



Privacy (Public) Policy

August 2024

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1. Purpose

The Melbourne Arts Precinct Corporation (MAP Co) considers that the protection of an individual's privacy is essential to MAP Co's commitment to act with accountability and integrity. This Privacy (Public) Policy (the Policy) has been developed to guide MAP Co with discharging its responsibilities in relation to the management of personal information, including the requirement to collect and handle a range of *Personal Information* and *Health Information* from *You*.

2. Scope

This Policy applies to individuals who visit, attend, or otherwise access Federation Square or who otherwise engage with MAP Co (including via its websites (i.e., social media pages, participation in surveys and/or competitions, by hiring spaces for events, or using its facilities such as car parking).

To the extent to which any such person's *Personal Information* is collected or held by MAP Co in the context of being an employee, consultant, or contractor engaged by MAP Co or as a result of an individual applying for a position at MAP Co the Privacy (Personnel) Policy applies.

3. Definitions

- **You** any person in respect of whom Personal Information is provided to or collected by MAP Co, and **Your** has a corresponding meaning.
- **MAP Co** means Melbourne Arts Precinct Corporation, the company responsible for managing Federation Square.
- **Personal Information** is information or an opinion (including information or an opinion forming part of a database), that is recorded in any form and whether true or not, about an individual whose identity is apparent, or can reasonably be ascertained from the information or opinion. but does not include information of a kind to which the *Health Records Act 2001* applies;
- **Health Information** is information or an opinion about the physical, mental or psychological health (at any time) of an individual; or a disability (at any time) of an individual; or the provision of health services to an individual. It may include, for example, certain information contained in incident reports (e.g. information about physical or psychological injuries) or information received about a visitor's disability).
- **Privacy Law** refers to the *Privacy and Data Protection Act 2014* (including the IPPs - Information Privacy Principles) and the *Health Records Act 2001* (including the Health Privacy Principles).
- **Sensitive Information** as defined within the Information Privacy Principles includes information or an opinion about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, professional or trade association/union memberships, sexual preferences and practices, or criminal record – that is also personal information.

- **Us** and **We** means MAP Co, and **Our** has a corresponding meaning.

4. Privacy Laws

MAP Co values the privacy of *Your Personal and Health Information*, and MAP Co are required to comply with the *Privacy and Data Protection Act 2014* and the *Health Records Act 2001*. This may be accessed at the website of the Office of the Victorian Information Commissioner: <https://ovic.vic.gov.au/privacy/>. This Policy describes the practices, procedures, and systems that MAP Co have in place to protect *Your Personal and Health Information*.

By providing *Your Personal Information* to MAP Co in connection with visiting or accessing Federation Square, or by visiting www.fedsquare.com or engaging in other transactions with MAP Co, *You* consent to MAP Co collecting, using and disclosing *Your Personal and Health Information* in the ways described in this Policy and as otherwise contemplated by the Privacy Act.

5. Personal Information Collection

To achieve our objectives, MAP Co undertakes a range of activities which involve collection and use of *Your Personal and Health Information*. The main purposes for which MAP Co collects, stores, uses, and shares *Your Personal and Health Information* are:

- providing or facilitating the provision of goods and services
- maintaining our relationship with an individual or entity delivering goods and services
- managing an account created by an individual in relation to an event and communicating with an individual about their participation in an event
- promoting ourselves and our products and services, including through direct marketing and events
- running or managing events (including receiving information from ticketing agencies in circumstances where individuals have given the ticketing agency permission to provide the individual's personal information to presenters/producers related to an event);
- registering subscriptions to our email newsletter
- running competitions, providing offers and promotions
- general account management, planning and administration (including managing relationships with business contacts who have transacted with us)
- sending individuals follow ups on events, products or services ordered, used or enquired
- performing research and statistical analysis, including facilitating research by third parties, analysing the results of surveys
- reporting statistics (on an aggregated, de-identified basis) to sponsors and promotional partners

- answering queries and resolving complaints (including responding to comments or messages submitted to us via our websites or social media pages)
- to enhance the experience of visitors to Federation Square and providing facilities and resources, including free Wi-Fi access
- to manage security, safety, and site operations at Federation Square.

These activities depend on *Us* being able to collect certain *Personal and Health Information* from *You*. However, unless otherwise notified to *You*, MAP Co will always seek to only collect *Personal Information* in connection with an activity to the extent that it is necessary for the purposes of carrying out that activity.

