

Fluid Legal Services Pty Ltd (ABN 43 169 489 758) (“FLS”, “we” or “us”) are required and committed to protecting your personal information in accordance with our obligations under the Privacy Act 1988 and the Australian Privacy Principles.

At all times we will seek to maintain the confidentiality of your information. However, we may be permitted or required by law to disclose confidential information. We may also, on a confidential basis, provide your information to third parties where we consider it is appropriate for the proper conduct of your transaction or the provision of services requested by you or another party in relation to you. For the purposes of this policy a transaction includes, but is not limited to acquiring or disposing of an interest in real property, acquiring or utilising a product or services from a regulated person, verifying the identity of yourself or another person and acting as the agent of another person for the purposes of acquiring or disposing an interest in real property or acquiring or utilising the services of a regulated person. A regulated person means a person who provides services in connection with the acquisition of real property and a person who provides products or services that require a person to have their identity verified for the purposes of relevant legislative requirements, including but not limited to the Anti-Money Laundering & Counter-Terrorism Financing Act 2006 (Cth) and conveyancing rules issued pursuant to legislation, policies or regulation in federal or other state and territory jurisdictions in Australia and are permitted to use or disclose government related identifiers. A regulated person includes, but is not limited to Real Estate Agents, Lawyers, Licenced Conveyancers and holders of an Australian Financial Services Licence or Australian Credit Licence issued by the Australian Securities & Investments Commission and their representatives, employees, agents, consultants and contractors, howsoever characterised.

Disclosure of information may be compelled by law (e.g. under the Social Security Act 1991 (Cth)). You also authorise us to disclose such information where necessary to others in furtherance of your transaction or the provision of services requested by you or another party in relation to you (e.g. within FLS; to a law or conveyancing practice; to your real estate agent; to our nominated third party service providers; to financial institutions/banks; to brokers; to any governmental authority (eg LPI, Council); and to experts or barristers).

We send and receive communications by electronic mail. As such mail may not be secure, you release us from any claim you may have as a result of any unauthorised copying, recording, reading or interference with that document after transmission, for any delay or non-delivery of any document and for any damage caused to your system or any files by a transfer.

Collecting Your Personal Information

If you are using, acquiring or have acquired a product or service from FLS, it will collect and hold your personal information for the purposes:

- of providing you, or another party in relation to you, with the relevant product or service (including assessing your requests and identifying you);
- of managing and administering the Identification Facilities or the product or service; and
- of protecting against fraud;
- described in the DVS Disclosure Notice.

The information collected may include your name, postal address, email address, date of birth, gender, photos of you, photos of your identification documentation, information about your transaction, information about your service providers, information about how you use the FLS service or other information FLS considers necessary.

We will, if it is reasonable or practicable to do so, collect your personal information from you. This may happen when you fill out an electronic or other form or when you give us personal information over the telephone, electronically using the Identification Facilities.

In certain cases we collect your personal information from third parties. For example, we may need to collect personal information from your representative (such as a legal adviser, real estate agent, your financial adviser, your mortgage broker, finance provider) or publicly available sources of information or any of the other organisations identified below under “Using and Disclosing Your Personal Information”.

Using and Disclosing Your Personal Information

In line with modern business practices common to many organisations and to meet your specific needs (such as where you have a real estate agent or financier) we may disclose your personal information to the organisations described below.

Where your personal information is disclosed we will seek to ensure that the information is held, used or disclosed consistently with the applicable laws and codes.

The relevant organisations or bodies include those

- Involved in providing, managing or administering your product or service such as solicitors, conveyancers, real estate agents, mortgage brokers, financial advisers, third party suppliers, loyalty and affinity program partners, printers, posting services, call centres, lenders, insurers and our advisers.
- Who are your financiers or conveyancers and their service providers.
- Involved in maintaining, reviewing and developing our business systems, procedures and infrastructure including testing or upgrading our computer systems.
- Involved in carrying out verification or checks in relation to FLS's provision of services (for example the prevention of fraud and systems or processes associated with that).
- That have a business relationship with FLS for the purpose of providing our services.
- Involved with processing payments or other administrative or accounting processes.
- Involved with or carrying out any activity relating to proceedings, potential proceedings, detection or prevention of any fraud or any other crime or breach of regulatory or statutory policy or requirements
- Involved with any customer service activities
- Listed below in the DVS Disclosure Notice

Because we may operate in different parts of Australia or you access the Identification Facilities from overseas, some of these uses and disclosures may occur outside your State or Territory and/or outside of Australia.

Keeping Your Personal Information Accurate and Up-to-date

We aim to make sure that the personal information we collect, use or disclose is accurate, complete and up-to-date. We will take reasonable steps to make sure this is the case. This way we can provide you with better service. If you believe your personal information is not accurate, complete or up to date, please contact us (see "Contacting Us" below).

Protecting Your Personal Information

We store information in different ways, including in electronic form. The security of your personal information is important to us and we take reasonable steps to protect it from misuse, interference and loss and unauthorised access, modification or disclosure. Some of the ways we do this are:

- confidentiality requirements for our staff, contractors and external service providers;
- document storage security policies;
- security measures for systems access;
- providing a discreet environment for confidential discussions;
- only allowing access to personal information where the individual seeking access has been authorised by you or satisfied our identification requirements or used a login and password provided to you;

Your Privacy on the Internet

Our electronic systems

We take care to ensure that the personal information you give us on our electronic systems is protected.

Links to other sites

You may be able to access external websites by clicking on links we have provided. Those other websites are not subject to our privacy standards, policies and procedures. You will need to contact or review those websites directly to ascertain their privacy standards, policies and procedures.

Gaining Access to Your Personal Information

You can gain access to your personal information. This is subject to some exceptions allowed by law.

