

# Master Builders Association of Victoria Privacy Policy

## INTRODUCTION

### ABOUT THIS POLICY

This Policy says how Master Builders will hold, use and disclose your Personal Information.

By dealing with Master Builders, including:

- using Master Builders' products and services
- providing your products and services to Master Builders
- visiting the Master Builders websites
- otherwise communicating with Master Builders

you are agreeing that your Personal Information may be collected, used and disclosed in accordance with this Policy (as revised by Master Builders from time to time).

### ABOUT MASTER BUILDERS

The Master Builders Association of Victoria is the peak body representing employers in Victoria's building and construction industry. Our Members include builders, subcontractors, manufacturers/suppliers and students.

Master Builders provides a range of services to Members (and in some cases the general public) including:

- advice about: legal matters, industrial relations, occupational health and safety, technical matters relating to building legislation and the national construction code
- education and training services (including Diploma, Certificate Level and short courses)
- support and advisory services for apprentices and apprenticeship service providers (including our 'ALink' Program) and members wishing to become registered builders
- promotional and networking opportunities for members (including our 'Excellence Awards')
- sponsorship and partnership arrangements where products and services of third parties are available to Members on special terms.

### ABOUT THE AUSTRALIAN PRIVACY PRINCIPALS

Master Builders is bound by the Privacy Act 1988 ("the Privacy Act") including the 13 Australian Privacy Principals ("APPs") found in Schedule 1 of that Act.

A copy of the Privacy Act (including the APPs) is available at [www.comlaw.gov.au](http://www.comlaw.gov.au)

### READING THIS POLICY

Where this Policy uses the words "includes" or "including" or refers to an example – it is not intended to be exhaustive and means "amongst other things".

## POLICY TERMS

### 1. WORDS WITH SPECIAL MEANINGS

In this Policy the following words are defined terms:

#### 1.1. Personal Information

"Personal Information" is information or an opinion about:

- an identified individual; or
- an individual whose identity can reasonably be identified from the information.

Individual means a natural person and information about a company is not Personal Information.

#### 1.2. Sensitive Information

Personal Information is "Sensitive Information" if it concerns a person's racial or ethnic origin, political opinions, membership of a political association, religious beliefs of affiliation, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices, criminal record, health information or genetic information.

#### 1.3. Master Builders

The Master Builders Association of Victoria (A.C.N. 004 255 654) is an Australian Public Company Limited by Guarantee.

In this Policy The Master Builders Association of Victoria may be referred to as "Master Builders", "our", "us" and "we" and includes any related bodies corporate.

Related bodies corporate of The Master Builders Association of Victoria include:

- Master Builders Training Services Pty Ltd
  - Master Builders Building Services Pty Ltd
- and this Privacy Policy also relates to your dealings with these related entities.

#### 1.4. Member

A Member is a member of the Master Builders as defined in the Master Builders Association of Victoria Rules and Constitution.

## 2. GENERAL PRIVACY STATEMENT

We will handle your Personal information in an open and transparent manner, in accordance with the APPs and subject to the conditions and consents in this Policy.

## 3. COLLECTION OF PERSONAL INFORMATION

### 3.1. Why do we need Personal Information?

If you want to be a Member, to use our products and services or otherwise to communicate with us, it is likely we will need to collect Personal Information about you.

We only collect the Personal Information reasonably necessary for one or more of our functions and activities or as otherwise permitted by the APP's (and only with your consent in the case of Sensitive Information).

### 3.2. What Personal Information do we collect?

We collect the following kinds of Personal Information:

- Contact details (e.g. mailing address, telephone number, email address)
- Identification information (e.g. birth date)
- Employment information (e.g. place of employment and position)
- Professional information (e.g. qualifications and registration)
- Surveillance information in the public areas of our buildings (e.g. photos and/ or video)

We collect the following kinds of Sensitive Information:

- Character information (e.g. criminal history)

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- Financial information (e.g. credit history and banking details)

### 3.3. What Master Builders' functions and activities require collection of Personal Information?

We typically collect Personal Information for the following functions and activities (amongst others):

