

B & G LAW PTY LTD

PRIVACY POLICY STATEMENT

At B & G Law Pty Ltd (“**B & G Law**”) we seek to provide the best possible legal service to ensure your legal needs are properly addressed. In order to achieve this aim B & G Law may need to collect personal information about the circumstances surrounding your legal matter and personal information about yourself.

It is important for us to ensure that you are confident that any personal information you provide to us is treated in the appropriate manner and with the appropriate degree of privacy.

B & G Law offers wide and diverse expertise in all areas of law and the services it provides to you will dictate the types of personal information which may be necessary for us to collect.

What does "personal information" mean?

Personal information means information or an opinion about an individual whose identity is apparent, or can reasonably be ascertained from the information or opinion.

By collecting this personal information, we are able to:-

- identify the issues of your particular matter;
- provide the appropriate level of advice relating to that matter;
- contact you when and where necessary;
- ensure that you obtain the best possible service and advice; and
- identify you and protect you from any unauthorised access to your personal information.

How B & G Law collects your personal information

We will always collect your personal information directly from you where possible. Where we are unable to obtain that personal information directly from you we will obtain your consent before information is obtained from another party.

Collection of your personal information may occur in a number of ways including:

- taking instructions from you;
- contact with a financial institution, medical provider or any other party, on your behalf, and at your request, to obtain such information; and
- from another party during the course of legal proceedings.

Specifically, personal information is collected during the course of our relationship with you. Personal information may also be collected when you provide us with further instructions to act on your behalf in other matters.

It may occur that personal information is collected by B & G Law from other sources without your direct knowledge. An example of this is where funds are transferred from your bank account into our trust account and your bank account details are advised to us.

Where possible we will require you to specifically consent to any use or disclosure of your personal information. Your consent will usually be required in writing, however B & G Law may accept your verbal consent to disclose particular information in the conduct of your legal matter.

Your consent may also be implied from the particular legal matter we are dealing with on your behalf. This may occur in circumstances such as where we are undertaking conveyancing matters for you and where we are required to negotiate with your financier as to settlement figures and cash requirements. It may also arise with respect to matters involving personal injury, wills, powers of attorney, estates, litigation and commercial transactions.

Regardless of how your personal information is collected and whether it is through implied or actual consent, B & G Law will deal with your personal information in accordance with this privacy policy.

Disclosure of your personal information

B & G Law may need to disclose your personal information in certain circumstances. For example, your personal information may be required to be disclosed in response to a subpoena or a direction from the Court.

It may also be necessary to disclose some of your personal information necessarily included on documents filed on your behalf in Government departments or in Court. B & G Law may disclose your personal information where you have consented to us doing so in relation to your legal matter. Your consent to the disclosure of your personal information may be given expressly, or it may be implied from your conduct and interaction with B & G Law during the normal progression of your matter.

B & G Law will take all reasonable steps to ensure that we do not disclose your personal information to a party outside the firm where consent for such disclosure has not been given. In all cases where B & G Law may be required to disclose information that is outside the scope of our retainer, then we will take all reasonable steps to obtain your consent for such disclosure.

Some examples of parties outside B & G Law to whom we may be required to disclose your personal information, and the reasons for disclosure, are:-

1. insurance companies to ensure that policy claims are accurate;
2. government authorities and agencies in respect to any claims, including, but without limitation, workers' compensation, child support, financial assistance;
3. mortgagees, mortgage insurers and banks for the purposes of establishing, discharging or insuring your mortgage;
4. barristers who may have been retained in respect of your legal matter;
5. medical or any other experts who may be required to provide a report on your matter;
6. solicitors within the firm other than those with the day-to-day conduct of your file, whose assistance is required to progress your matter; and
7. recipients of Court documents in the normal course of pleadings in litigious matters.

Ensuring your personal information is up-to-date

The effective and proper maintenance of your legal matter can only occur when the personal information which we hold is current and up to date. It is therefore important that, during the course of your relationship with B & G Law, you notify us of any changes to your personal information which we hold. This includes your contact details (eg. phone numbers, address etc.) and any matter that may be material to the furtherance of your retainer with us.

The security of your personal information

B & G Law prides itself on its secure handling of the personal information of its clients. B & G Law will take all reasonable precautions to safeguard personal information which is held by us, either on file or on computer, from loss, misuse, unauthorised access, modification or disclosure.

To ensure that your personal information is secure, B & G Law employs a number of means. These include:-

- external and internal premises security;
- the requirement for all employees to enter into a confidentiality agreement;
- computer firewall protection;
- restricted access to personal files and information;
- up-to-date technology and computer maintenance to prevent unauthorised access;
- document handling and shredding procedures with respect to personal information; and
- limited access to your personal information.

