

# Privacy Policy

Last reviewed July 2019

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HopgoodGanim Lawyers (ABN 54 105 489 661) and its Related Entities  
(**HopgoodGanim**)

In this Privacy Policy, the expressions "HopgoodGanim", "we", "us" and "our" are a reference to HopgoodGanim Lawyers (ABN 54 105 489 661) and its Related Entities (as defined in the *Corporations Act 2001* (Cth)) (**HopgoodGanim**).

We comply with the Australian Privacy Principles (**APPs**) and the *Privacy Act 1988* (Cth) (**Privacy Act**), which govern the way private sector organisations collect, use, keep secure and disclose personal information (as defined in Section 1).

If you are a resident of the European Union and we collect **personal data** from you, then we are required to comply with the **GDPR** (these bolded terms are defined in **Section 14**) in our processing of your Personal Data. Please refer to Section 14 to understand how we process your Personal Data and how you can exercise your "Data Subject" rights under the GDPR.

The purpose of this Privacy Policy is to generally inform people of:

- how and when we collect personal information and Personal Data;
- how we use and disclose personal information and Personal Data;
- how we keep personal information and Personal Data secure, accurate and up-to-date;
- how an individual can access and correct their personal information and Personal Data; and
- how we will facilitate or resolve a privacy complaint.

If you have any concerns or complaints about the manner in which your personal information or Personal Data has been collected, used or disclosed by us, please contact us so that we can attempt to resolve the issue or complaint. Our contact details are set out in **Section 13**.

We recommend that you keep this information for future reference.

## **1. What is personal information?**

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The Privacy Act defines "personal information" to mean any information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- whether the information or opinion is true or not; and
- whether the information or opinion is recorded in a material form or not.

## **2. The kinds of personal information or Personal Data collected, used and disclosed by HopgoodGanim**

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We will only use or disclose your personal information or Personal Data (as applicable) for the primary purposes for which it was collected or as consented to by you.

At or around the time we collect personal information or Personal Data (as applicable) from you, we will endeavour to provide you with a notice which details how we will use and disclose that specific information.

We set out some common collection, use and disclosure instances in the table below.

Purpose	Type of Information	Uses	Disclosures
Enquiries	<ul style="list-style-type: none"> <li>• <b>Contact information:</b> Such as your name, email address, postal and residential addresses, phone numbers, country of residence.</li> <li>• <b>Additional information:</b> Job title and employer, date of birth (if applicable), other additional information you provide us via our website, telephone or in-person.</li> <li>• <b>Areas of interest:</b> Such as our services or areas of law you are interested in.</li> </ul>	<p>The types of uses we will make of personal information or Personal Data (as applicable) collected for this type of purpose include:</p> <ul style="list-style-type: none"> <li>• <b>Services:</b> the provision of services to you including using your personal information or Personal Data (as applicable) in order to contact you regarding services or events we think would be of interest to you and to provide any client service functions, such as answering any enquiries for information or Personal Data (as applicable).</li> <li>• <b>Marketing:</b> using your personal information or Personal Data (as applicable) for marketing purposes including: <ul style="list-style-type: none"> <li>- Provide updates about legal developments, areas of law or our legal services that may interest you;</li> <li>- Marketing and promotional activities by us, such as seminars or events, (including by direct marketing by mail, email, SMS and MMS messages) such as our email alerts, publications, alerts and newsletters.</li> </ul> </li> <li>• <b>General administrative use:</b> The use of your personal information or Personal Data (as applicable) collected in the administration and management of HopgoodGanim which shall include but is not limited to the maintenance, development and improvement of our products and services, business systems and infrastructure.</li> </ul>	<p>The types of disclosures we will make of personal information or Personal Data (as applicable) collected for the type of purposes listed include, without limitation, to:</p> <ul style="list-style-type: none"> <li>• Third party service providers utilised in connection with any administrative matters.</li> <li>• Service providers (including IT service providers and consultants) who assist HopgoodGanim in providing our services and marketing our services.</li> <li>• Related entities of HopgoodGanim</li> <li>• Third parties in connection with the sale of any part of HopgoodGanim's business.</li> <li>• As required to report to the Queensland Law Society or equivalent body.</li> <li>• As required or authorised by law.</li> </ul>
Provision of legal advice and services	<ul style="list-style-type: none"> <li>• <b>Contact information:</b> Such name, e-mail address, current postal and residential address, phone numbers, country of residence.</li> <li>• <b>Identifying information:</b> Such as your photo, passport and residency details, date of birth.</li> <li>• <b>Additional Information:</b> Job title and employer, Tax File Number, bank account details, credit card or debit card details.</li> <li>• <b>Membership information:</b> Such as membership to a professional or trade association or a trade union.</li> <li>• <b>Background check information:</b> Information obtained from you or third parties to perform background checks.</li> <li>• <b>Medical or health information:</b> Which you may voluntarily provide to us or obtained from third parties if required in</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Managing the client relationship:</b> provision of our legal services as requested by our clients and conducting business associated with developing and maintaining the client relationship.</li> <li>• <b>Legal advice:</b> provision of legal advice as instructed by our clients.</li> <li>• <b>Attorney advice:</b> provision of trade mark attorney and patent advice as instructed by our clients.</li> <li>• <b>Identity verification:</b> If required, the verification of your identity and age.</li> <li>• <b>Marketing:</b> using your personal information or Personal Data (as applicable) for marketing purposes including:</li> </ul>	<p>The types of disclosures we will make of personal information or Personal Data (as applicable) collected for the type of purposes listed include, without limitation, to:</p> <ul style="list-style-type: none"> <li>• Third party service providers</li> <li>• Courts, tribunals, barristers, regulatory authorities, Government departments or agencies.</li> <li>• Related entities of HopgoodGanim.</li> <li>• Service providers (including IT service providers and insurance providers).</li> <li>• Third parties in connection with the sale</li> </ul>