- to consider your eligibility and process your application to become a Member and to administer your Member accounts and records
- to administer the Master Builders Association of Victoria Rules and Constitution and otherwise to comply with our legal obligations
- to provide you with products and services and to contact you about products and services that might be of interest to you
- to review the way we operate our business and the products and services we offer
- to review the way we communicate with you, including the use of electronic communications, social media and our websites.
- to collect, analyse and publish information relevant to the building and construction industry and to communicate with you about information that might be of interest to you (including via our websites and social media)
- to contact you about our sponsors'/partners' products and services that might be of interest to you (e.g. direct marketing) and in some cases to arrange for sponsors/partners to contact you directly
- to request or receive products and services from you
- to meet any reporting requirements that relate to products and services we offer or receive using funding from state or federal government
- where legally required to carry out our functions and activities

### 3.4. How do we collect Personal Information?

We collect Personal Information only by lawful and fair means in a way that is not oppressive, does not involve intimidation or deception and is not unreasonably intrusive.

We collect Personal Information from the individual to which it relates unless it is unreasonable or impractical for us to do so or we are otherwise authorised to collect the information by law.

Examples of typical ways we collect Personal Information include:

- Membership Application forms
- corresponding with you by electronic and written communication when you request or receive our products and services or we request and receive your products and services
- dealing with you over the telephone or and face to face when you request or receive our products and services or we request and receive your products and services
- as part of processing payments
- as part of our websites by the use of software, for example "cookies" that store information about the user, its activity and preferences to improve the website users experience.

### 3.5. Master Builders will tell you it is collecting Personal Information

Generally, we will at or before the time of collecting Personal Information (or where impractical to do so - as soon as practicable after), take reasonable steps to inform you about the collection.

If it is reasonably clear from the circumstances that you are already aware we are collecting Personal Information (and have knowledge of matters relevant to the collection) we will not take any additional steps to bring this to your attention.

### 3.6. Will we identify you when dealing with you?

You have a general right to deal with us:

- anonymously; or
  - using a pseudonym
- and where possible, we will allow you to do so by:
- not requesting Personal Information; or
  - indicating that the provision of Personal Information is optional.

We can refuse to deal with you anonymously or by pseudonym where it is impractical for us to deal with you without identifying you, for example:

- some of our products and services are limited to Members and we need to confirm you are a Member before providing these products and services
- some of our products and services cannot reasonably be provided without identifying the recipient.

If we agree to deal with you using a pseudonym or anonymously, the level of service or products we provide may be compromised or reduced to your disadvantage.

### 3.7. Will we use de-identification procedures?

Where practicable we will de-identify Personal Information prior to use.

### 3.8. What do we do with Personal Information we did not request?

If we receive Personal Information we did not request, we use it to determine (within a reasonable period from receipt) whether it is the type of Personal Information we can collect:

- If it is, we will treat it as Personal Information we requested from you
- If it isn't, we will destroy or de-identify it (unless a law or legal court order prevents this).

## 4. USE OF PERSONAL INFORMATION

### 4.1. How do we use Personal Information?

We use Personal Information for:

- the purpose we collected the information (e.g. any functions or activities referred to or reasonably implied as part of the collection) and this is known as the 'Primary Purpose'
- Refer to paragraph 3.3 of this Policy for examples of our typical functions and activities that involve collection and use of Personal Information.
- any purpose related to the Primary Purposes where you would reasonably expect us to use or disclose the Personal Information for that purpose (but in the case of Sensitive Information, only where the purpose is directly related to the Primary Purpose)
  - any purpose for which you have given prior consent
  - any purpose otherwise permitted by the APPs

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## 5. DISCLOSURE OF PERSONAL INFORMATION

### 5.1. To whom might we disclose your Personal Information?

We may disclose your Personal Information to:

- agents and third parties we engage to carry out functions or activities on our behalf or to provide services or advice to us (e.g. our contractors, business partners, joint venturers, legal and financial advisors)
- any third party we have a sponsorship or partnership arrangement with in order to assist that third party to offer or provide products and services to you.

