

Privacy Policy Statement

1 Open and transparent management of personal information

The Abel Tasman Village Association Limited (ATV) will take such steps as reasonable in the circumstances to implement practices, documented procedures and systems relating to its functions and activities that will ensure that ATV complies with the Australian Privacy principles and will enable ATV to deal with inquiries or complaints from individuals.

ATV will publish its Privacy Policy Statement on its web site.

ATV will make its Privacy Policy Statement available on request and free of charge.

2 Anonymity and pseudonymity

In some circumstances individuals have the option of not identifying themselves or use a pseudonym. This does not apply if it is impractical for ATV to deal with individuals who have not identified themselves or where ATV is required or authorised under Australian Law to deal with individuals who have identified themselves.

3 Collection of solicited information

- ATV will not collect personal information unless the information is required for one or more ATV's functions or activities.
- ATV will not collect sensitive information about an individual unless the individual consent and the information is necessary for its functions or activities.
- ATV will not collect sensitive information unless it is required or authorised under an Australian law or court/tribunal direction.
- ATV will only collect information by lawful and fair means.
- ATV will collect personal information only from the individual unless it is unreasonable or impractical to do so.
- ATV will not solicit personal information.

4 Dealing with unsolicited personal information

ATV will within a reasonable period of time after receiving unsolicited information, determine whether or not ATV could have collected the information as part of solicited information (See 3 above). If so ATV may disclose this information as if ATV had solicited the information.

If ATV determines that it could not have collected the personal information it will as soon as practicable but only if it is practicable and reasonable to do so, destroy the information or de-identify the information.

5 Notification of the collection of personal information.

At or before the time or, if that is not practical as soon as practical after, ATV collects personal information about an individual, it must take steps as are reasonable in the circumstances to notify the individual of information collected or, to ensure that the individual is aware of personal information is collected.

The matters for the purposes of clause 5 are as follows:

- (a) the identity and contact details of ATV
- (b) the fact that ATV collects, or has collected, the information and the circumstances of that collection
- (c) if the collection of the personal information is required or authorised by or under an Australian law or a court/tribunal order
- (d) the purposes for which the ATV collects the personal information
- (e) the main consequences (if any) for the individual if all or some of the personal information is not collected by ATV
- (f) any other entity, body or person, or of any other entities, bodies or persons, to which the ATV usually discloses personal information of the kind collected
- (g) that the privacy policy of ATV contains information about how the individual may access the personal information about the individual that is held by ATV and seek the correction of such information
- (h) that the privacy policy of the ATV contains information about how the individual may complain about a breach of the Australian Privacy Principles, or a registered APP code that binds the entity, and how the entity will deal with such a complaint
- (i) whether the ATV is likely to disclose the personal information to overseas recipients
- (j) if ATV is likely to disclose the personal information to overseas recipients, the countries in which such recipients are likely to be located if it is practicable to specify those countries in the notification or to otherwise make the individual aware of them.

6 Dealing with personal information

If ATV holds personal information about an individual that was collected for a particular purpose (the primary purpose), it must not use or disclose the information for another purpose (the secondary purpose).

7 Direct Marketing

If ATV holds personal information about an individual, ATV will not use or disclose the

information for the purpose of direct marketing.

8 Cross-border disclosure of personal information

ATV will not disclose personal information about an individual to an overseas recipient unless the individual or the individual's legal representative has consented or requested such disclosure.

9 Adoption, use or disclosure of Government related identifiers

ATV will not adopt a government related identifier of an individual as its own identifier of the individual unless:
the adoption of the government related identifier is required or authorised by or under an Australian law or a court/tribunal order.

10 Quality of personal information

ATV will take such steps (if any) as are reasonable in the circumstances to ensure that the personal information that the entity collects is accurate, up to date and complete. ATV will take such steps (if any) as are reasonable in the circumstances to ensure that the personal information that ATV uses or discloses is, having regard to the purpose of the use or disclosure, accurate, up to date, complete and relevant.

11 Security of personal information

If ATV holds personal information, it will take such steps as are reasonable in the circumstances to protect the information:

- (a) from misuse, interference and loss; and
- (b) from unauthorised access, modification or disclosure.

If:

- (a) ATV holds personal information about an individual; and
- (b) ATV no longer needs the information for any purpose for which the information may be used or disclosed by the entity under this Schedule; and
- (c) the information is not contained in a Commonwealth record; and
- (d) ATV is not required by or under an Australian law, or a court/tribunal order, to retain the information;

ATV will take such steps as are reasonable in the circumstances to destroy the information or to ensure that the information is de-identified.

12 Access to personal information

If ATV holds personal information about an individual, it will, on request to the General Manager by the individual, give the individual access to the information.

Exception to access

ATV is not required to give the individual access to the personal information to the extent that:

- (a) ATV reasonably believes that giving access would pose a serious threat to the life, health or safety of any individual, or to public health or public safety; or
- (b) giving access would have an unreasonable impact on the privacy of other individuals; or
- (c) the request for access is frivolous or vexatious; or
- (d) the information relates to existing or anticipated legal proceedings between the entity and the individual, and would not be accessible by the process of discovery in those proceedings; or
- (e) giving access would reveal the intentions of ATV in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
- (f) giving access would be unlawful; or
- (g) denying access is required or authorised by or under an Australian law or a court/tribunal order; or
- (h) the following apply:
ATV has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to the entity's functions or activities has been, is being or may be engaged in action in relation to the matter; or
- (i) giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or
- (j) giving access would reveal evaluative information generated within the entity in connection with a commercially sensitive decision-making process.

Dealing with requests for access

ATV will:

- (a) respond to the request for access to the personal information:
within a reasonable period after the request is made; and
- (b) give access to the information in the manner requested by the individual, if it is reasonable and practicable to do so.

Access charges

If:

ATV charges the individual for giving access to the personal information;
the charge will not be excessive and will not apply to the making of the request.

13 Correction of personal information

If:

- (a) an ATV holds personal information about an individual; and
- (b) either:
 - (i) ATV is satisfied that, having regard to a purpose for which the information is held, the information is inaccurate, out of date, incomplete, irrelevant or misleading; or
 - (ii) the individual requests ATV to correct the information;
ATV must take such steps (if any) as are reasonable in the circumstances to correct that information to ensure that, having regard to the purpose for which it is held, the information is accurate, up to date, complete, relevant and not misleading.

Refusal to correct information

If ATV refuses to correct the personal information as requested by the individual, ATV must give the individual a written notice that sets out:

- (a) the reasons for the refusal except to the extent that it would be unreasonable to do so; and
- (b) the mechanisms available to complain about the refusal; and
- (c) any other matter prescribed by the regulations.

Request to associate a statement

If: ATV refuses to correct the personal information as requested by the individual; and

the individual requests ATV to associate with the information a statement that the information is inaccurate, out of date, incomplete, irrelevant or misleading;

ATV will take such steps as are reasonable in the circumstances to associate the statement in such a way that will make the statement apparent to users of the information.

Dealing with requests

If a request is made ATV:

- (a) will respond to the request:
- (b) within a reasonable period after the request is made; and
- (c) must not charge the individual for the making of the request, for correcting the personal information or for associating the statement with the personal information (as the case may be).