

Oscar Design & Construction Pty Ltd

Privacy Policy

In its commitment to ensuring that your privacy is protected Oscar Design & Construction Pty Ltd recognises that it has obligations under the Privacy Act 1988 (Cth) (“Privacy Act”). The object of this Policy is to set out how Oscar Design & Construction Pty Ltd collects, uses, discloses and manages “personal information” which is collected from you and that the manner in which this information is handled is open and transparent and in accordance with the Australian Privacy Principles under the Privacy Act.

“**AAP**” means the Australian Privacy Principles under the Privacy Act;

“**Oscar DC**” reference to Oscar Design & Construction Pty Ltd in this Policy means Oscar Design & Construction Pty Ltd Homes Pty Ltd and its related companies and trusts.

“**Personal information**” means information as defined in the Privacy Act which generally relates to it is any information that can be used to personally identify you such as your name, address, telephone number and email address.

“**You**” means Oscar Design & Construction Pty Ltd’s customer and, where relevant, includes members of the general public.

Compliance with AAP 1 – Open and Transparent management of Personal Information and implementation processes ensuring Compliance with this Policy and Compliance with AAP3- Collection of Personal and Sensitive information.

Collecting Personal Information

The kind of personal information we will collect will depend upon the circumstances in which we deal with you and the type of service or product that you may seek from Oscar Design & Construction Pty Ltd.

Regardless of the type of service that Oscar Design & Construction Pty Ltd is providing, or the circumstances in which we come to deal with you, you will not be required to provide any “sensitive personal information”. This is information such as racial or ethnic origin, your political opinion, religious beliefs, sexual orientation or health information within the meaning of the Privacy Act. This type of information is not required to be given to us.

What type of Personal Information do we collect?

As our business involves Design, building homes, and selling home and land packages and residential flat building units, employment, internships the personal information we will collect may include the following:

Initial customer contact

Your name, date of birth, gender and marital status;

Your contact details including address, email address, telephone numbers, employment history and qualifications, including home, work and mobile ;information to verify your identity such as your driver's licence;

details of products and services that you have enquired about, together with any additional information necessary to deliver those products and services and to respond to your enquiries;

your preferences for particular products or services;

Entering into Contracts for the provision of any of our goods and services

In addition to the above matters we will also require information relating to your income and credit-worthiness as evidence that you have the relevant funds for us to proceed with the construction of your dwelling;

We will also require proof of ownership of the land upon which we will be building;

We may also require information in order to enable us to liaise with your bank or lending Authority;

We may require information in order to enable us to prepare an Initial Quotation/New Home Proposal;

We may require information where we receive any preliminary payment pursuant to an Authority to Prepare Plans;

Information Collected from your visit to our website

Any information relating to you that you provide to us directly through our website or indirectly through use of our website or online presence such as your name and email address;

You will be given a choice as to the extent of the personal information required but it must be a sufficient amount of information in order to enable us to provide the services offered by us and for us to contact you for the purpose of assisting us in responding to any query you send us;

Other than your personal details we may also collect information such as your IP address, the date and time that you view the site, the pages accessed on our Site, the type of web browser you use, your e-mail address

if you send us a message and if you register onto the site during the registration process we may ask you to provide your telephone number;

information regarding what web pages you access;

Oscar Design & Construction Pty Ltd keeps track of the Web sites and pages our customers visit within Oscar Design & Construction Pty Ltd in order to determine what Oscar Design & Construction Pty Ltd services are the most popular. This data is used to deliver customized content and advertising within Oscar Design & Construction Pty Ltd to customers whose behaviour indicates that they are interested in a particular subject area..

Other circumstances where we may collect Personal Information

We may from time to time ask you to participate in customer surveys so that we can obtain feedback regarding our services and products or inform you of potential new services that may be offered.

How we collect information

Oscar Design & Construction Pty Ltd will collect your personal information directly from you unless it is unreasonable or impracticable to do so. We may collect it in any of the following ways including but not limited to:

through your dealings with our sales representatives;

online via our websites;

through participation in surveys and promotions run by Oscar Design & Construction Pty Ltd;

through enquires made by you with us either in person, by telephone, email and/or social media.

We may also collect personal information from third parties including from our related companies, including but not limited to, marketing agencies, credit reporting agencies, law enforcement agencies and other government entities.

CCTV Office Monitoring

CCTV monitoring is undertaken in order to enable Oscar Design & Construction Pty Ltd Staff and personnel are protected. The files are automatically overwritten after certain period of time unless an event has occurred a file copy will be provided to police.

Non Personal Information

Non personal information is information collected from visitors to the Oscar Design & Construction Pty Ltd website for the purpose of data collection which is used for us for analytical or statistical purposes so that we can

improve our site, assess web page flow, assess the effectiveness of promotions and advertising.

