase such products and services, to receive newsletters or become involved in promotions or other initiatives commenced by us. If you purchase or request products and services from us, we may also request your preferences for receiving further marketing or promotional material.

We require some of this information to provide services to you, as indicated by mandatory fields on some forms. For non-mandatory fields, the choice of how much information you provide to us is yours. We seek this information to process your request for information and provide that information to you, to improve the quality of our products and services and to assist you to determine which products and services best meet your needs.

### **Collecting personal information through our websites**

We may collect and store information about your visit to this website, including:

- the name of the domain from which you accessed the internet;
- the date and time you accessed the website;
- the internet address of the website from which you linked directly to the website; and
- the pages you accessed while visiting the website.

Our website may use 'cookies' and other technologies such as 'pixel tags' and 'web beacons'. These technologies help us better understand user behaviour, tell us which parts of our website people have visited and facilitate and measure the effectiveness of our website. These technologies may also be used to collect data that may include personal information. You may wish to disable cookies via your device, however, our website may not work as effectively with cookies disabled.

This information does not in itself identify individuals and is used to measure the number of visitors to the website and how it was navigated. This information assists us to make the website more useful to you.

We also collect information from subscribers (persons registering their details with us through the website) or website visitors for the purpose of improving our quality and effectiveness and to provide you with information. We welcome feedback from you about all aspects of this website. We store feedback that users send to us. This feedback is used to administer and refine our service. We may also use the information to improve or promote this site. We will not publish your name in connection with any information you provide without your permission. If you do not provide us with your personal information, some enhanced services, like the right to access our property guides, will be unavailable to you. If you do provide us with your personal information, we will protect it in accordance with the APPs and will only handle personal information where necessary.

### **Collecting personal information through social networking services**

We may use social networking services such as X (formerly Twitter), Facebook, Instagram and YouTube to communicate with the public. When you communicate with us using these services, we may collect your

personal information, but we only use it to help us to communicate with you and the public. The social networking service will also handle your personal information for its own purposes. These sites have their own privacy policies.

### **Notification of collection of personal information**

If we collect personal information from someone or some entity other than you in the course of our business activities, we will make you aware that we have done so and explain why. We will also explain if there are any consequences for you if such information is not collected. When collecting information from tenants, purchasers or prospective buyers, we will notify you—through our tenancy application forms, sales documentation, or open-for-inspection registration process—that your personal information may be checked against relevant tenancy databases. This notice is provided before we obtain or use such information, in accordance with the Australian Privacy Principles.

Organisations that we are likely to collect personal information from or provide information to are:

- TICA;
- Barclays MIS;
- Veda; and
- NTD (National Tenancy Database).

### **How we may use or disclose your personal information**

We will only use or disclose your personal information for the primary purpose of our business or purposes related to our business activities. The primary purpose of our business includes, but is not limited to:

- marketing real estate goods or services;
- marketing First National Members;
- marketing the First National Network; and
- providing further information about our services.

We may use or disclose your personal information for a purpose other than for the purposes stated above if:

- you have consented to such use or disclosure;
- you would reasonably expect such use or disclosure for a related purpose, or, in the case of sensitive information, directly related to the purposes stated above;
- it is required or authorised by or under an Australian law or a court/tribunal order;
- a permitted general situation exists in relation to the secondary use or disclosure; or
- we reasonably believe that such use or disclosure is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

We may use your personal information to deliver services you have requested (for example, responding to an inquiry for information concerning a property).

We may also use your personal information to send you periodic mailings containing information on new services and upcoming events that may interest you. If at any stage you decide that you do not wish to receive such material, please let us know by following the Opt-Out procedure below and we will ensure that your name is removed from our contact list.

### **Business without identifying you**

In some circumstances it will be necessary for First National Real Estate or its members to identify you in order to successfully do business with you. However, where it is lawful and practicable to do so, we will offer you the opportunity of doing business with us without providing us with personal information, for example, if you make general inquiries about real estate, the market, or ask a question via our National Website.

