

---

# Real Estate Authority Privacy Policy

---

Date 6/06/2018

Approved: 19/06/2018



## Purpose of this Policy

1. This privacy policy explains how the Real Estate Authority (REA) handles information that identifies you ("personal information"). The policy explains:
  - when REA will collect personal information from or about you
  - what personal information may be collected by REA
  - how REA stores personal information
  - how personal information is used by REA
  - who REA may disclose your personal information to, and in what circumstances.
2. Any personal information that we collect about you will be kept safe and secure, and we will make sure we use and disclose the personal information lawfully, in accordance with the Privacy Act 1993.

## What purposes do we collect personal information for?

### If you are a licensee or wish to become a licensee:

3. If you are a licensee or are applying to become a licensee, we will collect personal information about you that we need to carry out our functions under the Real Estate Agents Act 2008 (Act) in relation to your licence (for example, to enable the Registrar to make decisions about you).
4. Where possible we will collect personal information directly from you, but we may also collect your personal information from third parties, such as the police, or people who may object to a licence being granted to you. We may also collect personal information about you from the referees you nominate in support of your application, as well as from publicly available sources.
5. REA collects information about licensees in order to address inquiries, or to investigate complaints, potential disciplinary matters and potential offences under the Act. If we ask you for information in order to investigate a complaint, a disciplinary matter or an offence, whether about you or about another licensee, we will tell you if you are legally required to give that information to us. If someone complains about your conduct as a licensee we may collect information about you from that person and from others to process that complaint or to investigate the allegations against you.
6. REA also collects personal information about licensees for administrative and business purposes such as statistical analysis.

### If you are a member of the public:

7. If you complain about a licensee, or object to the Registrar issuing someone a licence, we may collect personal information about you, for the purposes of processing the complaint or objection or for administrative and business purposes such as statistical analysis.
8. REA may collect personal information about individuals who apply for an employment position or who contract with REA for the supply of goods or services. If you are a referee for someone who is applying for a licence under the Real Estate Agents Act,

or who is applying for employment within REA, we will collect personal information about you, such as your name and contact details, for the purposes of processing that application.

9. For information about when and how we collect information on our websites, please refer to our website privacy statements which are available [here](#) (for the REA website) and [here](#) (for the settled.govt.nz website).

## What personal information do we collect?

10. In order to carry out our functions in relation to your licence (including investigating your conduct where that is permitted under the Act) or your application for a licence, we will collect personal information about you, including:
  - your name, age, and contact details including current and previous address
  - proof of your identity such as your driver licence number or passport number
  - your qualifications, and your previous real estate experience
  - information about your current or proposed work place including its location
  - information about your criminal history
  - financial information, where relevant
  - information about your conduct, or alleged conduct, as a licensee.
11. The personal information we collect about third parties such as complainants, witnesses or objectors, includes the name, age, address, and contact details of those individuals.
12. If you are employed or apply for a role at REA we will collect personal information including your name and contact details as well as information about your employment history and/or qualifications.
13. If you contract with REA to supply goods or services to us, we may collect personal information including your name, the name of your relevant employees, or sub-contractors, contact details, reference checks, and financial information such as GST number and bank account number.
14. We also collect data relating to real estate transactions.

## How does REA use and disclose your personal information?

### If you are a Licensee:

15. REA uses personal information you provide to us in relation to your licence or your application to be a licensee to carry out its statutory functions.
16. Some of your information will be publicly available in accordance with the Real Estate Agents Act 2008 (REA Act): for example your business contact details and information about your licence will appear on the public register of licensees on our website. Your disciplinary history (if any) will also appear on this register for a period of 3 years. We will also give your business contact details to anyone who requests that information from us.

17. We may use your personal information to investigate a complaint or allegation, or we may provide that personal information to a Complaints Assessment Committee (CAC) or to the Real Estate Agents Disciplinary Tribunal (Tribunal).
18. Disciplinary decisions are usually published on REA's decisions database. In some circumstances the Tribunal may make orders prohibiting the publication of any details of proceedings before it if the Tribunal thinks that is proper. We will keep you informed if this is going to happen.
19. We may provide your personal information to the Eligible Officer of your agency for the purposes of resolving a complaint about your conduct as a licensee.
20. If there is a complaint against you, we may provide your personal information to the complainant or any other parties to the complaint or investigation.
21. We may disclose your personal information to the Police or other support services, where we believe we are permitted to do so by the Privacy Act or if we are otherwise required to do so by law. We may also disclose your personal information to third parties such as the Serious Fraud Office or the Inland Revenue Department if we are required to do so by law.
22. In some instances, we disclose personal information about licensees to third parties, such as our commercial partners or service providers, so long as the purpose for the disclosure is consistent with REA's statutory functions and powers. Where appropriate, REA will put in place measures to protect the security and confidentiality of this information.
23. We will disclose your personal information to a debt collection agency if it is necessary to do so for the enforcement of debts you may owe to us (for instance, a fine).
24. We may use the personal information we collect about you for business or administrative purposes, such as statistical analysis. We may securely share this information with our third party business partners for this purpose.

### **If you make a complaint or objection to us:**

25. If you make a complaint to us, the information you give us will be used to investigate and respond to the complaint. This may involve providing a copy of it to the person you have complained about and to a CAC or the Tribunal. If a CAC or the Tribunal make a decision in relation to your complaint, some aspects of it may be published.
26. If you object to a person's application for a licence, the information you provide may be used by the Registrar in processing that application, and a copy of your objection will be provided to that person.
27. We will disclose personal information about you to other agencies if we are required to do so by law.
28. We may use the personal information we collect about you for business or administrative purposes, such as statistical analysis. We may securely share this information with our third party business partners for this purpose.

## How do we contact you?

29. We will contact you using the contact details you have provided us. Please make sure you keep us up to date if your contact details change.

## How do we protect your personal information?

30. We store your personal information in a secure hosted infrastructure environment and do not disclose it to third parties except as noted above or as required by law.
31. REA takes reasonable security safeguards to protect your personal information against loss and misuse, as well as unauthorized access, use, modification and disclosure; for instance we deploy strict end-point security and process controls, along with strong security processes and controls on our hosted environment.
32. Additionally, all controls and processes introduced to create a secure environment are frequently reviewed and strengthened to ensure we are protected and mitigate against any cyber risks. Where personal information is stored offsite it is protected by full security safeguards against both physical and digital loss.

## How you can access and request collection of your personal information

33. You can ask us for access to your personal information at any time by contacting us. Our contact details are here.
34. You can request that we correct your personal information. If we agree that the information should be corrected, we will correct it. If we do not agree that it should be corrected, we will insert a note on your file noting your request.

## Contact us

If you have any questions about our policy or our practices, please contact us using the details set out below:

### Phone

0800 for REA (0800 367 7322)

### Email

info@rea.govt.nz

### Mail

Real Estate Authority  
PO Box 25-371 Featherston Street  
Wellington 6146  
New Zealand