

Treasury Corporation of Victoria

# Privacy Policy

June 2024

## TCV Privacy Policy

### Introduction

Treasury Corporation of Victoria (TCV) collects and uses 'personal information' and 'health information' to enable it to carry out its statutory functions as Victoria's central financing authority.

TCV is required to:

- manage this information in accordance with the Information Privacy Principles contained in the *Privacy and Data Protection Act 2014* (Vic) (Privacy Principles) and the *Health Records Act 2001* (Vic)
- have a policy on its information handling practices.

TCV also acknowledges that privacy is one of the human rights recognised in the *Victorian Charter of Human Rights and Responsibilities*.

This policy sets out how TCV aims to handle personal and health information that it collects, and the procedure to follow if a person wishes to make a complaint.

### Definitions

**'Personal information'** means information or an opinion (including information or an opinion forming part of a database) recorded in any form and whether true or not, about a person whose identity is apparent, or can reasonably be ascertained, from the information or opinion, but does not include **Health information** referred to in this policy. Examples include a person's name, address, sex, age, marital status, education and or employment history, licence details or financial details.

**'Health information'** means health information as defined in the *Health Records Act 2001* (Vic) and includes information about a person's physical, mental and psychological health. Examples include an employee's medical report or claim form.

**'Sensitive information'** means information or an opinion about a person's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices or criminal record, that is also personal information.

### Publicly available information excluded

This policy does not apply to personal information contained in a document that is publicly available. Examples of information which is publicly available include information on a public register or in a prominent position on a web page.

### Examples of personal information:

- name and address
- work telephone number
- mobile telephone number
- where an individual works
- a photograph
- bank account and leave details.

## The Information Privacy Principles (IPPs)

This policy sets out how TCV will use and disclose the information it collects in the course of performing its functions under the *Treasury Corporation of Victoria Act 1992* (Vic).

### IPP 1: Collection

TCV is the central financing authority and financial adviser for the State of Victoria. TCV provides treasury services to those State and public authorities that have been accepted as Participating Authorities. It also provides deposit facilities, financing advice and analytical services to participating authorities, government departments, statutory authorities, government business enterprises and other parties at the direction of the Treasurer, and administers a transition loan program in connection with the commercial and industrial property tax reform (Transition Loan Program).

TCV may collect personal information about a person who is employed by a client or service provider, an individual investor in bonds issued by TCV to satisfy business migration visa criteria, an applicant for a loan under the Transition Loan Program, a person who visits the TCV website or sends an email to TCV, or a person who applies for a job or is employed by TCV.

TCV collects the following personal information:

- **Staff of Clients and Service Providers**

In order to carry out its functions and to conduct business with its clients and service providers, TCV may collect contact details including the name, workplace address, telephone number, mobile number and position held of the staff member.

- **Migration Bond Investors**

TCV provides Government-guaranteed bonds, or "Migration Bonds", in Victoria as Designated Investment under several visa classes.

TCV collects personal information from applicants through the Migration Bond application form including name, home address, date of birth, citizenship details, telephone number, tax file number, bank account details and identity documentation (e.g. passport, driver licence and birth certificate).

- **Transition Loan Program**

Purchasers of commercial or industrial property may apply to TCV for government transition loans as an alternative to self-financing the upfront stamp duty (land transfer duty) amount on a property entering the commercial and industrial property tax reform.

TCV may collect personal information about applicants (or other related individuals, like the directors or company officers of an applicant, and joint borrowers) in connection with an application for, or the servicing of, these transition loans. This may include the collection of identity, contact, financial, employment and credit-related information about an individual.

- **Website and Email**

TCV records the following information from visitors to the TCV website, without identifying individuals:

- the server's IP address (a number unique to the machine through which the connection to the Internet is made)
- the top-level domain name (for example, .com, .gov, .au, .uk etc.)
- the date and time of the visit
- the pages accessed and documents downloaded
- the address of the referring site (for example, the previous site visited)
- the type of browser and operating system used.

When an email message is sent to TCV the email address is recorded and used only for the purpose for which it was provided. Email addresses are not added to a mailing list without the consent of the sender.

- **TCV Employees and Applicants for Employment at TCV**

TCV collects the following information from its employees and applicants for employment at TCV: name, home address and telephone number, background employment, training and education, medical certificates (sick leave related), tax file numbers and bank account details.

