



## **What is QVAS and personal identification information in property data?**

The Queensland Valuation and Sales System (QVAS) is the Government's information database which records information about houses, units and land in the State. QVAS information includes: the property's location; the transaction details e.g. purchase price and date of sale; and the owner's name and service address (which is known as 'personal identification information').

The public may search QVAS for information about properties by paying a fee.

## **Licensed information brokers and their customers**

The Queensland Government, through the Department of Natural Resources and Mines, licenses information brokers to sell QVAS data. Before brokers can be licensed to access names and service data from QVAS they must: agree to comply with the Code of Conduct for the use of the data; be approved by the Code Oversight Committee as a Code Subscriber; and be a member of the Value Added Property Information Broker Association Incorporated (VAPIBA).

The information brokers compile data products which in addition to QVAS data may also include other information such as photographs of the property or maps showing its location. These data products are sold to those interested in the property industry e.g. developers, financiers, real estate agents, conveyancers, solicitors and valuers, who use QVAS data in the conduct of their businesses and serving their clients.

## **Code of Conduct**

The *Personal Identification Information in Property Data Code of Conduct* (Code of Conduct) was developed by information brokers and the Queensland Government and commenced in October 2009. The Code of Conduct was designed to help protect the privacy of Queensland property owners by prohibiting the use of name and or service addresses from QVAS for: unsolicited direct marketing (including mail-outs, telemarketing, bulk email messaging and list brokering); or otherwise encroaching on the privacy of property owners in the State.

Corporations which own property do not fall within the scope of the Code of the Conduct.

## **Who administers the Code of Conduct?**

The Code of Conduct is administered by the Code Oversight Committee consisting of an independent Chair, a Consumer representative and an Industry representative. The costs of administering the Code of Conduct are funded by industry through VAPIBA. The Code Oversight Committee's role includes:

- Promoting the Code of Conduct
- Monitoring compliance with the Code of Conduct by the information brokers and their customers
- Receiving and processing requests for suppression of names and service addresses
- Responding to unresolved complaints
- Imposing sanctions for breaches of the Code of Conduct
- Maintaining a Register of Excluded Parties

## **Suppression of your personal identification information**

Individual property owners can apply to have their names and service addresses suppressed, in the data available from licensed information brokers, by submitting a request online at the Code of Conduct's website at [www.propertydatacodeofconduct.com.au](http://www.propertydatacodeofconduct.com.au) Your service address is the address you nominated (e.g. a PO Box) for correspondence such as Council rates or Land Tax notices. Your service address and your property's street address may be the same. Your suppression request will be actioned within 30 days of its approval. When a property is added to the suppression Register, the information brokers must suppress the data in their databases so that their clients cannot access



the names and service addresses.

### **Complaints about the use of your name and or service address**

Licensed information brokers must provide complaint handling processes and investigate and determine whether the Code of Conduct has been breached by one of their data customers, e.g a real estate agent. If you consider that your name and or service address has been used for direct marketing in breach of the Code of Conduct, you can lodge a complaint. If you know which information broker has provided your name or service address then you must raise your concerns with them in the first instance. Contact details for the licensed information brokers are listed on the Code of Conduct website.

If you do not know which broker has provided the information, you can write to or email the Code Oversight Committee about your complaint. The Committee's postal and email addresses are below.

Your complaint should include:

- Your name and contact details
- A summary of your complaint
- Copies of any marketing material sent to you
- Details about any action already taken
- Advice about the outcome you are seeking
- Your consent to being identified in the investigation of your complaint

If your complaint cannot be satisfactorily resolved by the information broker, it may be referred to the Code Oversight Committee for consideration.

### **When does direct marketing breach the Code of Conduct?**

Details about the physical address of a property or transaction details, e.g. the sale price, are not 'personal identification information' and the use of this type of data is not regulated by the Code of Conduct. If your name and or service address has been obtained from a non-QVAS source, by for example from a real estate agent when you have registered with them for an open inspection of a house for sale, or from a competition you have entered and given your contact details, or from a Council's rates records, the Code of Conduct does not apply.

However if an investigation of your complaint reveals that your name and or service address has been obtained from QVAS and used for unsolicited direct marketing, a breach of the Code of Conduct will be found. Such conduct would also be contrary to the data user's contract with the information broker who supplies them with data because those contracts are required to stipulate that QVAS name and service address data cannot be used for unsolicited direct marketing.

### **Penalties for breaches**

Data users who breach the Code of Conduct can be penalised by way of sanctions. A range of sanctions are set out in the Code. First time or minor breaches usually result in a formal warning. More serious breaches may warrant the data user being listed on the Register of Excluded Parties which prevents that data user accessing QVAS name and address data for a specified period from any licensed information broker.

### **Are there complaints that cannot be investigated?**

There are some restrictions on the types of complaints that can be investigated by an information broker or the Code Oversight Committee. These are outlined in the Code of Conduct, which is available on the website or by contacting the Committee. If your complaint cannot be investigated you will be told why not.

### **Contact us**

*By mail:* The Chair, Code Oversight Committee, GPO Box 1815, Brisbane, Qld 4001

*By email:* [info@propertydatacodeofconduct.com.au](mailto:info@propertydatacodeofconduct.com.au)

*Website:* [www.propertydatacodeofconduct.com.au](http://www.propertydatacodeofconduct.com.au)