



# SUBURBAN LAND AGENCY INFORMATION PRIVACY POLICY

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## 1.0 Policy Statement

The Suburban Land Agency (Agency) Information Privacy Policy (Policy) specifies the Agency position in relation to its protocols on matters relating to personal information collected while conducting its business operations.

## 2.0 Purpose

The Policy has been developed to ensure that the Agency’s practices in relation to the personal information it collects is aligned with legislative and other relevant whole of Government requirements.

## 3.0 Scope

The Policy is to be read in conjunction with the Agency Privacy Statement, which is found on the Agency’s [website](#). The two documents together provide a consolidated approach that sets out the specific functions and requirements, and the way the Agency collects, stores, handles and discloses personal information as prescribed in the *Information Privacy Act 2014* (Information Privacy Act). The Policy is consistent with the requirements of Territory Privacy Principle 1.3 of the Information Privacy Act regarding the collection, management, use and disclosure of personal information.

The Policy and Agency Privacy Statement also provides directions for relevant parties to, where deemed necessary, make complaints relating to the Agency’s handling of personal information.

## 4.0 Roles & Responsibilities

The following table outlines the roles and responsibilities undertaken in this policy.

Position/Business Area/Committee	Responsibility
Chief Executive Officer	Approves the Policy
Executive Branch Manager, Governance and Corporate Services	Owner of the Policy
All Agency staff	To implement and adhere to the Policy requirements
Governance team	Monitoring of performance against Policy requirements

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## 5.0 Policy Requirements

### 5.1 Collecting personal information

As part of conducting its business, the Agency in certain circumstances collects personal information of people through a variety of mediums to enable it to perform its functions and responsibilities.

When personal information is being collected, the Agency is to notify information owners that their information is being collected and the purposes for which the information is being collected. Where relevant, the Agency is to make reference to this Policy and the Agency Privacy Statement as part of the collection process to ensure that information owners are aware of the reasons why their personal information is being collected and how it will be handled.

The Agency will collect personal information in a lawful manner. Accordingly, the Agency does not collect personal information without explicit notice and/or consent by the information owner, unless in circumstances where it is impractical or there are legal requirements to do so. The Agency is also required to ensure that the information it collects is accurate, current and complete.

The types of personal information that may be collected by the Agency are included in [Attachment A](#). The manners in which the Agency can collect personal information are included in [Attachment B](#) and under its Privacy Statement on the Agency's [website](#).

### 5.2 Use, storage and disclosure of personal information

The Agency will not use personal information for a secondary purpose or disclose personal information to third parties without prior consent, unless in circumstances where there are legislative requirements to do so. Further information on the Agency's use of personal information is provided at [Attachment C](#).

The Agency is required under the Information Privacy Act to ensure that the personal information it holds is safe and secure and to allow for the protection of personal information from misuse, interference or loss from unauthorised access, modification or disclosure.

Personal information held by the Agency may be stored by or be shared with third parties outside of Australia. On the basis that these actions occur, the Agency will take all reasonable steps before providing the personal information. This is to ensure that the personal information is managed by those third parties in accordance with similar standards of care as is stipulated in the Information Privacy Act. In some cases, the information will already be sufficiently protected under the law governing the overseas recipient, and you can access mechanisms to enforce those protections

The Agency handles personal information in accordance with the requirements stipulated in relevant policies and legislation under which it is collected. Personal information that is no longer required by the Agency will be disposed of in a manner that is consistent with requirements stipulated in the Information Privacy Act and *Territory Records Act 2002*.

### 5.3 Accessing of personal information

Consistent with the requirements of the *Freedom of Information Act 2016* and Information Privacy Act, information owners can access their personal information that have been obtained by the Agency in a reasonable and practical manner. The Agency is obligated to provide a detailed explanation within a reasonable timeframe in circumstances where it cannot respond to requests for the provision for personal information.

Information owners can contact the Agency regarding access to their personal information using the contact details outlined in Section [5.5 Making a complaint](#). The Agency charges no fees for requests to access personal information that it holds.

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#### 5.4 Correcting of personal information

From time to time, owners of information may wish to update their personal information maintained by the Agency for a variety of reasons including that the information is incomplete, incorrect, out of date, irrelevant or misleading. Unless otherwise required by law, the Agency is to take all reasonable steps to ensure that personal information it maintains is consistent with that provided by the owner of the information.

The Agency is to also take all reasonable steps to update personal information that has been updated with any other third party, on the basis that the information has been shared to those parties. If the Agency does not update the information in its possession as requested by the owner of the information, the Agency must clearly articulate in writing to the owner the reasons for its decision.

#### 5.5 Making a complaint

Complaints in relation to the way the Agency has managed personal information can be made in writing to the following contact details below. The Agency is to formally notify the complainant that their complaint has been received and must respond to all complaints it receives within a reasonable timeframe. The Agency should also make every effort to resolve complaints in a satisfactory manner.