Purpose	Type of Information	Uses	Disclosures
	provision of legal advice and our services to you. <ul style="list-style-type: none"> <li>• <b>Racial or ethnic background, political or religious beliefs:</b> If required in the provision of legal advice or our services to you.</li> </ul>	<ul style="list-style-type: none"> <li>- Provide updates about legal developments, areas of law or our legal services that may interest you;</li> <li>- Marketing and promotional activities by us, such as seminars or events, (including by direct marketing by mail, email, SMS and MMS messages) such as our email alerts, publications, alerts and newsletters.</li> <li>• <b>General administrative use:</b> <ul style="list-style-type: none"> <li>- The use of your personal information collected in the administration and management of HopgoodGanim.</li> <li>- The use of your personal information collected in the trading, management and administration of providing our services and conducting business;</li> <li>- The maintenance, development and improvement of our products and services, business systems and infrastructure.</li> </ul> </li> </ul>	of any part of HopgoodGanim’s business <ul style="list-style-type: none"> <li>• As required to report to the Queensland Law Society or equivalent body.</li> <li>• As required or authorised by law.</li> </ul>
Credit information	<ul style="list-style-type: none"> <li>• <b>Contact and identifying information:</b> <ul style="list-style-type: none"> <li>- Your name.</li> <li>- Company name.</li> <li>- Address.</li> <li>- Email address.</li> <li>- Alternative Contact (name, address and phone number).</li> <li>- Bank account and credit or debit card details.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <b>Vendor and Supplier payments:</b> The processing of any payments and refunds, if applicable.</li> <li>• <b>Contracts for the purchase of HopgoodGanim services:</b> Payment processing, including charging, refunds (if applicable), credit card authorisation, verification and debt collection.</li> </ul> <p>For full details relating to uses of personal information or Personal Data (as applicable) in relation to the use of credit information, please refer to our Credit Reporting Policy.</p>	<p>In summary, we may disclose this type of personal information or Personal Data (as applicable) to:</p> <ul style="list-style-type: none"> <li>• Our contractors and agents, including but not limited to third party providers who undertake our bill and/or credit services on our behalf and any third party providers who assist us in providing our products and services to you.</li> <li>• Related entities of HopgoodGanim.</li> <li>• To third parties in connection with the sale of any part of HopgoodGanim’s business.</li> <li>• As required or authorised by law.</li> </ul> <p>For full details relating to disclosures of personal information or Personal Data (as applicable) in relation to any credit information, please refer to our Credit Reporting Policy.</p>
Marketing services	<ul style="list-style-type: none"> <li>• <b>Contact information:</b> Such as your name, email address, current postal and residential addresses, phone numbers, country of residence.</li> <li>• <b>Additional information:</b> Job title and employer, date of birth (if</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Marketing:</b> Using your personal information or Personal Data (as applicable) for marketing purposes including:           <ul style="list-style-type: none"> <li>- Provide updates about legal developments, areas</li> </ul> </li> </ul>	<p>We may disclose your personal information or Personal Data (as applicable) to:</p> <ul style="list-style-type: none"> <li>• Service providers (including IT service providers) and any consultants that</li> </ul>