This information may be required by us to be disclosed to advertisers or related business partners solely for the purpose for providing a better and improved site. Non personal information includes information such as IP addresses, cookies and software designed to enable you to better navigate the site.

Cookies

Cookies are used by us to enable us to identify users and the frequency of their visits to the Oscar Design & Construction Pty Ltd website. If you do not agree to allowing cookies to be activated you may make changes to the privacy options of your particular browser by preventing cookies from being operative. You should be aware however, that this may interfere with your use of the site and may restrict you from using all the tools offered on this Site. Other service providers, advertisers or affiliates may also use cookies to enable them to assess web traffic and determine the effectiveness of advertising. We have no input or control as to what these companies may do with information they may collect via cookies.

Use of tracking software

Oscar Design & Construction Pty Ltd may use tracking software for the purpose of determining web traffic to the site. No personally identifiable information is used during this tracking process.

Implementation of this Policy

In keeping with its obligations under the Privacy Act and in accordance with the APP Oscar Design & Construction Pty Ltd has in place systems that ensure that all Oscar Design & Construction Pty Ltd employees and contractors are familiar with the terms of this Policy and of their respective obligations. It has in place internal training which includes the requirement that staff are familiar with the terms of this organisations policies which include this Privacy Policy.

Compliance with AAP 2- Anonymity and Pseudonymity

Due to the nature of our business it is impracticable for us to deal with individuals who have not identified themselves or have in use a pseudonym. As such we cannot offer customers the option of dealing with us on this basis.

AAP-4 Dealing with unsolicited personal Information

If Oscar Design & Construction Pty Ltd receives unsolicited personal information about you, then it will, in accordance with AAP 4, determine within a reasonable period of time whether the information could lawfully have been collected by it. If the information could have been obtained by

Oscar Design & Construction Pty Ltd then, AAP 5- 13 (below) will apply to the information.

If Oscar Design & Construction Pty Ltd determines that it could not have collected the information then it will destroy or de-identify the information as soon as practicable, but only if lawful and reasonable to do so, and only if the information is not contained in a Commonwealth record.

AAP 5- Notification of Collection of Personal Information and Dealing with Personal Information

The purpose for which the information is collected, held and used

Any personal information collected by us will be required in order for you to utilise the services offered by us. Your personal information is important information about you and we will ensure that it is collected and stored securely. The use of any personal information is carefully monitored and will be restricted solely to enabling us to ensure delivery of any service offered by us or to inform you of other products or services available from Oscar Design & Construction Pty Ltd and its affiliates.

Oscar Design & Construction Pty Ltd does not sell, rent or lease its customer lists and/or any personal information that it obtains in any of its dealings with you to third parties.

Your personal information is required in order to enable us to provide our services to you. Personal Information may also be disclosed between the Oscar Design & Construction Pty Ltd Group of Companies.

Oscar Design & Construction Pty Ltd may disclose your personal information to its trusted suppliers and contractors ("Third Party Suppliers and Contractors") in order to enable the supply of goods and services, provide customer support, or arrange for deliveries. Oscar Design & Construction Pty Ltd will ensure that as part of its terms and conditions of trading with Oscar Design & Construction Pty Ltd, that all such Third Party Suppliers and Contractors are required to observe the following:

They are prohibited from using your personal information except to provide these services to Oscar Design & Construction Pty Ltd;

They must have in place a Privacy Policy for their own organisation in accordance with the Privacy Act;

Include within their own Privacy Policy how the individual may access the personal information about the individual that is held and seek correction of such information;

Include within their own privacy policy how the individual may complain about a breach of the APP and how the company will deal with such a

complaint and whether the third party company is likely to disclose the personal information to overseas recipients;

They are required to maintain the confidentiality of your information, strictly observe the terms of Oscar Design & Construction Pty Ltd's Privacy Policy and not disclose any personal information to any other party.

AAP 6- Dealing with Personal Information

The use of any personal information is carefully monitored and will be restricted solely to enabling us to ensure delivery of any goods and services offered by us or to inform you of other products or services available from Oscar Design & Construction Pty Ltd and its affiliates. You acknowledge that the primary purpose of providing your personal information to us is in order to enable Oscar Design & Construction Pty Ltd to supply of goods and services, provide customer support, or arrange for deliveries.