## **Direct marketing**

From time to time, we may use your personal information to provide you, via email or another form of communication, with current information about real estate, offers you may find of interest, changes to our organisation or new products or services being offered by us or any company with whom we are associated.

We will obtain your consent prior to using or disclosing any of your sensitive information for the purposes of direct marketing and comply with the Privacy Act and the Spam Act 2003 (Cth). If you do not wish to receive marketing information, you may at any time decline to receive such information by telephoning us on 0266462299 or by emailing us at [info@fnyamba.com.au](mailto:info@fnyamba.com.au) .

If the direct marketing is by email you may also use the unsubscribe function or the Opt-Out procedure below. We will not charge you for giving effect to your request and will take all reasonable steps to meet your request at the earliest possible opportunity.

## **First National Members**

In order to deliver our services to you, we may disclose your personal information to another First National Member who is best positioned to assist with your particular request. In doing so, we authorise these members to use your personal information in the ways described above. These members will handle your personal information in accordance with the privacy statements accessible through their websites.

Other than as stated in this Statement, we do not rent, sell or otherwise disclose your personal information to non-member companies or organisations without your prior consent.

## **Overseas Recipients**

We may disclose your personal information to overseas recipients such as international First National Real Estate member offices, should this be deemed necessary (for example, responding to an inquiry for information concerning a property). Countries could include:

- New Zealand;
- Vanuatu;
- Any other country where a First National member is based.

Before disclosing any of your personal information to an overseas recipient, we will take reasonable steps to ensure that they do not breach the APPs, under an exception in the Privacy Act. In some cases, we will remain accountable if the recipient mishandles your information.

We will not be required to take reasonable steps to ensure an overseas recipient does not breach the APPs if:

- the overseas recipient is subject to a substantially similar law or binding scheme;
- the overseas recipient is subject to the laws of a country prescribed by regulations;
- we have your fully informed consent;
- it is required or authorised by law or an international agreement relating to information sharing;
- a permitted general situation exists; or
- it is an enforcement-related activity.

Information that you post in any social media public forum used by First National Real Estate or its members (such as but not limited to Facebook, Twitter or Instagram) may be exposed to overseas recipients.

We may disclose your personal information to overseas entities that provide support functions to us. You may obtain more information about these entities by contacting us. We may also use cloud storage to store the personal information we hold about you. The cloud storage and the IT servers may be located outside Australia.

## **Opt-Out procedure**

In each direct marketing or promotional communication with you, we will advise you how to notify us if you do not wish to receive any further communications from us. If our correspondence is in the form of an e-mail, we will attach simple instructions on how you can unsubscribe from our mailing list. In any event you can opt-out from receiving marketing or promotional material from us by emailing us at [info@fnyamba.com.au](mailto:info@fnyamba.com.au) or by contacting us by mail or telephone and asking to be removed from our mailing list.

You should note that by opting out of our mailing list, you will not automatically be removed from the mailing lists of other First National members or business partners to whom we have forwarded your personal information because we do not have control over those mailing lists.

If you no longer wish to receive material from the relevant First National member or business partner to whom we have forwarded your personal information, please follow their own Opt-Out procedure as described on their website or in their marketing material.

## **Access to your personal information**

You can find out what personal information we have about you, and amend or update your personal information, by e-mailing us at [info@fnyamba.com.au](mailto:info@fnyamba.com.au) or by telephoning us (contact details are provided at the beginning of this Statement). We will provide access to your personal information in a manner that is reasonably requested by you, including by email, phone, in person, hard copy or electronic record.

We may charge a fee for our actual costs of retrieving and supplying the information to you, including staff costs in locating and retrieving the personal information, staff costs in reproducing and sending the personal information, costs of postage etc.

We may also seek to verify your identity before providing you with your personal information (or considering any requests in relation to it) to ensure that your information is not inappropriately accessed. Depending on the type of request that you make we may respond to your request immediately, otherwise we usually respond to you within seven days of receiving your request. We may need to contact other entities to properly investigate your request.

There may be situations where we are not required to provide you with access to your personal information, for example, if the information relates to existing or anticipated legal proceedings, or if your request is vexatious. An explanation will be provided to you if we deny you access to the personal information we hold about you.