Purpose	Type of Information	Uses	Disclosures
	<p>applicable), other additional information you provide us via our website, telephone or in-person.</p> <ul style="list-style-type: none"> <li>• <b>Events including seminars:</b> Including your attendance at any event, if from your business card if you provide to us, and photos taken or areas of law that you are interested in.</li> <li>• <b>Membership:</b> Such as membership to a professional or trade association or trade union.</li> <li>• <b>Areas of interest:</b> Such as our services or areas of law you are interested in.</li> <li>• <b>Website and online:</b> Monitoring internet traffic at our website, online publications, alerts, and social media activity (including LinkedIn, Facebook and Twitter).</li> <li>• <b>Social media activity:</b> Including “likes”, comments posted, any feedback, photos posted or uploaded and other information pertaining to your social media, including LinkedIn, Facebook, and Twitter, which concern, or relate, to HopgoodGanim.</li> <li>• <b>Medical or health information or religious beliefs:</b> Such as for dietary requirements.</li> </ul>	<p>of law or our legal services that may interest you;</p> <ul style="list-style-type: none"> <li>- Marketing and promotional activities by us, such as seminars or events, (including by direct marketing by mail, email, SMS and MMS messages) such as our email alerts, publications, alerts and newsletters.</li> <li>• <b>Online, mailing lists, social media:</b> If you subscribe to one of our mailing lists, submit an online form or provide feedback, attend an event run or facilitated by HopgoodGanim (or its agents) or participate in our social media platforms (such as Linked In, Facebook, and Twitter) and you provide us your personal information or Personal Data (as applicable), we will use it for: <ul style="list-style-type: none"> <li>- Adding details to marketing database.</li> <li>- Responding to social media messages.</li> <li>- Client service related contact.</li> <li>- Fulfilling social media platform rules.</li> </ul> </li> <li>• <b>Identity verification:</b> If required, the verification of your identity and age.</li> </ul>	<p>assist HopgoodGanim with marketing.</p> <ul style="list-style-type: none"> <li>• Third parties connected with the marketing process including, messaging service providers, marketing list providers or other third parties who assist us in providing our products and services to you.</li> <li>• Related entities of HopgoodGanim</li> <li>• Third parties in connection with the sale of any part of HopgoodGanim’s business.</li> <li>• As required or authorised by law.</li> </ul>
Human resources	<ul style="list-style-type: none"> <li>• <b>Contact information:</b> Such name, e-mail address, current postal and residential address, phone numbers, country of residence, next of kin contact details.</li> <li>• <b>Employee record information</b></li> <li>• <b>Identifying information:</b> Such as your photo, passport and residency details, date of birth.</li> <li>• <b>CV, resume or application related information:</b> Such as the details provided in your resume or CV, your eligibility to work in Australia, your education, previous employment details, professional memberships (including, without limitation any frequent flyer memberships) or trade qualifications, history of driving or other offences.</li> <li>• <b>Tax, superannuation and payroll information:</b> Such as your Tax File Number and ATO Declaration, Centrelink, Superannuation details and financial institution details.</li> <li>• <b>Background check information:</b> Information obtained from you or third parties to perform background checks.</li> <li>• <b>Medical or health information:</b> Which you voluntarily provide to us or information which may be related to an incident which</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Background checks:</b> Utilising the information collected for the purpose of assessing candidate suitability for role, including by obtaining: <ul style="list-style-type: none"> <li>- Verification of your identity and age.</li> <li>- Criminal history background checks including publically available information including LinkedIn, Facebook, Twitter, Instagram, YouTube.</li> <li>- Confirmation of eligibility to work in Australia.</li> <li>- Confirmation of education and qualifications.</li> <li>- Confirmation of previous employment.</li> <li>- Consideration regarding medical leave.</li> </ul> </li> <li>• <b>Administration and performance monitoring use:</b> Utilising the information collected for the purpose of: <ul style="list-style-type: none"> <li>- Marketing and publication purposes (videos and photos of employees).</li> <li>- Dealings related to the employer/employee relationship or the contractor/principal relationship (as the case may be).</li> <li>- Use of such information whether or not the employment or contractor relationship is</li> </ul> </li> </ul>	<p>We may disclose your personal information or Personal Data (as applicable) to:</p> <ul style="list-style-type: none"> <li>• Your Superannuation Company.</li> <li>• The Australian Taxation Office.</li> <li>• Relevant Worker’s Compensation organisation (e.g. WorkCover, Alliance, etc.).</li> <li>• Third party referees provided by you in connection with an application made to HopgoodGanim.</li> <li>• Service providers (including IT service providers and payroll providers), if any.</li> <li>• Recruitment agents used in connection with your application with us.</li> <li>• Related entities of HopgoodGanim.</li> <li>• Third party parties in connection with obtaining any background checks or pre-employment screening.</li> </ul>

