

## PRIVACY NOTICE

1. We are required by law to give you this notice before, or at the time we collect personal information. If it is not reasonably practicable for us to give you this notice at that time, we will give it to you as soon as we are able.
2. The entity collecting your personal information is The Trustee for the JFM Kelly Testamentary Trust. You can contact us by phone on (07) 4638 1254 or post at PO Box 455, Toowoomba Qld 4350.  
Southtown Shopping Centre, 138-140 South St, Centenary Heights, Toowoomba, Qld 4350
3. We have collected or will be collecting personal information about you. Personal information that may include any information or an opinion about you if you are reasonably identifiable by that information. This could include for example your name, address, financial information or information about your current business dealings.
4. We collect personal information for the purpose of conducting our business and facilitating your enquiries to lease premises within our shopping Centres. Please see our Privacy Policy for additional details about how we may use the personal information you disclose to us.
5. If we do not collect personal information we request from you we may not be able to provide you with the information about our shopping Centres that you have requested us to provide.
6. We often disclose personal information to other entities that are bound to comply with the Australian Policy Principles, including our leasing agents entrusted to process of all aspects of leasing premises within our shopping Centres on our behalf. Our Privacy Policy sets out how we may use or disclose your personal information in greater detail.
7. Our Privacy Policy also includes information about how you can access and correct your personal information, how you can complain about any breach by us of the Australian Privacy Principles and how we can deal with that complaint.
8. It is unlikely that we will disclose your personal information to overseas recipients, however some of the entities to whom we disclose your personal information to within in Australia may supply it to recipients who are located overseas. It is not possible for us to advise you which countries those recipients may be located in.

## Our Philosophy

We respect your privacy and we are committed to ensuring the privacy of the personal information provided to us. The Trustee for the JFM Kelly Testamentary Trust and others trading as The Trustee for the JFM Kelly Testamentary Trust has adopted this Privacy Policy to ensure that we handle personal information in accordance with the Australian Privacy Principles (the APP's) as set out in the Privacy Act 1988(Cth) (the Act).

The Trustee for the JFM Kelly Testamentary Trust takes its obligations under the Act seriously. We will take all reasonable steps in order to comply with the APPs and to protect the privacy of personal information that we collect and hold.

This policy document sets out how we intend to comply with the Act and it outlines the type of personal information we collect, how we use it and how we protect it.

## The information we collect

The personal information you provide to The Trustee for the JFM Kelly Testamentary Trust will enhance the services that we offer you and enhance your retail leasing experience. The type of personal information we collect may include but not limited to the following:

- Contact details such as name, address, phone number(s) and email address
- Date of birth
- Work experience and qualifications
- Identification information and supporting documentation
- Financial information and supporting documentation (including previous and current employment, assets and liability and general credit history details)
- Personal financial information
- Family dependency details (including number of residents in your household)
- Personal references
- Cash flow projections

In order to satisfy our legal obligations we will need to retain that information after the application or enquiry to lease has come to an end (subject to our obligations under the APPs)

## How we collect and hold personal information

We will collect personal information from you by either asking you verbally or asking you to complete forms or documents necessary to enable us to provide you with the relevant documentation you have requested us to provide to you.

These forms and documents may include but are not limited to Application to Lease Premises, Agreement for Lease, Lease, Disclosure Statements, Financial and Legal Advice Certificates, Insurances, Trust Deeds, Direct Debit Authority Forms.

Personal information that we store in hard copy is stored securely within our business premises. Personal information that we store electronically is stored on our computer servers, also located within our business premises.

*The Trustee for the JFM Kelly Testamentary Trust*

*ABN: 53 376 909 954*

*75A Neil Street, Toowoomba QLD 4350*

*PO Box 455 Toowoomba QLD 4350*

*Telephone (07) 4638 1254*

## Third party personal information

Occasionally, we may ask you for personal information about other people, for example, your family and/or business partners. If you provide us with this information, we rely on you to tell those people that you are giving their personal information to us and to make them aware of this Privacy Policy.

## Use of your personal information

We generally collect, use, hold and disclose this information in order to conduct our business, including but not limited to the enquiry to lease retail premises and all aspects associated with leasing retail premises.

