

PRIVACY POLICY

This is the Privacy Policy of McDonald Johnson Lawyers, ABN 87 584 002 230

We are committed to protecting the privacy of our contacts, customers, suppliers and employees ("you" and when relating to you, "your") and complying with the Australian Privacy Principles set out in the *Privacy Act 1988* (Cth) (**Privacy Act**).

In this policy we describe how we manage personal information.

1. What kinds of personal information do we collect and hold?

The kinds of personal information that we collect include:

- a) contact details such as name, role or position, address, email address, mobile number, landline number and fax number;
- b) your personal details, such as date and place of birth, gender, qualifications, titles and the language you speak;
- c) information relating to your circumstances and affairs relevant to the matter/s in which we are instructed;
- d) information about your legal interests and requirements and the legal services that you may wish to purchase;
- e) information regarding our communications with you and your attendance at seminars and promotional events held by us;
- f) if you are an employee or prospective employee, information about your qualifications, skills and work experience; and
- g) if you are a supplier or prospective supplier, information about your business skills, services, products and prices.

In this Privacy Policy, we refer to this as **personal information**.

2. How we collect and hold your personal information:

2.1 We collect personal information by various means including when:

- a) you contact us with a question or inquiry; and
- b) you subscribe to our newsletter or legal services update;

- c) you attended a seminar or event where we are hosting or presenting;
- d) you instruct us to act for you and we open a file and conduct a conflict check;
- e) our clients provide information relating to related and adverse parties relevant to the advice or services we are providing;
- f) we undertake a search or investigation; and
- g) you visit our website.

2.2 Where practicable we collect personal information about you directly from you. However, we may have collected information about you from a third party such as a client, a third party information provider, the Courts, our statutory responsibilities or a person responding to our questions or inquiries.

2.3 If you do not provide us with accurate personal information we may not be able to carry out your instructions or achieve the purpose for which the information has been sought.

3. The purposes for which we collect, hold, use and disclose personal information.

3.1 We collect, hold and use personal information in order to:

- a) respond to enquires;
- b) provide legal services;
- c) employ competent and diligent personnel;
- d) monitor or improve the use of and satisfaction with our legal services;
- e) let people know about legal developments, our expertise and legal services; and
- f) provide information to third parties as authorised or required by law.

3.2 We disclose personal information:

- a) In order to carry out the instructions of our clients; and
- b) Subject to our confidentiality obligations, when using services in support of our legal practice.

days. Examples of circumstances where we may refuse to give you access to your personal information include where:

4. The parties to whom personal information is disclosed.

4.1 Subject to our confidentiality obligations, we may share relevant personal information with:

- a) Parties related to a matters in which we are acting, government authorities and service providers as reasonably required to carry out instructions;
- b) Our email marketing provider for the purposes of providing you our newsletter, invitations and legal updates;
- c) Third party service providers who assists us with archival, auditing, accounting, legal, business consulting, website or technology services, and
- d) To parties that you have personally consented to.

4.2 We also disclose information if required by law to do so or in circumstances permitted by the Privacy Act – for example:

- a) Where we have reasonable grounds to suspect unlawful activity or misconduct of a serious nature that relates to our functions or activities has been, is being, or may be engaged in; or
- b) In response to a subpoena, discovery request or a Court order.

5. Opting out of marketing communications

5.1 We may, from time to time, send you newsletters, invitations and legal updates about our services. You can opt out of receiving further such communications by notifying us using our contact details below by clicking the “unsubscribe” option at the bottom of any marketing email received from us.

6. Security

6.1 We take reasonable physical, technical and administrative safeguards to protect personal information from misuse, interference, loss, and unauthorised access, modification and disclosure. For example, we maintain our files in secure offices and limit access to personal information to individuals with a need to know.

7. Access/correction/updating personal information

7.1 You can contact us to access, correct or update your personal information. Unless we are subject to confidentiality obligation or some other restriction on giving access to the information and we are permitted to refuse you access under the Privacy Act, we will endeavour to make your information available to you within 30

- a) if, your request does not fall under the Freedom of Information Act or any other Act of the Commonwealth, or a Norfolk Island enactment, that provides for access by persons to documents;
- b) we reasonably believe that giving you access would pose a serious threat to the life, health or safety of any individual or to public health or public safety;
- c) giving access would have an unreasonable impact on the privacy of others;
- d) the information could reveal the intentions of a party in negotiations;
- e) giving access could prejudice the taking of appropriate action in relation to unlawful activity;
- f) giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body;
- g) giving access could reveal evaluative information in a commercially sensitive decision making process; or
- h) the request for access is frivolous or vexatious.

7.2 If you request to correct your personal information, we will collect, or, if we consider more appropriate, note your request for amendment of the information on your record.

7.3 We will not charge you to make a request to access your personal information but we may charge you to actually provide access depending on the costs associated with obtaining and providing the material.

7.4 These actions can usually be taken by contacting us using the information on the “Contact Us” section below.

8. Notification of changes

8.1 If we decide to change our Privacy Policy, we will send you a copy of our revised policy or post a copy on our website.

9. Complaints / contact us

If a breach of this Privacy Policy occurs, a complaint may be made to us by sending it to the managing partner, who will respond to request within a reasonable time, usually 30 days.

If you are not satisfied with the outcome you may write your complaint to the Office of the Australian Information Commissioner using the following link:
<http://www.oaic.gov.au/privacy/making-a-privacy-complaint> for a further review of your complaint.