Purpose	Type of Information	Uses	Disclosures
	<p>has occurred during the course of your employment.</p> <ul style="list-style-type: none"> <li>• <b>Performance related information:</b> Including information and metrics collected by HopgoodGanim’s systems in the course of the employee or contractor’s engagement with HopgoodGanim.</li> <li>• <b>Information collected from referees</b></li> <li>• <b>Photo and video footage:</b> Such as professional photos, or attendance at events.</li> </ul>	<p>prospective, current or past.</p> <ul style="list-style-type: none"> <li>- Use of such information to monitor systems, performance and time usage and internet usage.</li> <li>- The use of your personal information or Personal Data (as applicable) collected in the administration and management of HopgoodGanim.</li> </ul>	<ul style="list-style-type: none"> <li>• Financial institutions for payroll purposes.</li> <li>• As required to report to the Queensland Law Society or equivalent body.</li> <li>• As required or authorised by law.</li> </ul>

### **3. How HopgoodGanim collects and holds personal information or Personal Data**

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#### **3.1 Collection generally**

As much as possible or unless provided otherwise in this Privacy Policy or a notification, we will collect your personal information or Personal Data (as applicable) directly from you.

When you engage in certain activities, such as filling out a survey or sending us feedback, we may ask you to provide certain information. It is completely optional for you to engage in these activities.

Depending upon the reason for requiring the information, some of the information we ask you to provide may be identified as mandatory or voluntary. If you do not provide the mandatory information or any other information we require in order for us to provide our products or services to you, we may be unable to provide our products or services to you in an effective manner, or at all.

#### **3.2 Other collection types**

We may also collect personal information or Personal Data (as applicable) about you from other sources, such as events and also from third parties. Some examples of these alternative collection events are:

- (a) when we collect personal information or Personal Data (as applicable) about you from third parties;
- (b) personal information or Personal Data (as applicable) collected from your business card;
- (c) when we collected personal information or Personal Data (as applicable) about you from a referee provided by you on an application made with us;
- (d) when we collect information from you in order to provide you with services, a quote for service or our invoices in relation to services rendered;
- (e) when we collect personal information or Personal Data (as applicable) about you when you register to attend or attend an event; or
- (f) when we collect personal information or Personal Data (as applicable) about you from publically available sources including but not limited to, court judgments, directorship and bankruptcy searches, Australia Post, White Pages directory, and social media platforms (such as LinkedIn, Facebook, Twitter, Google, Instagram etc.).

#### **3.3 Notification of collection**

If we collect details about you from someone else, we will, whenever reasonably possible, make you aware that we have done this and why, unless special circumstances apply, including as described in this clause 3.3(a) to 3.3(d) below. Generally speaking, we will not tell you when we collect personal information or Personal Data (as applicable) about you in the following circumstances:

- (a) where information is collected from our share registry provider;

- (b) where information is collected from any personal referee you have listed on any application form (including any employment application) with HopgoodGanim;
- (c) where information is collected from publically available sources including but not limited to, *Freedom of Information Act 1982* (Cth) searches, court judgments, directorship and bankruptcy searches, social media platforms (such as Facebook, Twitter, Google, Instagram etc.); or
- (d) as otherwise required or authorised by law.

#### 3.4 **Unsolicited personal information or Personal Data**

In the event we collect personal information or Personal Data (as applicable) from you, or a third party, in circumstances where we have not requested or solicited that information (known as unsolicited information), and it is determined by HopgoodGanim (in its absolute discretion) that the personal information or Personal Data (as applicable) is not required, we will destroy the information or ensure that the information is de-identified.

