

Privacy

The entities covered by this policy are:
SMK Lawyers Pty Ltd (ABN 65 135 607 822)

How we protect your personal information. At SMK Lawyers we are committed to ensuring the privacy of the personal information provided to us, either in written form or electronically. The following statement sets out our general policy for the protection of such privacy.

We are bound by the 13 Australian Privacy Principles (APPs) which form part of the **Privacy Act 1988 (Commonwealth) as amended.**

Under the Act we are **exempt** from the application of the Australian Privacy Principles as to disclosing certain personal information we hold which is subject to our own, or our clients', existing or anticipated legal dispute proceedings, which may prejudice negotiations, or which would be unlawful to disclose. If we refuse to give access we will provide reasons for our refusal.

On **request** we will provide additional information about the way SMK Lawyers manages the personal information we hold. We can be contacted in the following ways:

- you can **write** to us:
Privacy Officer
SMK Lawyers
DX 11499
SYDNEY DOWNTOWN NSW
- you can **email** us: leonora@smklawyers.com.au
- you can **phone** us: 02 8202 0000

When dealing with us, we generally store the minimum **personal information** about individuals required to effectively manage our business relationship (for example name, title, phone number, email, and street address). However, depending on the services engaged by our clients, we may also need to hold specific or sensitive information about individuals, including third parties. Generally it will not be possible to deal with us anonymously, due to the nature of our services. We will however respect confidentiality in all dealings with us.

Some of the **types of information** we may hold about individuals include:

- Information provided to us when clients instruct us to act for them, including information about third parties for use in current or anticipated litigation in which our clients are, or may be, involved;
- Information provided when another service is requested from us (such as an invitation to attend a seminar), including name, title and contact details (phone number, email, street address);
- Information which you have willingly provided to us in connection with applying for a job

We will not ask to collect **sensitive** information about individuals (such as details of race, political beliefs, religion or health) unless it is needed for the purposes of providing legal advice. In most cases, if personal information we request is not provided, we may not be able to supply the relevant advice or service.

We may also collect some information through our **website**, www.smklawyers.com.au. The only personal information which we collect is what users specifically tell us about themselves, for example, by completing an online form or information provided to us by email, including email addresses.

We hold personal information for the following purposes:

- To send correspondence and generally to undertake work in relation to services we have been engaged to provide;
- To provide legal advice to our clients, or for use in current or anticipated litigation in which our clients are or may be involved;
- Internal accounting and administration;
- To protect clients, individuals and us from fraud;
- To help us identify, inform and educate clients and individuals about other services that might be beneficial to them, or to inform them about updates or changes to services previously acquired, or about changes to the law. If you would prefer not to receive this information, please let us know and we will respect your request.

We may **use and disclose** personal information for the primary purpose for which it is collected, for reasonably expected secondary purposes which are related to the primary purpose and in other circumstances authorised by the Privacy Act. Where we no longer require personal information for a permitted purpose, we will take reasonable steps to securely destroy it.

We may disclose personal information to **external service providers** but only so that they can provide the services that we have contracted out to them. We do not knowingly store any information outside of Australia. We will only transfer information to an organisation or individual in another country where this is necessary for the performance of our contract to provide legal services to our clients. Such disclosures will be on the understanding that the recipient will abide by the requirements of the APPs and respect confidentiality, mainly to insurance underwriters based in United Kingdom, United States and Europe.

We will endeavour to ensure that the personal information we hold is **accurate**, complete and up-to-date. We encourage you to contact us in order to update any personal information we hold about you which you discover is not up to date.

You generally have a right to **access** the personal information we store about you unless it is subject to legal privilege. We will have to verify your identity before meeting your requests, which we will process in a reasonable time. A fee may be charged for more complex requests to provide access. This will be based on the reasonable actual cost to us of meeting such requests.

We take reasonable steps to ensure the **security** of personal information. Our premises and data storage are housed in secure buildings with access restricted to authorised persons. Our IT systems are secured inside firewalls and password protected and we conduct regular audit and data integrity checks. We frequently update our anti-virus software in order to protect our systems (and the data contained in those systems) from computer viruses. We periodically use secure methods of document destruction when information is no longer needed to be kept by us (such as after expiry of the Statute of Limitations for legal documents)

All employees are required, as a condition of employment, to treat personal information held by us as **confidential**.

When users visit our website, we may use “**cookies**” to provide us with aggregate (anonymous) information on how people use our website and for the purpose of helping us to know what they find interesting and useful on our website to allow us to improve content. These cookies are supplied by Google Analytics (_utma, _utmb, _utmc, and _utmz), and there are also some cookies by WordPress (wp-settings-, wp-settings-time-) which help with our web site navigation and preferences. We do not link this information back to user identity or other information that users have provided to us. We do not store any information that identifies users inside cookies. If you do not wish to receive any cookies you may set your Web browser to refuse cookies. Further information on Google Analytics can be found at <http://www.google.com/analytics/learn/privacy.html>

We treat privacy matters very seriously. If you think that your privacy has been interfered with due to a breach of our obligations in relation to privacy, then you can complain directly to our Privacy Officer or contact us (see above). If you are not satisfied with our response (which will be given within 30 days), we will advise you on your options for further proceeding with your complaint which includes referral to Alternative Dispute Resolution and finally the complaint may be taken to OAIC.gov.au

From time to time it may be necessary for us to review and revise our privacy policy. We reserve the right to change our privacy policy at any time. We may effect changes to this privacy policy by posting an updated version on our website. If you want more detailed information then please contact the Privacy Officer (see above for contact details).

This policy was last amended on 5 April 2019.