

Privacy Statement

Conciliation application (form 22)

Important information regarding privacy and access to personal information about an individual

Individuals contemplating lodging a conciliation application should be aware that a department conciliator is authorised to disclose information to other persons in accordance with the following provisions of the *Body Corporate and Community Management Act 1997* (“the Act”).

Under Section 252B of the Act the functions of a department conciliator include promoting the parties’ open exchange of information relevant to the dispute.

Section 252E of the Act further provides that the department conciliation session must be conducted in the way the department conciliator considers appropriate. Pursuant to section 252E the department conciliator, as the department conciliator considers appropriate, may accept written material from any person and distribute written material to any person for the purpose of the conciliation. In addition a person who is not a party to the application may attend and take part in the department conciliation session.

The effect of the above provisions is to **authorise** the department conciliator to disclose the contents of a conciliation application - which may contain personal information - to parties to the dispute and to other relevant persons. While the Office of the Commissioner for Body Corporate and Community Management is bound by the *Information Privacy Act 2009*, which imposes obligations on Queensland government agencies in respect of the collection, storage, use and disclosure of personal information, disclosure of personal information in accordance with the above provision does not breach the *Information Privacy Act 2009* as such disclosure “**is authorised or required under a law**”.

A person lodging a conciliation application with this Office is therefore responsible for ensuring that the documentation provided contains only information which the person is prepared to have made available to other persons.