In the event that the unsolicited personal information or Personal Data (as applicable) collected is in relation to potential future employment with HopgoodGanim, such as your CV, resume or candidacy related information, and it is determined by HopgoodGanim (in its absolute discretion) that it may consider you for potential future employment, HopgoodGanim may keep the personal information or Personal Data (as applicable) on its human resource records.

#### 3.5 **How we hold your personal information or Personal Data (as applicable)**

Once we collect your personal information or Personal Data (as applicable), we will either hold it securely and store it on infrastructure owned or controlled by us or with a third party service provider who have taken reasonable steps to ensure they comply with the Privacy Act. We provide some more general information on our security measures in **Section 11** (Data security and quality).

### **4. Uses and discloses of personal information or Personal Data**

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#### 4.1 **Use and disclose details**

We provide a detailed list at **Section 2** of some common uses and disclosures we make regarding the personal information or Personal Data (as applicable) we collect.

#### 4.2 **Other uses and disclosures**

We may also use or disclose your personal information or Personal Data (as applicable) and in doing so we are not required to seek your additional consent:

- (a) when it is disclosed or used for a purpose related to the primary purposes of collection detailed above and you would reasonably expect your personal information or Personal Data (as applicable) to be used or disclosed for such a purpose;
- (b) if we reasonably believe that the use or disclosure is necessary to lessen or prevent a serious or imminent threat to an individual's life, health or safety or to lessen or prevent a threat to public health or safety;
- (c) if we have reason to suspect that unlawful activity has been, or is being, engaged in; or



(d) if it is required or authorised by law.

#### 4.3 Use and disclosure procedures

In the event we propose to use or disclose such personal information or Personal Data (as applicable) other than for reasons set out in the above table at **Section 2** or as otherwise outlined in this Privacy Policy, we will first notify you or seek your consent prior to such disclosure or use.

Your personal information or Personal Data (as applicable) is disclosed to these organisations or parties only in relation to the products or services we provide to you or for a purpose permitted by this Privacy Policy.

We take such steps as are reasonable to ensure that these organisations or parties are aware of the provisions of this Privacy Policy in relation to your personal information or Personal Data (as applicable).

#### 4.4 Communications opt-out

If you have received communications from us and you no longer wish to receive those sorts of communications, you should contact us via the details set out at the top of this document and we will ensure the relevant communication ceases. Any other use or disclosure we make of your personal information or Personal Data (as applicable) will only be as required or authorised by law or as permitted by this Privacy Policy or otherwise with your consent.

### 5. Sensitive information

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#### 5.1 Sensitive information generally

Sensitive information is a subset of personal information or Personal Data (as applicable). It means information or opinion about an individual's racial or ethnic origin, political opinions, membership of a political organisation, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, criminal record, health information about an individual, genetic information, biometric information that is to be used for the purpose of automated biometric verification or biometric identification or biometric templates.

#### 5.2 Collection and use of sensitive information

In general, we attempt to limit the collection of sensitive information we may collect from you, but depending on the uses you make of our products this may not always be possible and we may collect sensitive information from you in order to carry out the services provided to you. However, we do not collect sensitive information from you without your consent.

The type of sensitive information we may collect about you is dependent on the services provided to you by HopgoodGanim will be limited to the purpose(s) for which it is collected. We set out some types of sensitive information we may collect about you in the table at **Section 2** above.

We do not use sensitive information to send you Direct Marketing Communications (as set out in **Section 7** below) without your express consent.

### 5.3 **Consent**

We may collect other types of sensitive information where you have consented and agree to the collection of such information. Generally speaking, we will obtain this type of consent from you at (or around) the point in time in which we collect the information.

## 6. **Online Information and Google Analytics**

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### 6.1 **Collection of personal information or Personal Data via linked websites**

HopgoodGanim's website may offer links to other websites. Those websites may also collect your personal information or Personal Data (as applicable) (including information generated through the use of cookies) when you visit them. We are not responsible for how such third parties collect, use or disclosure your personal information or Personal Data (as applicable), so it is important to familiarise yourself with their privacy policies before providing them with your personal information or Personal Data (as applicable).

### 6.2 **Cookies and IP addresses**

If you use our website, we may utilise "cookies" which enable us to monitor traffic patterns, trends and to serve you more efficiently if you revisit our website. In most cases, a cookie does not identify you personally but may identify your internet service provider or computer.