We may use your personal information as follows:

- to confirm your identity
- to contact you directly about The Trustee for the JFM Kelly Testamentary Trust retail properties,
- to share it with our related entities, agents or consultants as required to perform functions on our behalf
- to share it with our law firm, accountant, architect, professional consultants where required (typically these entities have their own privacy statements and/or policies outlined on their application forms and paperwork)
- for other purposes set out when your information is collected or in any additional terms and conditions applicable
- for disclosures required by law, regulations, or court order
- to approve transactions you wish to make
- to provide you with products requested and to follow up or pursue any queries you make
- to conduct internal customer research

The Trustee for the JFM Kelly Testamentary Trust may use this information to communicate with you about leasing opportunities, internal administration, direct marketing and planning purposes. We may also use your personal information for purposes related to those described above which would be reasonably expected by you. For example, we may use your personal information to keep you informed about our marketing, leasing opportunities in any of our related entities or conducting analysis in order to provide you with better services.

We will not use your personal information for purposes other than described above unless we have your consent or there are specified law enforcement or public health and safety reasons (as permitted under the Act).

## Disclosure of your personal information

The Trustee for the JFM Kelly Testamentary Trust outsource certain business functions to other organisations. For this purpose, and only for the purpose of providing services to our shopping Centres, your personal information may, as required from time to time, be disclosed or transferred to other organisations for the purpose of providing services to The Trustee for the JFM Kelly Testamentary Trust. These organisations include;

- credit providers or credit reporting agencies for purposes permitted by the Act.
- related entities, subsidiaries, leasing agents, contractors, consultants, advertising agents or companies within the JM Kelly Group for purposes that are related to providing you with the service which would be reasonably expected
- government or statutory authorities

These organisations may directly contact you on behalf of The Trustee for the JFM Kelly Testamentary Trust.

Unless you specifically consent we will not disclose your personal information to third parties, other than those who have been contracted or associated with The Trustee for the JFM Kelly Testamentary Trust to keep the information confidential or who are subject to obligations to protect your personal information in accordance with the APPs.

Whilst we will not disclose your personal information overseas recipients, the entities to which we may disclose your personal information may do so. We are unable to say what countries, if any, those recipients are likely to be located in.

## Security of your information

The Trustee for the JFM Kelly Testamentary Trust is dedicated to keeping your personal information secure. We will take all reasonable steps to protect the security of your personal information held by us. This includes appropriate technology to protect personal information stored electronically, as well as limiting the number of The Trustee for the JFM Kelly Testamentary Trust personnel who have access to information stored in hard copy format.

Despite our reasonable efforts, we cannot guarantee that the security of your personal information will not be breached, therefore to the fullest extent permitted by law we disclaim all liability from any responsibility for any damage you may suffer due to any loss, unauthorised access, misuse or alteration of any information we collect.

## Changes to this Privacy Policy

Our business will continue to evolve as we develop and introduce new services. For this reason, The Trustee for the JFM Kelly Testamentary Trust reserves its right to change this privacy policy at any time without notice.

## Access to your personal information

You can access personal information we hold about you. If you wish to verify, correct, access or update any of your personal information collected, please contact our Privacy Officer in writing.

## Complaints

If you have a complaint about the way we have dealt with your personal information we invite you to provide written details of your complaint to our Privacy Officer.

Our Privacy Officer will contact you within 14 days of the date we receive the written details of your complaint to acknowledge that we have received it. Our Privacy Officer will then:-

1. review the way we dealt with your personal information
2. conduct an internal investigation (if necessary) into how your personal information came to be handled in the way it was, and
3. provide a report to you within one month of the date we acknowledge receipt of your complaint.

If you believe we have breached the APPs you may also lodge a complaint with the Office of the Australian Information Commissioner.

## Contact us

Should you have any queries, complaints or comments about The Trustee for the JFM Kelly Testamentary Trust Privacy Policy, please contact our Privacy Officer in writing at

**Post:** The Privacy Officer  
PO Box 455  
Toowoomba  
QLD 4350

**Email:** [retaildivision@jmkretail.com.au](mailto:retaildivision@jmkretail.com.au)