

Privacy Policy

When used in this privacy policy, the term “personal information” has the meaning given to it in the Privacy Act 1988 (Cth). In general terms, it is any information that can be used to personally identify you. This may include your name, address, telephone number, email address, and profession or occupation. If the information we collect personally identifies you, or you are reasonably identifiable from it, the information will be considered personal information.

1. What personal information do we collect and hold?

We may collect your name, mailing or street address, email address, telephone number, facsimile number, age or birth date, profession, occupation or job title and any additional information relating to you that you provide to us directly through our websites or indirectly through use of our websites or online presence, through our representatives or otherwise. This includes information you provide to us through our service centre, customer surveys, or visits by our representatives.

Sensitive Information – we do not typically collect “sensitive information” (such as health information, racial or ethnic origin, or criminal records) unless it is reasonably necessary for our business functions and you have provided explicit consent, or where required by law.

2. How do we collect your personal information?

We collect your personal information directly from you unless it is unreasonable or impracticable to do so. This occurs through:

- Your access and use of our website;
- Telephone, letter, fax, or email;
- Conversations between you and our representatives;
- Contracting with us or entering competitions and promotions;
- Completing surveys or providing feedback.

3. Cookies and Analytics

In some cases we may also collect your personal information through the use of cookies. When you access our website, we may send a “cookie” (which is a small summary file containing a unique ID number) to your computer. This enables us to recognise your computer and greet you each time you visit our website without bothering you with a request to register. It also enables us to keep track of products or services you view so that, if you consent, we can send you news about those products or services. We also use cookies to measure traffic patterns, to determine which areas of our website have been visited and to measure transaction patterns in the aggregate. We use this to research our users’ habits so that we can improve our online products and services. Our cookies do not collect personal information. If you do not wish to receive cookies, you can set your browser so that your computer does not accept them.

4. What happens if we can’t collect your personal information?

If you do not provide the information described above, we may not be able to:

- Provide the requested products or services to you;
- Provide information about products and services you may want;
- Tailor the content of our website to your preferences.

5. Purposes of collection, holding, use and disclosure

We collect, hold, use and disclose your personal information for the following purposes:

- to provide products and services to you and to send communications requested by you;
- to answer enquiries and provide information or advice about existing and new products or services;
- to provide you with access to protected areas of our website;
- to assess the performance of the website and to improve the operation of the website;
- to conduct business processing functions including providing personal information to our related bodies corporate, contractors, service providers or other third parties;
- for the administrative, marketing (including direct marketing), planning, product or service development, quality control, survey and research purposes of Kerri Smith Properties Pty Ltd, its related bodies corporate, contractors, franchisees, franchisees' real estate agents or service providers;
- to provide your updated personal information to our related bodies corporate, contractors or service providers;
- to update our records and keep your contact details up to date;
- to process and respond to any complaint made by you; and
- to comply with any law, rule, regulation, lawful and binding determination, decision or direction of a regulator, or in co-operation with any governmental authority of any country (or political sub-division of a country).

Your personal information will not be shared, sold, rented or disclosed other than as described in this Privacy Policy.

6. To whom may we disclose your information?

We may disclose your personal information to:

- Our employees, related bodies corporate, contractors, franchisees and franchisees' real estate agents;
- Service providers (web hosting, IT, mailing houses, payment processors, debt collectors and professional advisors);
- Suppliers and third parties with whom we have commercial relationships for marketing purposes;
- Any organization where you have provided express consent.

We may combine or share any information that we collect from you with information collected by any of our related bodies corporate (within Australia).

7. Direct Marketing

We may send you direct marketing communications and information about our products and services that we consider may be of interest to you. These communications may be sent in various forms, including mail, SMS, fax and email, in accordance with applicable marketing laws, such as the Spam Act 2003 (Cth). If you indicate a preference for a method of communication, we will endeavor to use that method whenever practical to do so.

You may opt-out at any time by contacting our Privacy Officer or using the opt-out facilities provided in the communication; we will then ensure that your name is removed from our mailing list.

8. How can you access and correct your personal information?

You may request access to any personal information we hold about you at any time by contacting us (see the details below). Where we hold information that you are entitled to access, we will try to provide you with suitable means of accessing it (for example, by mailing or emailing it to you). We may charge you a fee to cover our administrative and other reasonable costs in providing the information to you and, if so, the fees will be disclosed on our website. We will not charge for simply making the request and will not charge for making any corrections to your personal information.

There may be instances where we cannot grant you access to the personal information we hold. For example, we may need to refuse access if granting access would interfere with the privacy of others or if it would result in a breach of confidentiality. If that happens, we will give you written reasons for any refusal.

If you believe that personal information we hold about you is incorrect, incomplete or inaccurate, then you may request us to amend it. We will consider if the information requires amendment. If we do not agree that there are grounds for amendment then we will add a note to the personal information stating that you disagree with it.

9. Storage and Security

We hold your personal information in both hard copy and electronic forms. We take all reasonable steps to protect your information from misuse, interference, loss, or unauthorized access through technical security measures (such as firewalls and encryption) and restricted physical access.

However, as our website is linked to the internet, and the internet is inherently insecure, we cannot provide any assurance regarding the security of transmission of information you communicate to us online. We also cannot guarantee that the information you supply will not be intercepted while being transmitted over the internet. Accordingly, any personal information or other information which you transmit to us online is transmitted at your own risk.

As the internet is inherently insecure, any information you transmit to us online is done at your own risk. Once in our possession, we take reasonable steps to destroy or de-identify information that is no longer required.

10. Overseas Disclosure

We may disclose personal information to recipients located outside of Australia for data hosting, IT support, or administrative purposes. These recipients are likely to be located in:

- Singapore (access to CRM for software changes)
- The Philippines (Administrative support)
- Ukraine & Portugal (Developers)

We take reasonable steps to ensure that overseas recipients handle your personal information in accordance with the Australian Privacy Principles.

11. Complaints and Disputes

If you believe your privacy has been breached, please contact our Privacy Officer. We will investigate the incident and contact you within a reasonable time to discuss a resolution.

If you are not satisfied with our response, you have the right to lodge a complaint with the Office of the Australian Information Commissioner (OAIC):

- Web: OAIC
- Phone: 1300 363 992

12. Links

Our website may contain links to other websites operated by third parties. We make no representations or warranties in relation to the privacy practices of any third party website and we are not responsible for the privacy policies or the content of any third party website. Third party websites are responsible for informing you about their own privacy practices. We encourage you to examine each site's privacy policy and make your own decisions regarding their reliability.

13. Contacting us

If you have questions about this policy or wish to lodge a complaint, please contact:

Privacy Officer Address: PO BOX 3363 WARNER QLD 4500

Email: ksmith@therightagentqld.com

Changes to our privacy policy

We may change this privacy policy from time to time. Updated versions will be posted on our website – [Website]

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