We may gather your IP address as part of our business activities and to assist with any operational difficulties or support issues with our services. This information does not identify you personally.

However, in some cases, cookies may enable us to aggregate certain information with other personal information or Personal Data (as applicable) we collect and hold about you. HopgoodGanim extends the same privacy protection to your personal information or Personal Data (as applicable), whether gathered via cookies or from other sources, as detailed in this Privacy Policy. As such, HopgoodGanim does not aggregate non-personal information or Personal Data (as applicable) with any personal information or Personal Data (as applicable) unless we first notify you and obtain your consent.

You can set your browser to notify you when you receive a cookie and this will provide you with an opportunity to either accept or reject it in each instance. However, if you disable cookies, you may not be able to access certain areas of our websites or take advantage of the improved web site experience that cookies offer.

### 6.3 **Persistent cookies**

We use persistent cookies to enable basic web traffic analysis using Google Analytics which, for example, shows us which areas of our website are popular against those that are not visited often. This allows us to prioritise our enhancements to our website and increase the productivity of our website.

### 6.4 **Google Analytics**

We undertake and use Google Analytics on our website. This feature does not use any sensitive personal information or Personal Data (as applicable) you have provided to us, nor do it use any personal information or Personal Data (as applicable). We do not facilitate the merging of your personal information with any non-personal information or Personal Data (as applicable) unless we notify you and

you opt-in to that merger. Click [here](#) for more information about how Google collects and uses data.

## 6.5 Opt-out via Google

As a visitor to our website, you can opt out of your data being used Google Analytics by visiting Google Analytics' site [here](#) for currently available opt-outs for the web.

## 7. Direct Marketing

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### 7.1 Express informed consent

You give your express and informed consent to us using your personal information or Personal Data (as applicable) set out in:

- (a) the “*Enquiries*” section of the table at **Section 2** of this document above;
- (b) the “*Provision of legal advice and services*” section of the table at **Section 2** of this document above;
- (c) the “*Marketing services*” section of the table at **Section 2** of this document above,

to provide you with information and to tell you about our products, services or events or any other direct marketing activity (including third party products, services, and events) which we consider may be of interest to you, whether by post, email, SMS, messaging applications and telephone (**Direct Marketing Communications**).

### 7.2 Inferred consent and reasonable expectations of direct marketing

Without limitation to paragraph 7.1, if you have provided inferred or implied consent (e.g. not opting out where an opt-out opportunity has been provided to you) or if it is within your reasonable expectation that we send you Direct Marketing Communications given the transaction or communication you have had with us, then we may also use your personal information or Personal Data (as applicable) for the purpose of sending you Direct Marketing Communications which we consider may be of interest to you.

### 7.3 Opt-out

If at any time you do not wish to receive any further Direct Marketing Communications from us or others under this Section 7, you may ask us not to send you any further information about products and services and not to disclose your information to other organisations for that purpose. You may do this at any time by using the “unsubscribe” facility included in the Direct Marketing Communication or by contacting us via the details set out at the top of this document.

## 8. Credit Information and our Credit Reporting Policy

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### 8.1 Credit information generally

The Privacy Act contains provisions regarding the use and disclosure of credit information, which applies in relation to the provision of both consumer credit and commercial credit.

## 8.2 Credit information and HopgoodGanim

As we provide terms of payment of accounts which are greater than 7 days, we are considered a credit provider under the Privacy Act in relation to any credit we may provide you (in relation to the payment of your account with us).

We use credit related information for the purposes set out in the “Credit information” section of the table at **Section 2** above and our **Credit Reporting Policy** which includes but is not limited to using the information for our own internal assessment of your credit worthiness.

## 8.3 Storage and access

We will store any credit information you provide us, or which we obtain about you, with any other personal information or Personal Data (as applicable) we may hold about you.

You may request to access or correct your credit information in accordance with the provisions of **Section 12** and the provisions of our **Credit Reporting Policy**.

## 8.4 Complaints

Please see **Section 13** and the provisions of our **Credit Reporting Policy** if you wish to make a complaint in relation to our handling of your credit information.

## 8.5 Our Credit Reporting Policy

Please see our **Credit Reporting Policy** for further information as to the manner in which we collect, use, store and disclosure credit information.