### 5.2. Will we disclose your personal information to persons outside Australia?

It is unlikely that your Personal Information will be disclosed outside Australia.

If we do disclose your personal information to persons overseas we will ensure the overseas recipient:

- will not breach the Australian Privacy Principles (except Privacy Principle 1); or
- is subject to a law or scheme which is at least substantially similar to the Australian Privacy Principles enforceable by you.

Provision of your Personal Information is not considered disclosure outside Australia where the information remains under our effective control (e.g. where we use an overseas cloud server provider to hold Personal Information and retain effective control over the Personal Information).

## 6. MARKETING

### 6.1. Does Master Builders use or disclose Personal Information for direct marketing?

From time to time, we contact Members and the general public about our products and services and also other's products and services that might be of interest.

Sometimes we disclose personal information to third parties so they may contact Members direct about their products and services (for example under sponsorship or partnership arrangements).

## 7. STORAGE OF PERSONAL INFORMATION (SECURITY AND QUALITY)

### 7.1. How long does Master Builders keep your Personal Information?

We will keep your Personal Information for as long as we need to use or disclose that Personal Information for:

- the purpose we collected it;
- any other use you have consented to;
- any period we are required by law to keep that information.

### 7.2. How do we hold Personal Information?

Generally, we input Personal Information into our central electronic database ('Customer Relationship Management System') and we may also hold personal information in hard copy and /or electronic form of any documents or files produced using that Personal Information.

### 7.3. Maintaining Quality

We take reasonable steps (in the circumstances) to:

- ensure Personal Information we collect is accurate, up to date, complete, and relevant for the purpose of use or disclosure (if used or disclosed)
- correct Personal Information if we decide it doesn't meet our quality criteria, is misleading or if you ask us to do so.
- protect Personal Information from: misuse, interference and loss, and unauthorised access, modifications or disclosure.

## 7.4. How you access, verify and correct your personal information

At your request, we will give you access to your Personal Information in the manner you want (unless we exercise a legal right not to do so).

Making a request is free and we will respond to your request within a reasonable period but may charge you the reasonable cost of giving you access to your Personal Information (if applicable).

If we decide not to give you access to your Personal Information in the way you want (or at all) we will:

- Provide a notice setting out the reason for our decision (except to the extent that it would be unreasonable to expect us to do so because of the reason for our decision) and the way in which you may challenge our decision.
- Take reasonable steps (in the circumstances) to give access in a way that meets both your needs and our needs.

You can contact us about a request using the contact information given at the end of this Policy.

## 8. DESTRUCTION OF PERSONAL INFORMATION

### 8.1. When Personal Information is no longer needed

If we hold Personal Information we no longer need (for any purpose we can legally use it) and the law does not otherwise require or allow us to keep it, we will take reasonable steps (in the circumstances) to destroy or de-identify the information.

## 9. QUESTIONS AND COMPLAINTS ABOUT PERSONAL INFORMATION

You have a right to contact us about any questions or complaint about:

- our use and disclosure of your Personal Information
- a breach of this Privacy Policy or the APPs

and Master Builders will endeavour to remedy any breaches of this Privacy Policy or the APPs and change our procedures to make sure such breaches are not repeated.

You also have a right to contact the Office of the Australian Privacy Commissioner if you are not satisfied with the way we have handled a complaint.

## 10. ACCESS TO THIS POLICY

You have a right to view our Privacy Policy and it is available at [www.mbav.com.au](http://www.mbav.com.au) and you can otherwise request a copy using our contact information given at the end of this Policy.

From time to time we may change this Policy and will publish the new version at [www.mbav.com.au](http://www.mbav.com.au).

If at any time you want to ensure you are aware of our current Privacy Policy you should visit [www.mbav.com.au](http://www.mbav.com.au) or contact us using our contact information given at the end of this Policy.

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## 11. HOW TO CONTACT US ABOUT PRIVACY ENQUIRIES

If you have any privacy enquiries you can contact our Privacy Officer:

- by telephone: 03 9411 4555
  - by email: [privacy@mbav.com.au](mailto:privacy@mbav.com.au)
- by post: marked "Attention: Privacy Enquiries"