On the basis that information owners are not satisfied with the way the Agency handles a complaint that has been made, a formal privacy complaint can be made to the Office of the Australian Information Commissioner (OAIC) in a manner consistent with the Information Privacy Act. The OAIC is an independent body and its Commissioner can determine whether the Agency's actions have potentially breached any personal privacy.

The contact details for all matters relating to personal information maintained by the Agency are included below:

**Mail:** Executive Branch Manager, Governance and Corporate Services  
Suburban Land Agency  
480 Northbourne Avenue, Dickson ACT 2602  
GPO Box 158 Canberra ACT 2601

**Telephone:** +61 2 6205 0600

**Email:** [suburbanland@act.gov.au](mailto:suburbanland@act.gov.au)

#### 5.6 Remaining anonymous

Information owners have the option of remaining anonymous when dealing with the Agency. However, it is impractical for the Agency to engage information owners anonymously in events that requires the collection of personal information. This may include sales events such as a ballot system or land auction. Anonymous information provided in these circumstances will render participation invalid and void.

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## 6.0 Evaluation

Outcome Measures	Method	Responsibility
The Agency's information privacy practices are consistent with the Chief Executive Officer's directions	Regular review of the Agency's information privacy practices to ensure that they are consistent with the practices as approved by the Chief Executive Officer	Governance team
Information Privacy Policy is relevant and current	Policy reviewed biennially or as required to ensure continued relevance and recency	Governance team

## 7.0 Review

This policy will be reviewed as required to ensure relevance and recency. At a minimum it will be reviewed every two years.

## 8.0 Related Legislation, Policies and Standards

- *City Renewal Authority and Suburban Land Agency Act 2017*
- *Financial Management Act 1996*
- *Freedom of Information Act 2016*
- *Health Records (Privacy and Access) Act 1997*
- *Information Privacy Act 2014*
- *Land Rent Act 2008*
- *Planning and Development Act 2007*
- *Public Sector Management Act 1994*
- *Territory Records Act 2002*
- *Privacy Act 1988*
- Suburban Land Agency Privacy Statement

## Document Governance

Position/Business Area/Committee	Role	Responsibility
Chief Executive Officer	Document approver	Approving authority
Executive Branch Manager, Governance and Corporate Services	Document sponsor	Responsible for implementing the policy
Governance team	Document Custodian	Responsible for drafting and amending the policy

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## Version History

The following table details the published date and amendment details for this document

Version	Date	Amendment details
1.0	24/09/2021	First publication of this policy

## Attachments

### Attachment A – Types of personal information collected by the Agency

They may include:

- Names, addresses and contact details, such as phone number and email address;
- Personal identity such as date of birth, country of birth, gender, marital status, details of family members, relationship details, occupation, citizenship or immigration status, passport details, academic record, and driver licence details;
- Information relating to financial affairs such as payment details, bank account details, and information about business and financial interests;
- Employment details including tax file number, work history and remuneration;
- Sensitive information which are handled with additional protections under the Information Privacy Act. They may include, racial or ethnic origin, sexual orientation, biometric information (such as photographs, video and/or audio recordings;), religious beliefs or affiliations, membership of a political association, a professional or trade association, and criminal record; and
- Personal information as is authorised by law to be collected.

### Attachment B – How the Agency collects personal information

Personal information may be collected by the Agency through the following methods:

- Freedom of information requests made to the Agency;
- Surveys, community consultations and forums;
- Employees, contractors, suppliers, vendors, service providers, Agency visitors and those seeking work with the Agency;
- Sales and other business enquiries or through sales events such as a ballot system or land auction;
- Other government agencies, private and not for profit organisations in a manner consistent with relevant laws;
- Contacting the Agency to provide updated personal information;
- Subscription to the Agency’s online social media channels;
- Subscription to any of the Agency’s email distribution list for information purposes; and
- Agency website as per the Agency’s Privacy Statement.

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## Attachment C – Use of personal information

The Agency may use or disclose personal information in the following circumstances:

- For the purpose for which the information was collected;
- A legal requirement for the information to be disclosed;
- Financial, legal, administrative and other service providers;
- Marketing agencies (for demographic research purposes) and sales agents which the Agency engages;
- Companies and their agents in relation to the development and marketing of projects;
- The ACT Revenue Office in relation to its functions including determining outstanding duty, and liability to pay land rent;
- Those the Agency collects personal information from, including agents;
- Once a property is purchased, the sales information is supplied to ACT Government Agencies that prepare and may sell property sales reports to commercial organisations.
- It is unreasonable or impractical to obtain relevant consent and there is a strong view that the use or disclosure is necessary to reduce or prevent a serious threat to the life, health and safety of any individual, or to public health or safety; and
- Where use or disclosure is necessary to help locate a person who has been reported as missing.

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