## 9. Anonymity and pseudo-anonymity

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To the extent practicable and reasonable, we will endeavour to provide you with the option of dealing with HopgoodGanim on an anonymous basis or through the use of a pseudonym. However, there may be circumstances in which it is no longer practicable for HopgoodGanim to correspond with you in this manner and your personal information or Personal Data (as applicable) may be required in order to provide you with our products and services or to resolve any issue you may have.

## 10. Cross Border Disclosure

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### 10.1 Cross border disclosures

Any personal information or Personal Data (as applicable) collected and held by HopgoodGanim may be disclosed to, and held at, a destination outside Australia, including but not limited to the United Kingdom and the United States, where we use third party service providers to assist HopgoodGanim with providing our goods and services to you. Personal information may also be processed by staff or by other third parties operating outside Australia who work for us or for one of our suppliers, agents, partners or related entity.

As we use service providers and platforms which can be accessed from various countries via an Internet connection, it is not always practicable to know where your information may be held. If your information is stored in this way, disclosures may occur in countries other than those listed above.

In addition we in future use overseas IT services (including software, platforms or infrastructure) such as data storage facilities or other IT infrastructure. In such cases, we may own or control such overseas infrastructure or we may have entered into contractual arrangements with third party service providers to assist HopgoodGanim with providing our products and services to you.

## 10.2 **Provision of informed consent**

By submitting your personal information or Personal Data (as applicable) to HopgoodGanim, you expressly agree and consent to the disclosure, transfer, storing or processing of your personal information or Personal Data (as applicable) outside of Australia. In providing this consent, you understand and acknowledge that countries outside Australia do not always have the same privacy protection obligations as Australia in relation to personal information or Personal Data (as applicable). However, we will take steps to ensure that your information is used by third parties securely and in accordance with the terms of this Privacy Policy.

The Privacy Act requires us to take such steps as are reasonable in the circumstances to ensure that any recipients of your personal information or Personal Data (as applicable) outside of Australia do not breach the Australian Privacy Principles. By providing your consent, under the Privacy Act, we are not required to take such steps as may be reasonable in the circumstances. However, despite this, we acknowledge the importance of protecting personal information or Personal Data (as applicable) and have taken reasonable steps to ensure that your information is used by third parties securely and in accordance with the terms of this Privacy Policy.

## 10.3 **If you do not consent**

If you do not agree to the disclosure of your personal information or Personal Data (as applicable) outside Australia by HopgoodGanim, you should (after being informed of the cross border disclosure) tell HopgoodGanim that you do not consent. To do this, either elect **not to** submit the personal information or Personal Data (as applicable) to HopgoodGanim after being reasonably informed in a collection notification or please contact us via the details set out at the top of this document.

# 11. **Data security and quality**

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## 11.1 **HopgoodGanim's security generally**

We have taken steps to help ensure your personal information or Personal Data (as applicable) is safe and protected from unauthorised access, use, disclosure, alteration, or destruction. You will appreciate, however, that we cannot guarantee the security of all transmissions or personal information or Personal Data (as applicable), especially where the Internet is involved.

Notwithstanding the above, we will take reasonable steps to:

- (a) make sure that the personal information or Personal Data (as applicable) we collect, use or disclose is accurate, complete and up to date;
- (b) protect your personal information or Personal Data (as applicable) from misuse, loss, unauthorised access, modification or disclosure both physically and through computer security methods; and
- (c) destroy or permanently de-identify personal information or Personal Data (as applicable) if it is no longer needed for its purpose of collection.

## 11.2 Accuracy

The accuracy of personal information or Personal Data (as applicable) depends largely on the information you provide to us, so we recommend that you:

- (a) let us know if there are any errors in your personal information or Personal Data (as applicable); and
- (b) keep us up-to-date with changes to your personal information or Personal Data (as applicable) (such as your name or address).

We provide information about how you can access and correct your information in **Section 12**.

## 12. Access to and correction of your personal information or Personal Data

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You are entitled to have access to any personal information or Personal Data (as applicable) relating to you which we **hold**, except in some exceptional circumstances provided by law (including the Privacy Act). You are also entitled to edit and correct such information if the information is inaccurate, out of date, incomplete, irrelevant or misleading.

If you would like access to or correct any records of personal information or Personal Data (as applicable) we have about you, you are able to access and update that information (subject to the above) by contacting us via the details set out at the top of this document.