In order to provide our products and services, we may need to share Personal Information with other organisations being its trusted suppliers and contractors. You agree to allow us to release your personal information to these third parties as it is incidental and necessary in order to enable us to deliver our goods and services to you. Commonly, organisations we would share such information with, include:

- Related or associated companies
- Agents, contractors and service providers
- Suppliers
- Sub-contractors
- Staff,
- Your or our professional advisers
- regulatory authorities where required by law;
- ("Third Party Suppliers and Contractors")

You acknowledge and agree that it in order to enable Oscar Design & Construction Pty Ltd to provide its goods and services it will be necessary for it to disclose your personal information to the third party Supplier and Contractor. In so doing, you have no objection to the release of your personal information to them.

You acknowledge and agree that any recorded telephone conversation may be required by us to be released to a third party supplier contractor who will be retained for the sole purpose of assisting us in developing our training and development programmes.

Release of Personal Information to Third Parties

We will not use or disclose your personal information to any other third party other than as set out above unless we obtain your express consent to do so.

Your personal information will not be released to any third party or for any secondary purpose unless required by us by law or to enable us to establish, exercise or defend a legal or equitable claim or for the purpose of a confidential alternative dispute resolution and in accordance with the terms of this Policy.

AAP 7- Direct Marketing

Direct Marketing

You acknowledge that from time to time we may use your personal information to advise you of our promotional offers or products, services, discounts, competitions and special promotions that we consider may be of interest to you. These communications may be sent by email or SMS or telephone. You consent to us advising you those direct marketing communications by these methods.

If you do not wish to receive any marketing material you may opt-out of receiving marketing communications by contacting us directly, on the contact details below, or by using any opt-out facilities provided in the marketing communications.

If you wish to opt-out of other (or all) marketing communications or mailing lists, please contact us directly on the email address below.

Opting-out of other marketing communications

You can opt out if you prefer to not receive direct marketing communications about our latest products, services, promotions and offers. In order to opt-out, please contact us using the contact details below.

AAP 8- Cross Border Disclosure

Disclosure of your personal information outside Australia.

Oscar Design & Construction Pty Ltd is not likely to disclose personal information that it receives directly from you to overseas recipients. However, our website makes use of Cloud computing technologies and our servers may be located overseas. Therefore, if you provide us with personal information, you consent to our collection, use, disclosure of your personal information and to the transfer and storage of that information on our overseas servers .If information is transferred to a recipient overseas we will ensure that the foreign country has provisions for the appropriate protection of personal information as required by the relevant privacy laws.

AAP 9- Adoption Use or disclosure of Government related identifiers

Oscar Design & Construction Pty Ltd does not intend to use or obtain personal information that may be considered to be an “identifier” or “government related identifier “ (such as a Medicare card number) within the meaning of the Privacy Act.

AAP 10-Quality of Personal Information Obtained

All reasonable steps will be taken by Oscar Design & Construction Pty Ltd to ensure that the personal information collected by it is accurate, up to date and complete and relevant for the purpose that it is required.

Accessing and updating your personal information:

You may request access to your information at any time for the purpose of ensuring that it is accurate, up to date and complete for the purposes required by us. Where access is requested the matters set out at AAP 12 below will apply.

AAP 11-Security of Personal Information collected

Storage and Security of Personal Information

Oscar Design & Construction Pty Ltd takes all reasonable security measures to protect personal information from loss, unauthorised access, destruction, misuse, modification or disclosure by any person, employee or agent. It has in place relevant policies for Document Storage and protection as well as compulsory confidentiality provisions with all employees and contractors.

Oscar Design & Construction Pty Ltd will take all reasonable steps to ensure the security of our website and to protect any personal information held from misuse, interference and loss, unauthorised access, modification or disclosure. Any information which we hold for you electronically is stored on secure servers.

A variety of tools have been implemented in order to protect your personal information against unauthorized access and disclosure.

Further, any employee, independent contractors or agent that we engage is required to observe confidentiality and respect the privacy of any personal information held or obtained by us from you. To the extent permitted by law, however, we will not be liable for any loss as a result of any unauthorised access or use of your personal information by any third party including any employee, independent contractor or agent resulting from or arising from unauthorised access of your personal information. We cannot however, guarantee unauthorized access and disclosure of your personal information.

In order to ensure that your personal information is kept securely you agree to keep your personal information secure, by ensuring that any password used by you on this site is kept confidential and not disclosed to any other person. In the unlikely event that there is any unauthorised use of your account by any person, or any breach of security relating to your account of which you become aware then you agree to notify us immediately. Any

personal information that may have been obtained via our telephone monitoring and recording system will be secured against any misuse and interference as well as against unauthorised access, modification or disclosure. It will be destroyed when no longer needed.

AAP 12-Access to Personal Information

You may access your personal information by contacting us at the below listed contact details. The following applies to requests for information by you.