We will give you reasons if we deny access. Contact us to request access (see “Contacting Us” below).

Your Sensitive Information

Without your consent we will not collect information about you that reveals your racial or ethnic origin, political opinions, religious or philosophical beliefs or affiliations, membership of a professional or trade association, membership of a trade union, details of health, disability or sexual orientation.

This is subject to some exceptions including:

- the collection is required by law; and
- when the information is necessary for the establishment, exercise or defence of a legal claim or in providing services and products relating to your identification that you have authorised.

Resolving Your Privacy Issues

If you have any issues you wish to raise with the Group, or would like to discuss any issues about our Privacy Policy, then you are able to do so a number of ways:

- You are always welcome to speak directly to our staff and they will do their best to resolve your issue. If investigation is required we will keep you advised of progress. If staff are unable to resolve the matter, it will be escalated as appropriate to facilitate resolution.
- You can email your issue on privacy@fluidlegalservices.com.au

Contacting Us

You can email us on privacy@fluidlegalservices.com.au

DVS COLLECTION NOTICE

This document explains how Fluid Legal Services Pty Ltd (ABN 43 169 489 758) (**we, us, our**) will collect, use, disclose and store your personal information to verify your identity document(s) using the Attorney-General's Department's Document Verification Service (**DVS**). This will only occur with your express consent.

We are bound by the provisions of the Privacy Act 1988 (Cth) (Privacy Act), including the Australian Privacy Principles (APPs), as well as *the Identity Verification Services Act 2023* (Cth) (**IVS Act**). Your personal information will be handled in accordance with our obligations under each of the applicable legal obligations.

If individuals have any specific needs or require this notice in an alternative format, or if you need assistance due to any special circumstances, please contact us.

Why is your personal information being collected?

Your personal information is collected for the purpose or the provision of services requested by you or another party in relation to you. For the purposes of this notice a transaction includes, but is not limited to acquiring or disposing of an interest in real property, acquiring or utilising a product or services from a regulated person, verifying the identity of yourself or another person and acting as the agent of another person for the purposes of acquiring or disposing an interest in real property or acquiring or utilising the services of a regulated person. A regulated person means a person who provides services in connection with the acquisition of real property and a person who provides products or services that require a person to have their identity verified for the purposes of relevant legislative requirements, including but not limited to the Anti-Money Laundering & Counter-Terrorism Financing Act 2006 (Cth) and conveyancing rules issued pursuant to legislation, policies or regulation in federal or other state and territory jurisdictions in Australia. A regulated person includes, but is not limited to Real Estate Agents, Lawyers, Licenced Conveyancers and holders of an Australian Financial Services Licence or Australian Credit Licence issued by the Australian Securities & Investments Commission and their representatives, employees, agents, consultants and contractors, howsoever characterised.

How will we handle your personal information?

Generally we collect your personal information through a cloud-based platform referred to as the Identification Facilities. Identification Facilities means the electronic systems made available by us that are used for identity verification in connection with the provision of services requested by you or another party in relation to you.

The information you provide may be sent to the DVS Hub, administered by the Attorney-General's Department, and matched against official records held by the government agency responsible for issuing the identity document (**document issuer**).

If the information you provide is sent to the DVS Hub, the DVS Hub will advise us of whether the information you provide matches official records.

We do store copies of your identity documents after any DVS check is complete. This information will be retained for 7 years.

How will the Attorney-General's Department handle your personal information?

The DVS Hub facilitates information transfer between us and the document issuer. The DVS Hub itself does not retain any personal information and the Attorney-General's Department cannot view or edit any of the personal information transmitted through the DVS Hub.

The Attorney-General's Department engages a third-party provider as a managed service provider for the DVS, who is required to adhere to the APP requirements and security standards to ensure the use and disclosure of personal information is limited to explicitly defined purposes including:

- (a) for the purposes of the contract with the department; and
- (b) to comply with any request under section 95C of the Privacy Act.

The Attorney-General's Department is authorised to operate the DVS Hub for the purpose of verifying individual's identities under the IVS Act.

For more information on how the Attorney-General's Department may handle your personal information, see the Attorney-General's Department's 'Privacy Statement – Identity Verification Services' at: <https://www.idmatch.gov.au/resources/privacy-statement-identity-verification-services>.

How will the document issuer handle your personal information?

Your personal information will be shared by the Attorney General's Department via the DVS Hub with the government agency that issued your identity document to verify it against their official records. These agencies already hold your personal information as part of their official records, in line with their own privacy policies and legal obligations.

What happens if you don't provide your personal information?

You do not have to agree to verify your identity documents through the DVS.

However, if you do not provide the personal information we require for the purpose or the provision of services requested by another party in relation to you then we cannot assist further and you should consult with the relevant parties (for example your lawyer/conveyancer/lender) to find another way to verify your identity as each may have their own specific requirements that do not involve using our assistance.

Other disclosures

Where necessary, we may disclose your personal information to third parties, including:

- the following categories of intermediary service providers involved in the use of the DVS who may receive your identification information to make or receive an information match request:
 - outsourced service providers that connect us to the DVS Hub;
- law enforcement agencies in certain circumstances.

The Attorney-General's Department's verification assistance service

We do not utilise the verification assistance service as it is a non-standard use of the DVS.

More information about the verification assistance service is set out in the Attorney-General's Department's Identity Verification Services [Privacy Statement](#).

Further information

More information about how we handle your personal information is set out in our Privacy Policy above. Our Privacy Policy outlines how you can access and seek correction of the personal information that we hold about you. It also contains information about our complaint handling process, including how you may complain about a breach of the APPs or a registered APP code, and how we will deal with such a complaint.

Contact details

Email: privacy@fluidlegalservices.com.au