TCV conducts probity checks on prospective and current employees, which may result in sensitive information, such as information about a criminal record or bankruptcy, being collected. TCV will only collect sensitive information when it has the written consent of the employee or applicant.

## IPP 2: Use & Disclosure

TCV will take reasonable steps to use or disclose personal information only for the purpose for which it was collected. TCV may use or disclose personal information for a secondary purpose where it is related to the primary purpose of collection and the use or disclosure is within the reasonable expectations of the person or consented to by the person. Disclosures may also be made in cases where there is a strong public interest in doing so e.g. serious threat to life, where disclosure is required by or under law and where it is necessary for legal proceedings.

- **Staff of Clients and Service Providers**

TCV primarily uses the personal information of clients and service providers to carry out its functions and conduct business with its clients and service providers, but may also disclose the information to its auditors, lawyers, website hosting service provider and the Department of Treasury and Finance.

- **Migration Bond Investors**

The personal information provided in the TCV Migration Bonds Application Form or otherwise received by the Registrar are collected for the purpose of assessing the application and recording, administering, and making payments with regard to the Migration Bond investment, and to comply with TCV's obligations under the *Anti-Money Laundering & Counter Terrorism Financing Act 2006* (Cth) (AML/CTF).

The personal information provided in the TCV Application Form or otherwise received by the Registrar in connection with a Migration Bond investment, may also be disclosed to:

- the Department of Immigration and Border Protection which is responsible for the administration of the business migration visas
- regulatory bodies and government agencies, including, for example, the Australian Taxation Office, the Victorian Department of Jobs, Skills, Industry and Regions, AUSTRAC (the AML/CTF regulator), or a law enforcement agency
- third parties (who may be located outside of Victoria and Australia) engaged by TCV to assist it to verify applicant's identity and to comply with the AML/CTF laws
- the Registrar's related bodies, corporate print service providers, mail houses in the provision of registry services, payments on your Bonds and for information mail outs
- the applicant's agent or representative.

- **Transition Loan Program**

TCV primarily uses the personal information collected in connection with a transition loan for the purposes of arranging or providing an individual with a transition loan, processing an application for a transition loan, complying with laws, managing its relationship with a borrower and performing related administrative tasks.

This personal information may also be disclosed to:

- Pepper Money Limited (ABN 55 094 317 665), who provides TCV with loan establishment, credit assessment, settlement, drawdown, servicing, collection and administrative services in connection with the Transition Loan Program
- other organisations that help TCV to provide the Transition Loan Program, including IT service providers, advisers, auditors, insurers, debt collection agencies and credit reporting bodies that verify identity information

- third parties that individuals have authorized to act on their behalf, including an applicant's agent or representative
  - regulatory bodies and government agencies, including, for example, the Department of Treasury and Finance, the State Revenue Office, Land Use Victoria and the Victorian Ombudsman
  - others that we're authorised or required by law or a court or tribunal order to disclose information to, including for example, where permitted by section 36W of the *Treasury Corporation of Victoria Act 1992* (Vic).
- **Website and Email**  
Information collected from visitors to the TCV website is used for generic statistical and systems administration purposes, and for general reporting on website activity.
  - **TCV Employees and Applicants for Employment at TCV**  
The personal information of TCV employees is provided to clients and service providers for the purpose of conducting business with those clients and service providers in the performance of TCV's functions.

### IPP 3: Data Quality

TCV will take reasonable steps to ensure the personal information collected is accurate complete and up to date, however some reliance is placed on clients and service providers to provide up to date information on changes within their organisations.

### IPP 4: Data Security

TCV will take reasonable steps to protect personal information held by TCV from misuse, loss, unauthorised access, modification or disclosure, and will take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed for any purpose.

Personal information is held in physically secure data centres or archived at secure off-site facilities. TCV utilises information security technology such as firewalls, anti-virus software and authenticated network access to ensure the security and integrity of information stored electronically, and requires that Pepper Money Limited also takes reasonable steps to protect the personal information it holds in connection with the Transition Loan Program.

### IPP 5: Openness

TCV's Privacy Policy is published on its website [www.tcv.vic.gov.au/](http://www.tcv.vic.gov.au/) and TCV can provide a hard copy upon request.

On request by a person, TCV will take reasonable steps to let the person know, generally, what sort of personal information TCV holds, for what purposes, and how it collects, holds, uses and discloses that information.

