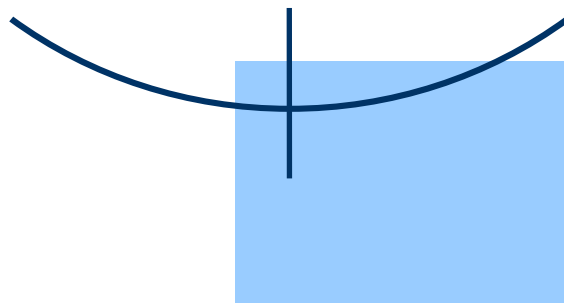




# PRIVACY POLICY



**Revised: 1 July 2009**

**RANKIN NATHAN**  
— lawyers —

## PRIVACY POLICY

Rankin Nathan Lawyers Pty Ltd (“Rankin Nathan”, “us” or “our”) wishes to provide the best possible service for our valued customers and clients. To achieve this aim, we need to make the most efficient use of personal information collected from our clients or others (“you” or “your”).

However, it is equally important to us that you are confident that any of your personal information entrusted to us is treated with the appropriate degree of privacy.

### WHO IS RANKIN NATHAN?

Rankin Nathan Pty Ltd is an incorporated legal practice. As at 1 July 2009, the following people are Directors of the company:-

- Philip Anthony Young (Managing Director).
- Ross Anthony Lindgren.
- Jeffrey Neil Thomas.
- Kim Sheree Ebbeck.
- Darran Kenneth Russell.
- Katherine Anne Melville.
- Megan Emily O’Donohue.

The legal practice is conducted from four locations:

- Ground Floor, 221 Miller Street, North Sydney, NSW, 2060.
- Level 1, Rankin Nathan House, 47 Bolton Street, Newcastle, NSW, 2300.
- Level 7, 256 Adelaide Terrace, Perth, WA, 6000.
- Level 7, 161 London Circuit, Canberra, ACT 2600.

### WHAT DOES PERSONAL INFORMATION MEAN?

Personal information is any information about you that identifies you or by which your identity can be reasonably determined.

### WHY WE COLLECT YOUR PERSONAL INFORMATION

Collecting your personal information is essential for Rankin Nathan to conduct its business of providing legal services.

The collection of personal information enables us to:

- Set up and administer our clients’ files and records;
- Determine our clients’ requirements and provide the appropriate legal advice or services;
- Improve our legal advice and services;
- Identify our clients and protect them from unauthorised access to personal information.

If we do not collect and make use of personal information, we are unable to do business with you.

### HOW DO WE COLLECT YOUR PERSONAL INFORMATION?

Where possible, we collect your personal information directly from you. Collection may take place in a number of ways, such as when you first make an appointment to see one of our solicitors or staff. Often personal information is collected during the course of our relationship with you. Examples of personal information collected during our relationship may be when you renew instructions to us or provide further instructions to us.

Sometimes personal information may be collected about you from other sources. Examples of where we may receive personal information about you from another source and why this would happen are:

- information obtained from the NSW Land and Property Information Service in the course of acting for you in relation to a conveyancing transaction;
- information obtained from doctors or other medical specialists in the course of acting for you in relation to actual or anticipated litigation;
- An insurance or self-insurance investigation in the course of assessing a claim under, or request for, a policy of insurance;
- A medical practitioner in the course of assessing your claim under a policy of insurance or otherwise;
- Correspondence with another party on your behalf.

In some cases we will require you to specifically consent to any collection, use or disclosure of your personal information by Rankin Nathan. Your consent may be required in writing but we will usually accept your verbal consent, express or implied, in most circumstances. However, no matter how your personal information is collected it is dealt with by Rankin Nathan in accordance with this Privacy Policy.

## HOW WE USE YOUR PERSONAL INFORMATION?

We use the personal information that we collect so that we can conduct our business of providing legal services and advice to you and to administer and enhance any relationship which we may have with you.

## DO WE DISCLOSE YOUR PERSONAL INFORMATION TO ANYONE?

By reason of the solicitor/client relationship, your information is confidential. However, Rankin Nathan may disclose your personal information in certain circumstances. Sometimes we are required or authorised by law to disclose your personal information. For example we may disclose your personal information to a Court in response to a subpoena or to another party as required by usual conveyancing or other legal practice procedures, these usually being the very reason you have engaged us in the particular transaction.

We may also disclose your personal information where you have consented to us doing so. Your consent to the disclosure of your personal information may be given explicitly such as in writing or verbally or may be implied from your conduct such as when you disclose details of the relationship you have (if any) with us to others.

Generally, however, we do not disclose your personal information to a party outside Rankin Nathan unless that party is contracted to Rankin Nathan to provide administrative services or activities on our behalf and that party is bound by the same privacy rules we follow. Some examples of parties outside Rankin Nathan to whom we may disclose your personal information and the reason for disclosure are:-

- Law stationers for the purpose of assisting us in providing legal advice and/or services to you.
- Investigators for the purpose of assisting with current or anticipated litigation.
- Barristers.
- Medical practitioners.

