

Privacy Policy

1. Introduction

Robinson White Legal Pty Ltd ABN 77 691 532 331 is referred to in this Privacy Policy as **we, us or our**.

This Privacy Policy explains how we manage personal information. It also describes your rights to access and correct personal information we hold about you, and how you can make a complaint about our management of your personal information. This is in addition to our obligations of confidentiality to clients and other parties arising from sources other than the *Privacy Act 1988* (Cth).

1.1. Application of this Policy

This Privacy Policy only applies to some of the personal information we manage. It only applies to personal information we manage for the purposes of or in connection with our obligations under the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (Cth) (the **AML/CTF Act**).

Other personal information we manage remains excluded by applicable exemptions in the Privacy Act.

1.2. Related entities

References to **Robinson White Legal Pty Ltd** in this Privacy Policy include related entities such as Robinson White Solutions Pty Ltd ABN 13 692 097 957.

1.3. Policy updates

We may update this Privacy Policy from time to time to reflect changes in our practices or legal requirements. The current version will be available on our website at **www.robinsonwhite.co**.

2. Personal information: what we collect

2.1. Types of personal information

We collect your contact and identity details, financial information and case-related information about you and any relevant entity or person. This may include sensitive information.

2.2. Identity verification and the AML/CTF Act

We may be required to verify your identity and collect certain information under the AML/CTF Act when we provide designated services. Identity documents might also be required for other services such as court matters, real property transactions and asset dealings.

This may include collecting identification documents and information about the source of funds and beneficial ownership of entities.

3. How we collect personal information

3.1. Sources of information

We collect information directly from our clients, from other lawyers, government sources or public sources such as registers or the internet. We may collect personal information about you from a corporation that is our client where you are employed by or contracted to that corporation.

We may also collect personal information about you from other third parties, including:

- our other client(s), where we collect information in the course of providing legal services;

- witnesses, expert witnesses and consultants engaged by us or our client;
- courts, tribunals, law enforcement and government agencies;
- publicly available sources, including public registers, websites and social media;
- recruitment agencies and previous employers (for job applicants); and
- identity verification, commercial data brokers, background check service providers and due diligence providers.

3.2. Anonymity and Pseudonymity

If you are a client, you have the option of requesting to deal with us anonymously or by using a pseudonym. However, in most cases this is not lawful nor practical for legal services. If you do not provide us with the personal information we request, we are unlikely to be able to provide you with legal services or respond to your enquiry.

4. Why we collect personal information and how we use it

We collect, hold, use and disclose personal information for the primary purpose of providing legal services to our clients, complying with regulatory and insurance obligations and operating our legal practice. This includes ongoing Customer Due Diligence as required by the AML/CTF Act. We may also collect, hold, use and disclose personal information for the purposes of conducting legal research, conducting investigations or assisting with transactions for clients.

Secondary purposes include financial management, system improvement, enforcement of our right to payment and managing the relationship between our firm and former clients once the retainer has concluded.

5. Disclosure of personal information

Your personal information and confidential data is held by us subject to our duty of confidentiality under the Australian Solicitor's Conduct Rules ("**ASCR**") and any applicable undertakings or Court rules. We may disclose personal information to third parties subject to those obligations and for the purposes described in this Privacy Policy. These purposes include disclosure to parties to proceedings or transactions and their representatives, to Courts, government and regulatory agencies as may be necessary or appropriate to establish legal rights and to progress transactions in which we are instructed. We also disclose information to third parties (such as data storage or archiving companies, our regulators or our insurers) who hold or process information for us.

6. Overseas disclosure

We will disclose information to overseas recipients where this is reasonably necessary to progress our instructions (dealing with a company with an overseas office, for example).

We may disclose personal information to recipients located outside Australia where reasonably necessary or convenient to facilitate the purposes of collection, holding, use and disclosure of information stated in this Policy. Where we do disclose personal information to recipients outside of Australia, we will take reasonable steps to ensure overseas recipients comply in substance with the relevant Australian Privacy Principles under the *Privacy Act 1988* (Cth).

7. Security of personal information

7.1. Security measures

We hold your personal information using a system designed to protect against data breaches, however like all data security systems, risks may only be mitigated but not eliminated. It is our practice to require our storage service providers to be reputable and to seek assurances from them regarding security and confidentiality.

7.2. Retention and destruction

We retain personal information for as long as necessary to fulfil the purposes for which it was collected, to comply with our legal and professional obligations and to ensure that pertinent evidence remains available if reasonably required.

8. Third party websites

Our website may contain links to third party websites, such as payment processors. We are not responsible for the privacy practices of those websites, and we encourage you to read their privacy policies.

9. Access and correction

9.1. Access to and correction of your personal information

You have the right to request access to or correction of the personal information we hold about you. To make an access request, please contact our Privacy Officer (see Section 10).

Access and correction:

- We will respond to your request within a reasonable period, generally within 30 days. We may charge a reasonable fee to cover the costs of locating, retrieving and providing the information. If you are a client or former client we do not charge for recovery or storage of records that are your property, but may charge for costs incurred in retrieval of other records or where urgent timelines or requests for documents to be delivered remotely, incur additional outlays.
- If you are not a client or former client, our confidentiality obligations to them and other relevant exemptions under the *Privacy Act 1988* (Cth) may preclude us giving you the information requested. Request for search or recovery costs in advance does not mean that information will necessarily be released. We will inform you of any applicable fees before processing your request.

The *Privacy Act 1988* (Cth) permits us to refuse access in some circumstances. If we refuse your access request, we will provide you with written reasons for the refusal (unless unreasonable to do so or we are prohibited from doing so by law) and information about how you may complain.

Correction of your personal information

We take reasonable steps to ensure that the personal information we hold during the currency of your matter is accurate, up-to-date, complete and relevant. Records held subsequent to the completion of our work for you will not be monitored or updated unless further instructions are issued to us. If you believe that personal information we hold about you is inaccurate, out-of-date, incomplete, irrelevant or misleading, you may request that we correct it.

We will respond to correction requests within a reasonable period.

10. Complaints and questions

If you have a question about this policy or complaint about how we have handled your personal information, please contact our Privacy Officer. We ask that you provide details of your complaint in writing. We will acknowledge your complaint within 7 business days and investigate it promptly. We aim to resolve complaints within 30 days. If we need more time, we will keep you informed of our progress.

Privacy Officer:

Tim Robinson

You may also contact the relevant legal services regulator in your State or Territory.