

PRIVACY POLICY

This Privacy Policy explains how Mitchell Newman collects, stores, uses and shares your personal information. We are bound by the Privacy Act 1993 and will always deal with your personal information in accordance with that Act and with this Privacy Policy.

What kind of personal information do we collect?

The type of personal information that we collect from you may include, but is not limited to: your name, contact information (physical address, email address, telephone numbers), copies of your identification (passport, driver's licence), occupation, IRD details, location, computer or network, interactions with us, billing or purchase information, and other information we require to properly conduct our business and meet our legal obligations.

Why do we collect personal information?

We collect your personal information in order to conduct our business, provide legal services to you in accordance with all applicable legislation, rules and regulations and generally to meet our legal obligations.

If you do not provide us with your personal information

Providing some information is optional. However, in most cases if you choose not to provide the information we have requested and which we require to undertake a matter, we may be unable to provide legal products or services to you.

How do we collect your personal information?

We generally collect personal information when you are meeting with us, writing to us, speaking to us on the telephone and completing a form. In some circumstances we collect personal information from third parties (for example a reference provided by another person).

We also collect personal information from our website including through receiving subscription applications, website traffic analytics and the use of cookies as a marketing tool.

When can we use and disclose your personal information?

We will only use and disclose personal information where necessary to carry out the primary purposes or functions for which we collected the personal information; for any secondary purposes which are related to the primary purpose; if authorised by law (including the Privacy Act 1993); or if required by law.

Generally, we may use and disclose the personal information that you have provided to us, or which we have obtained about you, for any of the following purposes:

- to verify your identity;
- to provide legal products and services to you;
- to manage and enhance our provision of legal products and services;
- to aid in the marketing of our services including providing promotional information or information that we believe may be of interest to you;
- to carry out business functions including client billing and payments and client trust account transactions;
- to deal with debt recovery which may include disclosing information to debt collectors;
- to deal with any commercial or legal conflicts;
- to communicate with you;
- to meet our reporting obligations as required by law; and
- to comply with our legal obligations.

We will not sell or lease your personal information to third parties.

We will only disclose your personal information to third parties in a manner consistent with this policy and applicable privacy laws.

By providing us with your personal information, you consent to us using and disclosing your personal information for the purposes contemplated in this policy.

Who can we share your personal information with?

Besides our staff, we may share your personal information with:

- a third party where required to by law and/or where necessary due to the nature of the legal service provided (for example, to your accountant, government agencies, AML auditors, the IRD) in order to properly undertake and complete legal work for you;
- other persons or entities who assist us in providing services or who perform functions on our behalf (for example, specialist consultants and barristers);
- courts, tribunals and regulatory authorities; and
- anyone else whom you authorise disclosure of personal information to.

How we manage your personal information and keep it secure

The Privacy Act requires that we take reasonable steps to protect the security of your personal information from loss, unauthorised activity or other misuse. Our staff are required to respect the confidentiality of personal information and the privacy of individuals. We will not provide your personal information to any third party without your prior written consent where provision is not on its face automatically permissible under this Privacy Policy.

We ensure that we protect our data (which includes your personal information) with all security safeguards as is reasonable in the circumstances for us to take. We use Office 365 software and SharePoint Online which are both recognised as being high level in terms of data protection and privacy security.

We keep your information safe by storing our data in encrypted files on a cloud-based server with security measures in place. Back-ups of our data are completed regularly, and all back-up information is held on the Microsoft Azure Backup platform located in Sydney, Australia. All information is encrypted before being sent to the data holding site and only we are authorised to decrypt the information.

We also use Actionstep, a cloud-based practice management software, to store your personal information. Actionstep takes data security very seriously and follow best practices to ensure data is backed-up and protected against unauthorised access. Actionstep uses the Amazon Web Services infrastructure in Sydney, Australia to provide a secure practice management platform to us. All data including personal information transmitted between us and Actionstep is encrypted using SSL.

Further, we have local antivirus protection software installed on our computer systems for added security.

AML/CFT disclosures

The Anti-Money Laundering and Countering Financing of Terrorism Act 2009 and associated regulations (AML/CFT) require us to collect personal information from you to verify your identity and to complete other identity-related checks for the purposes of complying with our legal obligations under the AML/CFT (AML Information). We may use AML Information collected from you to:

- check that your AML Information matches information held in the relevant government databases (this includes accessing document verification services); and
- check that we are not prohibited from acting for you under the AML/CFT.

We may use third parties to undertake AML Information matching processes and to facilitate access to databases (such databases may or may not include databases outside of New Zealand). These third parties whom we may enter into arrangements with include Vigilance Limited, Centrix Data One Limited and Centrix Group Limited. We provide an information match request and receive a report with match data from the service.

All use of AML Information when accessing those databases is limited to compliance with our obligations under the AML/CFT and any other applicable law.

We will only undertake these checks with your consent. You may withdraw your consent at any

time prior to us undertaking the identity verification process for you.

Accessing third party content

Our website may contain hyperlinks to third party websites. We are not responsible for the content of such websites, or the manner in which those websites collect, store, use, and distribute any of your personal information. When visiting a third party website from hyperlinks displayed on our website, we encourage you to review the privacy statements of those websites so that you can understand how your personal information will be collected, stored, used and distributed.

Updates to this policy

We reserve the right to review this policy from time to time to take account of new legislation and technology, changes to our operations and practices and the changing business environment. Any changes made to this policy will be posted here on our website.

Contacting Us

You have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong. If you would like to ask for a copy of your information or to have it corrected, or if you have any questions about this policy, please contact us at:

admin@mitchellnewman.co.nz