## **Correcting your personal information**

If any of the personal information we hold about you is incorrect, inaccurate or out of date you may request that we correct the information. If appropriate we will correct the personal information. At the time of the request, otherwise, we will provide an initial response to you within seven days of receiving your request. Where reasonable, and after our investigation, we will provide you with details about whether we have corrected the personal information within 30 days.

We may need to consult with other entities as part of our investigation.

## **Complaints**

Should you wish to make a complaint about management of your information, please email or phone. First National Real Estate Yamba & Iluka will make a record of your complaint, verify the information received, and take steps to correct any deviation from Australian Privacy Principles.

Should your complaint relate specifically to the management of your personal information by another independent member of the First National Real Estate network (i.e. Not First National Real Estate's corporate administration or us), the network will refer your complaint directly to the member for response.

We will acknowledge your complaint within seven days. We will provide you with a decision on your complaint within 30 days. We will let you know if we expect your complaint will take longer to resolve. If you are dissatisfied with the response of our complaints officer, you may make a complaint to the Privacy Commissioner which can be contacted on either [www.oaic.gov.au](http://www.oaic.gov.au) or 1300 363 992.

## **Sensitive information**

We will only collect sensitive information about you with your consent. Sensitive information is personal information that includes information relating to your racial or ethnic origin, political persuasion, memberships in trade or professional associations or trade unions, sexual preferences, criminal record or health.

## **Unsolicited information**

If we receive unsolicited private information from you, we will as soon as practicable, but only if lawful, destroy the information or assure it is de-identified.

## **Security**

We use all reasonable efforts to keep your personal information secure, accurate and up to date.

Your personal information is stored behind firewalls and personal information is accessible by password access and/or multi-factor authentication. You can assist us to keep your personal information secure by ensuring that any username or password provided to you is kept confidential.

## **Data Breach Notification**

We are bound by the *Privacy Act 1988* (Cth), including the Notifiable Data Breaches scheme under Part IIIC of that Act.

If we become aware of a data breach involving personal information that is likely to result in serious harm to any individual, we will:

- promptly investigate and assess the circumstances of the breach;
- take all practicable steps to contain, mitigate and remediate the incident; and
- notify affected individuals and the Office of the Australian Information Commissioner (OAIC) as required by law.

We maintain internal procedures for identifying and managing suspected data breaches, including escalation to our privacy contact officer. You may contact us at any time if you suspect a data breach involving your personal information.

## **Storage**

Your personal information may be stored by us either digitally or in physical hard copy.

We will take reasonable steps to protect your personal information from misuse, interference, unauthorised access, loss or modification. We will also take reasonable steps to destroy personal information or ensure it is deidentified if we no longer need the information for any purpose for which it may be used or disclosed under the APPs.

We retain personal information for as long as it is required for our business operations or to meet legal, regulatory or contractual obligations. Once personal information is no longer needed for these purposes, we take reasonable steps to destroy it securely or permanently de-identify it, consistent with the Office of the Australian Information Commissioner's (OAIC) guidance on information retention and destruction.

You provide your personal information to us at your own risk. We cannot guarantee the safety or security of your personal information. Like all businesses, our security safeguards may be subject to attack, interference, misuse or unauthorised access.

Unless stated or required otherwise, we are not responsible for the safety, security and data protection policies of third parties.

We encourage you to contact us if you suspect that there are any potential safety, data protection or security risks regarding your personal information.

### **Disclaimer of responsibility for third party sites**

Our website contains links to other web sites including the websites of First National members. We provide those links for the purposes of convenience only. If you do choose to open a link to an external website, you should review the privacy policy adopted in relation to that website (as it may be different to this Privacy Policy). We are not responsible for the content on those other websites or their privacy practices.

### **How we may change this statement**

We reserve the right to amend or update this Statement so long as no change or amendment has a retrospective detrimental effect to your privacy rights. Changes will take effect by being published on our website. You can accept these changes by continuing to use the website.

This privacy policy came into existence 07/01/2026.