Dealing with request for information

Oscar Design & Construction Pty Ltd will respond to a request for access to information within a reasonable period after the request is made and, subject to the matters listed below, give access to the information in the manner requested by the individual, if it is reasonable and practical to do so.

In accordance with AAP 12.3, Oscar Design & Construction Pty Ltd is not required to give you access to the personal information to the extent that:

it reasonably believes that giving access would pose a serious threat to the life, health or safety of an individual or to public health or public safety; or

giving access would have an unreasonable impact on the privacy of other individuals; or

the request for access is frivolous or vexatious; or

the information relates to existing or anticipated legal proceedings between Oscar Design & Construction Pty Ltd and the individual and would not be accessible by the process of discovery in those proceedings; or

giving access would reveal the intentions of Oscar Design & Construction Pty Ltd in relation to negotiations with the individual in such a way as to prejudice those negotiations; or

giving access would be unlawful; or

Denying access is required or authorised by or under an Australian law court/Tribunal Order; or

Both of the following apply:

(i) Oscar Design & Construction Pty Ltd has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to Oscar Design & Construction Pty Ltd's functions or activities has been, is being or may be engaged in;

(ii) Giving access would be likely to prejudice the taking of appropriate 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.

In accordance with AAP 12.9, if Oscar Design & Construction Pty Ltd refuses to provide the information because of any of the above matters or to give access in the manner requested, Oscar Design & Construction Pty Ltd must give a written notice to you that sets out:

(a) the reasons for the refusal except to the extent that, having regard to the grounds for refusal, 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.

If the refusal is due to the matters set out in clause AAP 12.3 (j) the reasons for the refusal may include an explanation for the commercially sensitive decision.

How an individual may complain about a Breach of this Policy:

If there is a dispute about any aspect of this Privacy Policy or if you have a complaint about how your personal information has been handled, you should notify us in writing and we will reply as soon as practicable and work with you to resolve any reasonable complaint that you may have.

Our contact details can be found on the home page on the website at [www.Oscar Design & Construction Pty Ltd.com.au](http://www.OscarDesign&ConstructionPtyLtd.com.au). If you do not have access to the internet and want to contact us by mail you should address your complaint as follows:

The Marketing Manager
suite 306/4 Columbia court Norwest
NSW, 2153

Upon receipt of your complaint we will respond within 14 days and advise you whether we will conduct an investigation into the matters complained about by and advise you as to when our investigations into the matter are expected to be completed. At the conclusion of our investigations we will contact you in writing, to advise the outcome and invite you to respond to us. If we receive a response from you, we will assess it and advise of our further reply.

If you are still dissatisfied with our response then we will advise you about further options including, if appropriate, review by the Privacy Commissioner.

APP-13 Correction of Personal Information

Correction of Personal Information

If information is held which Oscar Design & Construction Pty Ltd believes is inaccurate, out of date, incomplete, irrelevant or misleading or where you request that information be corrected then Oscar Design & Construction Pty Ltd will take such steps as are reasonable to correct the 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.

If Oscar Design & Construction Pty Ltd corrects information that it previously disclosed to one of its Third Party Suppliers and Contractors (as referred to above), and you request that they be notified of the correction then Oscar Design & Construction Pty Ltd will take such steps as are reasonable to give the notification unless to do so would be impractical or unlawful.

If Oscar Design & Construction Pty Ltd refuses to correct the personal information as requested by you then it must give the individual a written notice that sets out the reasons for the refusal, the mechanism available to complain about the refusal and any other matter required by the Regulations. If Oscar Design & Construction Pty Ltd refuses to correct the personal information is requested by You and you request Oscar Design & Construction Pty Ltd associate with the information a statement that the information is inaccurate, out of date, incomplete, irrelevant or misleading, Oscar Design & Construction Pty Ltd must 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.

If a request is made for a correction then Oscar Design & Construction Pty Ltd will reply within a reasonable period of the request being made and will not charge the customer for correcting the personal information or for the associating statement.

Applying for Employment or internship with Oscar Design & Construction Pty

Oscar DC collects personal information from individuals who submit applications or register interest for employment or internship with Oscar DC. If the application is unsuccessful, Oscar DC may retain this information in case a more appropriate opportunity becomes available or delete this personal information. Applicants at any time can email Oscar DC to request Oscar DC not to retain the applicant's information and delete their personal information. Upon this request Oscar DC will cease to assess their application and delete their personal information within 48 hours written notice is provided to Oscar DC.

Removal of Personal information

We will delete or permanently remove any personal information we may have collected after a reasonable period has lapsed.

General

This Policy will be reviewed regularly and as required. We reserve the right to review, and change this policy at any time. A copy of this Policy will be available on the Oscar Design & Construction Pty Ltd website www.oscardc.com.au.