## ENSURING YOUR PERSONAL INFORMATION IS UP-TO-DATE

We rely on the personal information we hold about you to efficiently conduct our business of providing legal advice and services to you or others. For this reason, it is very important that the personal information we collect from you is accurate, complete and up-to-date.

During the course of our relationship with you we may ask you to tell us of any changes to your personal information. However, you can contact us at any time to update your personal information or to tell us that the information we hold about you is inaccurate or incomplete.

## IS MY PERSONAL INFORMATION SECURE?

The protection of your personal information is a priority for Rankin Nathan. That is why we take all reasonable precautions to safeguard your personal information from loss, misuse, unauthorised access, modification or disclosure.

We employ a number of means to protect your personal information including,

- External and internal premises security.
- Restricted access to personal information.
- Having in place stand-by systems to deal with major business interruptions.
- Maintaining technology products to prevent unauthorised computer access.
- Regular reviewing and testing of our technology in order to improve the level of security.

Furthermore, when we no longer require your personal information it is our Company to securely destroy the information or delete it from our systems after a reasonable time.

## CAN I ACCESS THE PERSONAL INFORMATION RANKIN NATHAN HOLDS ABOUT ME?

You may request access to any of the personal information we hold about you.

In most cases, a summary of personal information including your name, address details, contact telephone numbers etc is freely available to you by calling our office or visiting us at one of our offices. For more detailed requests for access to personal information, for example, access to information held in archives, a fee may be charged to cover the cost of retrieval and the supply of this information to you.

All requests for access to personal information will be handled as quickly as possible and we shall endeavour to process any request for access within 30 days of having received the request. Some requests for access may take longer than 30 days to process depending upon the nature of the personal information being sought. We will usually charge you reasonable costs involved in complying with these requests.

Rankin Nathan may be required by law to retain your personal information for a period of time after you have ceased your relationship with us or we no longer require information from you. After the required time has passed we will attend to the secure destruction or deletion of your personal information.

## CAN MY REQUEST FOR ACCESS TO MY PERSONAL INFORMATION BE DENIED?

Rankin Nathan is not always required to provide you with access to your personal information upon your request. We may refuse you access to personal information in a number of circumstances such as where the information may relate to existing or anticipated legal proceedings with you or others, where denying access is required or authorised by law, or where the request for access is regarded as frivolous or vexatious. If we deny your request for access to, or refuse your request to correct your personal information, we will explain why.

## WHAT IS A COMMONWEALTH IDENTIFIER?

A Commonwealth identifier is a Commonwealth Government or Commonwealth Government agency designated identification number such as your Tax File Number (TFN) or Medicare number. Rankin Nathan does not use Commonwealth identifiers as a means of identifying the personal information that we may have collected from you. We only use Commonwealth identifiers as a means by which you may prove your identity, or for purposes required by law.

## DO I HAVE TO BE IDENTIFIED AT ALL?

Generally it is not possible for us to do business with you, or to provide legal advice or services to others, unless we have identified you.

## DOES MY PERSONAL INFORMATION LEAVE AUSTRALIA?

Rankin Nathan does not send personal information outside Australia unless it is authorised to do so by law or when a particular transaction has an extraterritorial aspect.

## SENSITIVE INFORMATION

If personal information concerns particular topics it is regarded as sensitive information.

Sensitive information can be information about your:-

- Racial or ethnic origin.
- Political opinions.
- Membership of a political association.
- Religious beliefs or affiliations.
- Philosophical beliefs.

- Membership of a trade union.
- Sexual preferences or practices.
- Criminal record.
- Health.

Rankin Nathan only collects, uses or discloses sensitive information about you as is allowed by law. For example, where we have received your consent to do so or the collection is necessary for the establishment, exercise or defence of a legal claim.

## OUR PRIVACY POLICY MAY CHANGE FROM TIME TO TIME

Rankin Nathan constantly reviews all its policies and procedures to keep up to date with changes in the law, technology and the market place. As a result we may change this privacy policy from time to time. This Privacy Policy was last amended on **1 July 2009**.

## CONCERNS OR REQUESTS FOR ACCESS?

If you have a question about this Privacy Policy or wish to lodge a request to access your personal information you can contact us in any of the following ways:

- By visiting any one of our offices.
- By telephoning any one of our offices.
- By writing to:-  
The Managing Director  
Rankin Nathan Lawyers  
PO Box 468  
NEWCASTLE NSW 2300

## CAN I COMPLAIN ABOUT A BREACH OF MY PRIVACY?

If you believe that Rankin Nathan has not protected your personal information as set out in this privacy policy you may lodge a complaint with us in any of the following ways:

- By telephoning on 02 4929 9333.
- By writing to:-  
The Managing Director  
Rankin Nathan Lawyers  
PO Box 468  
NEWCASTLE NSW 2300

## WHAT IF I AM NOT SATISFIED WITH RANKIN NATHAN'S RESPONSE?

If you are not satisfied with the result of your complaint to Rankin Nathan you can refer your complaint to the Federal Privacy Commissioner.

You can contact the Federal Privacy Commissioner:-

- By telephoning 1300 363 992.
- By writing to:-  
Director of Complaints  
Office of the Federal Privacy Commissioner  
GPO Box 5218  
SYDNEY NSW 1042