### IPP 6: Access and Correction

In most instances individuals will be able to seek access to their personal information and make corrections. An individual may ask for access to their personal information or request a correction to their personal information by contacting TCV through:

- contacting [privacy@cipt.tcv.vic.gov.au](mailto:privacy@cipt.tcv.vic.gov.au) where the relevant personal information is related to the Transition Loan Program
- contacting the TCV Privacy Officer by email at [privacyofficer@tcv.vic.gov.au](mailto:privacyofficer@tcv.vic.gov.au) in all other circumstances.

When contacted, TCV will let the individual know whether it holds information about the individual and any further steps that an individual should take to obtain access to that information or make corrections to it.

TCV will provide individuals with the right (subject to the exceptions detailed in Principle 6 of the Privacy Principles) to access their personal information and make corrections to it, where necessary.

However, where providing access would reveal evaluative information generated within TCV in connection with a commercially sensitive decision-making process, TCV may give the individual an explanation for the commercially sensitive decision rather than direct access to the personal information.

### IPP 7: Unique Identifiers

TCV will not use as a TCV identifier an identifier that has been assigned to a person by another government agency such as a Tax File Number (or by an agent of or contractor to a government agency acting in its capacity as agent or contractor).

### IPP 8: Anonymity

TCV will, wherever it is lawful and practicable, provide individuals with the option of not identifying themselves when entering into transactions with TCV. However, in most instances it is not feasible for individuals not to identify themselves when entering into transactions with TCV.

A person can access and browse the TCV website without disclosing personal information. The site does not retrieve or record any personal information, except where it is provided as part of a specific service request or a query via one of the site feedback forms.

### IPP 9: Information Transfers Interstate or Overseas

TCV may send personal information outside Victoria to enable it to carry out its functions.

TCV will take reasonable steps to ensure that a person's personal information is not sent outside Victoria unless TCV is satisfied that:

- the recipient of the information has adequate data protection arrangements in place; or
- the person has consented to the transfer of the information.

### IPP 10: Sensitive Information

TCV will not collect sensitive information about a person unless:

- the person has consented; or
- the collection is required under law; or
- the collection is necessary to prevent or lessen a serious and imminent threat to the life or health of any person, where the person whom the information concerns:
  - is physically or legally incapable of giving consent to the collection; or
  - physically cannot communicate consent to the collection; or
- the collection is necessary for the establishment, exercise or defence of a legal or equitable claim.

### Tax File Numbers

TCV receives TFN information for some of its functions and is therefore a TFN recipient for the purposes of the *Privacy Act 1988* (Cth).

TCV is required to comply with the *Privacy Act 1988* (Cth) in relation to the collection, storage, use, disclosure, security and disposal of individuals' TFN information. TCV must notify the Office of the Australian Information Commissioner (OAIC) and affected individuals if a breach involving TFN information has occurred that is likely to result in serious harm under the Notifiable Data Breach or NDB scheme.

### Health Information

TCV will only collect health information about a person where the information is necessary for one or more of TCV's functions or activities and where the person has consented. The manner of collection, use and disclosure, data quality and data security and retention, openness, access and correction, identifiers, anonymity and sending of health information overseas must comply with the Health

Privacy Principles contained in Schedule 1 to the *Health Records Act 2001* (Vic).

## Complaints

An individual may make a complaint about breaches of privacy in respect of information handled by TCV by contacting TCV at:

Privacy  
Officer  
Treasury Corporation of Victoria  
Level 29, North Tower, 80 Collins Street  
Melbourne VIC 3000

Telephone: (03) 9651 4875  
Facsimile: (03) 9651 4880  
Email: [privacyofficer@tcv.vic.gov.au](mailto:privacyofficer@tcv.vic.gov.au)

If you choose to make a complaint, it will be handled in a confidential, impartial and sympathetic manner. A full and impartial investigation of the matter will occur and TCV will take appropriate action to ensure that any breach of privacy does not continue. Complaints will normally be addressed within 14 days of their receipt or the complainant will be informed otherwise.

If a person is not satisfied with the Privacy Officer's response, they may refer the complaint to the Victorian Information Commissioner:

Victorian Information Commissioner  
PO Box 24274  
Melbourne VIC 3001  
<https://ovic.vic.gov.au/>

Telephone: 1300 006 842  
Email: [enquiries@ovic.vic.gov.au](mailto:enquiries@ovic.vic.gov.au)

