

EXTERNAL PRIVACY STATEMENT

Introduction

Rachael Dewar Law (we, us, our) complies with the New Zealand Privacy Act 2020 (the Act) when dealing with personal information.

This statement sets out how we will collect, use, hold, disclose and protect your personal information.

This statement does not limit or exclude any of your rights under the Act. If you wish to seek further information on the Act, visit www.privacy.org.nz.

Changes to this Statement

We may revise this statement as required and the changes will apply from the date of revision.

What is Personal Information

Personal information is data about an identifiable individual: a natural person. It is personal information about you that identifies you, or by which your identity can reasonably be ascertained.

Who Do We Collect Your Personal Information From

We collect personal information about you from:

- You, when you provide that personal information to us, including via the website and any related service, through any contact with us (e.g. telephone/mobile call, email or correspondence), or when you use our services.
- Third parties where you have authorised this or the information is publicly available.

The following statements also apply:

- We will only collect personal information from you directly unless in certain circumstances, the Privacy Act 2020 allows the collection from a third party.
- We will only collect personal information that is necessary and by fair and lawful means.

Indirect Collection

Where we collect personal information about you indirectly (that is, from someone other than you), we will take reasonable steps to notify you of that the collection where required by the Privacy Act 2020, unless an exemption applies.

In the course of acting for our clients, we may also receive personal information about other individuals from our clients or other third parties. Where that information is collected for the purpose of providing legal services to our client, our obligation to comply with IPP3A (indirect notification obligation):

- is superseded by legal privilege and the lawyer's duty of confidentiality to their client (per section 24 in the Privacy Act); and
- subject to the exception where compliance would prejudice the purposes of collection (IPP3A(4)(d)).

How We Use Your Personal Information

We will use your personal information:

- To verify your identity (e.g. your name, date of birth).
- To contact you (e.g. phone number, email address or physical address).
- To comply with our obligations under the Anti-Money Laundering and Countering Financing of Terrorism Act 2009.
- To provide services to you, which may include engaging a third party.
- To market our services to you, including contacting you electronically (e.g. by text or email).
- To improve the services that we provide to you.
- To undertake credit checks of you if required.
- To bill you and to collect money that you owe us, including authorising and processing credit card transactions.
- To pursue or enforce a debt that you owe us, by engaging a third party.
- To respond to all communications from you.
- To protect and/or enforce our legal rights and interests, including defending any claim.
- For any other purpose authorised by you or the Privacy Act 2020.
- To conduct research and statistical analysis (on an anonymised/non-identifying basis).
- To consider your employment application (if relevant).

Disclosing Your Personal Information

We may disclose your personal information to:

- Any business that supports our services, including any person that hosts or maintains any underlying IT system or data centre that we use to provide the website or other service.
- A credit reference agency for the purpose of a credit check on you.
- A person who can require us to supply your personal information (e.g. a regulatory authority).
- Any other person authorised by the Act or another law (e.g. a law enforcement agency).
- Any other person authorised by you.
- Other third parties (for anonymised/non-identifying statistical information).
- Consider your employment application (if relevant).
- A business that supports our services and is located outside New Zealand. This may mean your personal information is held and disclosed outside New Zealand (e.g. Get Started Online questionnaire) and dealt with in accordance with the terms of their privacy policy.
- We take privacy seriously and only disclose information to the extent required to enable us to provide our service to you.

Protecting Your Personal Information

- We will take reasonable efforts to protect personal information that is held by us from loss, misuse, unauthorised access, disclosure, modification or destruction. However, no method is completely secure, and while we take reasonable measures we cannot completely ensure or promise the security of any information we collect from you.
- We do not provide your personal information to anyone else unless required by law or it is a business obligation.

- We do not claim ownership of any information you provide, although we may keep copies of the information you provide to comply with the law or with our professional or business obligations.
- As with any lawyer-client relationship, the information you provide is confidential and you retain ownership of the information and documents you provide.

Accessing and Correcting Your Personal Information

- Subject to certain grounds for refusal set out in the Act, you have the right to access your personal information that we hold and to request a correction to your personal information. Before you exercise this right, we will need evidence to confirm that you are the individual to whom the personal information relates.
- In respect of a request for correction, if we think the correction is reasonable and we are reasonably able to change the personal information, we will make the correction. If we do not make the correction, we will take reasonable steps to note on the personal information that you requested the correction.
- If you want to exercise either of the above rights, email our Privacy Officer at reception@dewarlaw.co.nz.
- Your email should provide evidence of who you are and set out the details of your request (e.g. the personal information, or the correction, that you are requesting).
- We may charge you our reasonable costs of providing to you copies of your personal information or correcting that information.

Internet Use and Links to Websites

- While we take reasonable steps to maintain secure internet connections, if you provide us with personal information over the internet, the provision of the information is at your own risk.
- If you follow a link on our website to another site, the owner of that site will have its own privacy policy relating to your personal information. We suggest you review that site's privacy policy before you provide personal information, so that you can understand how the personal information you provide will be collected, held, used and distributed.
- Some of these links may request or record information from you or use cookies or other methods to collect information from you. We have no control over and are not responsible for the content of such websites, or for the manner in which those websites collect, hold, use, and distribute any personal information you provide.

Contacting Us

Please contact our Privacy Officer at reception@dewarlaw.co.nz.

- If you have any questions about this privacy policy, our privacy practices, or if you would like to request access or correction of your personal information.
- If you think we have breached the Act, or you wish to make a complaint about how your personal information was handled.

Privacy Breach or Incident Report

Our response to a privacy breach or incident: five key steps:

- Contain the breach and make a first assessment.

- Evaluate the breach.
- Report the breach.
- Notify affected parties, if necessary.
- Analyse what caused the breach and take steps to correct the breach.