6. Personal Information Collected

MAP Co may collect *Your Personal Information* if that information is reasonably necessary to undertake one or more of the activities outlined in section 5 above, including:

- Your name, address, location, and other contact details;
- Your date of birth and age;
- Your gender;
- Your nationality;
- Your occupation;
- Information regarding your interests and preferences;
- Information regarding events attended or participated in;
- Information disclosed via social media such as your preferences, likes and dislikes;
- Your approximate location, including IP address, GPS, and Wi-Fi access points; and
- Billing/financial information (such as credit card details).

We may also record *Your* image as you move through and around the Federation Square precinct, and by entering that precinct *You* are deemed to consent to such recordings.

You consent to images of *You* attending or participating in public events at Federation Square being used by MAP Co and its authorised event operators in materials for the purposes of promoting MAP Co, its event operators, and its activities.

We will only collect *Sensitive Information* from *You*:

- with *Your* consent, and where it is reasonably necessary for us to pursue one or more of our functions or activities; or
- when *We* are otherwise permitted under the Privacy Act and the IPPs.

The terms of this Policy are subject to any specific provisions contained in collection notices and in terms and conditions of particular offers, products, and services. E.g. an online competition entry submission form accompanied by terms and conditions.

When providing *Personal Information*, *You* have the right to remain anonymous or to make use of a pseudonym, to the extent provided under IPP. However, if *You* choose to

remain anonymous or to use a pseudonym, We may not be able to provide You with access to some or all of our products or services.

7. How Personal Information is Collected

We will generally collect *Your Personal Information* directly from You, whether in person, in writing (physical mail or email), by telephone, by social media, through our websites, when you make an enquiry, provide feedback or complete a survey, using onsite security cameras or via people counting. However, we may collect such information from other parties where:

- You consent to such collection; or
- We are legally required or authorised to do so; or
- it is unreasonable or impractical for Us to collect the *Personal Information* from You.

Your ongoing use of our services, visiting of our premises, or other engagement with Us (including via social media platforms such as Facebook, LinkedIn, Twitter, YouTube, etc.) will be regarded as consent to our collecting information from third parties.

If We collect *Personal Information* about You from a third party, We will take reasonable steps to inform You of the information that the third party is providing to Us. However, We may do this by requiring the third party informs You directly that *Your Personal Information* is being disclosed.

If We receive unsolicited *Personal Information* about You, We will make an assessment about whether we would be entitled to collect that information under the Privacy Law (for example, because the information is reasonably necessary for one or more of MAP Co's functions or activities). If We are not permitted to collect that *Personal Information*, We will destroy it or ensure that it is de-identified where it is lawful and reasonable for Us to do so.

8. Dealing with Us Online

MAP Co may collect *Personal Information* that You email to MAP Co or provide when using social media or our websites.

You acknowledge that there are risks in transmitting information across the Internet and that We cannot ensure the security of *Personal Information* transmitted to Us via online channels. However, once We receive *Your Personal Information*, We will take reasonable steps to protect that information from misuse, loss, interference or unauthorised access, modification, or disclosure.

Our websites or social media pages may contain links to third party websites and this Policy does not apply to the use of, or the protection of information provided to those websites. It is recommended that the privacy policies of those third-party websites are reviewed before you disclose any *Personal Information* to them.

Our websites utilise remarketing services including cookies and pixels to provide you with a more efficient and relevant user experience. A cookie is a small data file stored on your device by your web browser and MAP Co's web server. Note that unless deleted or blocked, cookies may remain on a computer as a record for future visits to our websites.

In using cookies, MAP Co does not record any personal information, collect names, or details of commercial transactions. MAP Co uses remarketing services to help us and our third-party service providers, sponsors, ticketing agencies, affiliates, and partners to present targeted and customised advertising to you on our websites and on third party websites.

MAP Co utilises Google Analytics to gather anonymous statistical data on how many people are using our sites, their approximate location, and for what pages of our websites have been accessed.

You may configure your device so that cookies are disabled; this may limit the full function and user experience of our websites.

9. Use & Disclosure of Personal Information

We may only use or disclose *Personal Information* collected about *You* for the purpose that it was collected. *Your Personal Information* will not be used or disclosed for any secondary purpose unless *You* have consented to the use or release or the IPPs otherwise permit such use or disclosure (e.g. where required by court order).