Where our retainer has been completed, your file will be held in archives for a period of seven (7) years and then securely destroyed. Certain pieces of personal information (for example, name, address, contact phone numbers and email addresses) collected during the course of B & G Law's retainer will be kept on our computer system after our retainer with you ends and you hereby consent to that occurring.

B & G Law's retention of that information is necessary to enable B & G Law to, among other things, ensure any potential conflicts of interest are readily identifiable. This may occur, for example, if after our retainer with you is completed (and we are not acting for you in any other matter) and some time later we are approached to act for another client against you. Retention of your personal information on our computer system will assist in our identification of any conflict which might exist or potentially arise and if it does, we will act appropriately.

Access to your personal information

At any time you may give notice to B & G Law that you wish to access your personal information that we hold. You may orally request access but we will require you to confirm the request in writing to us and the manner in which you want access to be given for example, that you be allowed to look over the information and take notes or copies of records. You will also need to let us know what personal information you require access to (ie. all or just part of it).

In order that this information is made available to you, some notice is required so that we may have the documentation ready for your inspection. Where the information is held in security, B & G Law reserves the right to charge a fee to cover the cost of retrieval and supply of the information to you. However we will endeavour at all times to ensure that the cost of such retrieval and supply is reasonable.

B & G Law will endeavour to handle all requests for access to personal information promptly and provide that information to you within a reasonable time of receipt of that request. However, some requests may take longer to process due to the substantial amount of documents held by the firm in respect to some matters.

You may only access your own personal information. Any personal information held on your file in respect of any other person will not be disclosed to you.

B & G Law retain the right to deny access to personal information where the information may relate to existing or anticipated legal proceedings between B & G Law and you or where the request may be

regarded as frivolous or vexatious. B & G Law is also under obligation by law, in some circumstances, to deny access to your personal information.

Where B & G Law has denied you access to your personal information, reasons for that denial will be provided.

Should you wish to access your personal information, please contact B & G Law on (07) 4409-2699 and make your request. In accessing your personal information, B & G Law will require you to sign a document stating that you have accessed your personal information.

Sensitive information

Certain information which may be collected by B & G Law will be regarded as sensitive information. The disclosure of sensitive information can only be made by B & G Law with your direct consent, where it is required to establish or defend a legal claim or where it is required by law to be disclosed. Some examples of sensitive information include but are not limited to, information concerning your:-

- sexual preferences or practices;
- criminal record;
- health;
- membership of trade union;
- membership of professional trade association;
- philosophical beliefs;
- membership of political association;
- religious beliefs or affiliations;
- political opinions; and
- racial or ethnic origin.

Your personal information on-line

B & G Law prides itself on the maintenance of up to date and technologically advanced computer systems. B & G Law takes reasonable steps to ensure the integrity of its systems is protected and that any breaches of security, potential or actual, are identified and rectified.

B & G Law will correspond with you via email where you consent to that occurring. Email may not be a secure way to communicate your personal information to us and as such, personal information should be delivered through secure means.

Direct marketing

B & G Law may from time to time use your personal information, such as your address or contact details, to provide you with information about other services that B & G Law offers.

If at any time you do not wish to receive any information about these services please feel free to contact us on (07) 4409-2699 and we will not send you any further material.

B & G Law will not disclose your personal information to any party outside the firm except for the purposes of furthering your legal matter, or where the law requires us to provide your personal information.

Please be aware that lawyer-client confidentiality still exists notwithstanding any legal requirement to provide information, and information provided to us by yourself is confidential.

Complaints about breaches of privacy

If at any time you believe that B & G Law has wrongfully disclosed your personal information or has breached this Privacy Policy then you may lodge a complaint with B & G Law in one of the following ways:-

- by telephoning (07) 4409-2699; or
- by writing to B & G Law at PO Box 445, Thuringowa Central, Qld, 4817.

If you are not satisfied with the response that you receive from B & G Law then you may contact the Privacy Commissioner in one of the following ways:-

- by telephoning 1300 363 992; or
- by completing a Complaints Form from the Office of the Privacy Commissioner online at www.privacy.gov.au and sending it:-
- by email to privacy@privacy.gov.au;
- by mail to GPO Box 5218, Sydney, NSW, 2001; or
- by facsimile to (02) 9284 9666.

Changes in the Privacy Policy

B & G Law is constantly monitoring regulations, policies and procedures to ensure that it is up to date with all current changes in the law and market practices. As a consequence of this B & G Law may change this Privacy Policy from time to time.