Where We collect *Your Personal Information* for the purposes of direct marketing, we will give you the opportunity to opt out of receiving further marketing materials by clicking on the specified link in any given communication from *Us*.

10. Overseas Disclosure

Some service providers We use are in countries outside Australia and *Your Personal Information* may be disclosed to entities overseas including in the United States of America and New Zealand. By continuing to engage with *Us*, *You* will be regarded as having consented to such disclosure, and where equivalent laws are not in place in such overseas jurisdictions you agree that we will not be liable if such recipients are found to breach the *IPPs*.

11. Transborder Data Flows

If an individual's personal and/or health information travels outside Victoria, their privacy protection should travel with it.

MAP Co should only transfer personal and health information about an individual to someone who is outside Victoria if:

- the individual consents to the transfer
- MAP Co reasonably believes that the recipient of the information is subject to a law binding scheme or contract which effectively upholds principles for fair handling of the information which are substantially similar to the IPPs
- the transfer is necessary for the performance of a contract between the individual and MAP Co, or for the implementation of pre-contractual measures taken in response to the individual's request, or
- the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the individual between MAP Co and a third party.

12. Protecting Personal Information

MAP Co is guided by the principle that all information is well governed and managed.

MAP Co seeks to protect *personal* and *health information* from misuse, loss or unauthorised access, modification or disclosure.

We store *Personal Information* in hardcopy form and in electronic databases. We use reasonable endeavours to ensure that *Our* information technology systems and files are kept secured from unauthorised access including by use of measures such as password protection and key pass control.

We take reasonable steps to ensure that *Your Personal Information* that *We* hold remains complete, up to date and relevant, and is used and disclosed in accordance with this policy and any consents given or disclosures made when the *Personal Information* is collected.

When *We* identify *Personal Information* about *You* that is no longer required for any purpose, *We* will take reasonable steps to securely destroy or de-identify *personal* or *health information* in accordance with the *Public Records Act 1973*.

13. Accessing & Correcting Personal Information

You have a right to access *Personal Information* *We* hold about *You*.

In most cases, requests for access will be administered in accordance with the access and correction provisions of the IPPs, particularly requests that may affect the privacy of another individual or where the personal or health information relates to a commercial activity.

MAP Co may deal with requests to access and correct information informally if the request is straightforward and only relates to the individual.

An individual may request formal access or correction to their personal information by contacting MAP Co's Privacy Unit by email: privacy@mapco.vic.gov.au. If your request is

particularly complex or requires detailed searching of our records, there may be a cost to you for *Us* to provide *You* with a response.

MAP Co must provide written reasons for refusal of access or to correct health information.

14. Complaints

If *You* believe your privacy has been interfered with and you wish to make a complaint, please contact MAP Co using the details provided below.

All complaints must be in writing and MAP Co will investigate and provide a response within 30 days of receipt of *Your* formal complaint.

If MAP Co does not respond to *Your* complaint or *You* are not happy with the response, *You* can lodge a complaint with the Office of the Victorian Information Commissioner, via:

- [Complaint Form](#)
- Email enquiries@ovic.vic.gov.au.

15. Contact Us

If *You* wish to access or make a correction to any of *Your Personal Information* that MAP Co store, to opt out of direct marketing or to make a complaint, contact us on the details below:

Privacy Officer
MAP Co
privacy@mapco.vic.gov.au

16. Related Documents

The following table details the current and any previous versions of this document (latest version is always shown on top):

DOCUMENT TYPE	REFERENCES
Relevant Legislation and Instruments	<i>Freedom of Information Act 1982 (Vic)</i> <i>Health Records Act 2001 (Vic)</i> <i>Privacy and Data Protection Act 2014 (Vic)</i> <i>Public Records Act 1973 (Vic)</i>
Relevant Policies	MAP Co Privacy (Personnel) Policy

17. Version Control

VERSION	DATE OF RELEASE	AUTHOR	KEY CHANGES FROM PREVIOUS VERSION
1	June 2022	Governance & Integrity	N/A
2	February 2023	Policy, Strategy & Governance	Policy transitioned to new template, minor edits to policy contact details, no content updates.
3	August 2024	Policy, Strategy & Governance	Policy transitioned to new template, minor edits.

18. Review Details

DOCUMENT TYPE	POLICY
Approved By	MAP Co Board
Date Approved	28 June 2022
Author / Contact	Lachlan Tan
Lead – Corporate Area	Policy, Strategy & Governance
Review Cycle	18 months
Next Review Date	February 2026