## 13. Resolving Privacy Complaints

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### 13.1 Complaints generally

We have put in place an effective mechanism and procedure to resolve privacy complaints. We will ensure that all complaints are dealt with in a reasonably appropriate timeframe so that any decision (if any decision is required to be made) is made expeditiously and in a manner that does not compromise the integrity or quality of any such decision.

### 13.2 Contacting HopgoodGanim regarding complaints

If you have any concerns or complaints about the manner in which we have collected, used or disclosed and stored your personal information or Personal Data (as applicable), please contact us by:

- Telephone: (07) 3024 0000
- Email: [privacy@hopgoodganim.com.au](mailto:privacy@hopgoodganim.com.au)
- Post: PO Box 7822, Waterfront Place, Brisbane Qld 4001

Please mark your correspondence to the attention of the Privacy Officer.

### 13.3 Steps we take to resolve a complaint

In order to resolve a complaint, we:

- (a) will liaise with you to identify and define the nature and cause of the complaint;
- (b) may request that you provide the details of the complaint in writing;
- (c) will keep you informed of the likely time within which we will respond to your complaint; and
- (d) will inform you of the legislative basis (if any) of our decision in resolving such complaint.

### 13.4 Register of complaints

We will keep a record of the complaint and any action taken in a Register of Complaints.

## 14. European Union

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### 14.1 Definitions

In this Section 14, the following defined terms have the associated meanings:

- (a) **Data Subject** has the meaning attributed to that term in the GDPR;
- (b) **GDPR** means Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC; and
- (c) **Personal Data** has the meaning attributed to that term in the GDPR.

### 14.2 Compliance with the GDPR

In providing our services, or collecting and using your Personal Data, we are required to comply with the GDPR where you are a European Union resident.

### 14.3 Rights as an EU Resident

- (a) If you are a resident of the European Union for the purposes of the GDPR, then in addition to what is set out in Sections **Error! Reference source not found.** to 13 above, the following applies to you.
- (b) As a Data Subject you may:
  - (1) **(access)** request access to your Personal Data held by HopgoodGanim;
  - (2) **(rectification)** request to update or rectify any of the Personal Data that we hold about you by contacting us at the details specified below and request Personal Data updates;
  - (3) **(erasure)** withdraw your consent to HopgoodGanim's use of your Personal Data as described in this policy by deletion or erasure of your Personal Data that we hold where that data is no longer required for the purpose for which it was collected;

- (4) **(restriction on processing)** obtain from the controller a restriction on processing of your Personal Data where:
  - (A) accuracy of the Personal Data is contested;
  - (B) the processing by the processor is unlawful (and you oppose erasure but request restriction of use);
  - (C) HopgoodGanim no longer needs your Personal Data; or
  - (D) you have objected to processing pursuant to your right to object under Article 21(1) of the GDPR;
- (5) **(data portability)** request that HopgoodGanim:
  - (A) provides you with a copy of the Personal Data that HopgoodGanim holds about you in a portable and machine readable form; or
  - (B) share your Personal Data with a nominated third party,
- (c) If we hold your Personal Data, please submit your written request to our representative Privacy Officer using the contact details set out in Section 13 above.
- (d) We will process your request promptly and in any event, within one month of receipt of receiving it.
- (e) If you have any concerns in relation to how we collect or process your Personal Data, then you also have a right to complain to a supervisory authority (within the meaning of the GDPR).

## 15. Consent, modifications and updates

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### 15.1 Interaction of this Policy with contracts

This Privacy Policy is a compliance document prescribed by law rather than a legal contract between two or more persons. However, certain contracts may incorporate all, or part, of this Privacy Policy into the terms of that contract. In such instances, HopgoodGanim may incorporate the terms of this policy such that:

- (a) certain sections or paragraphs in this policy are incorporated into that contract, but in such a way that they do not give rise to contractual obligations onto HopgoodGanim, but do create contractual obligations on the other party to the contract; and
- (b) the consents provided in this policy become contractual terms provided by the other party to the contract.

### 15.2 Acknowledgement

By using our website, or where you have otherwise been provided with a copy of our Privacy Policy or had a copy of it made reasonably available to you, you are acknowledging and agreeing:

- (a) to provide the consents given by you in this Privacy Policy; and
- (b) that you have been informed of all of the matters in this Privacy Policy.



### 15.3 **Modifications and updates**

We reserve the right to modify our Privacy Policy as our business needs require. We will take reasonable steps to notify you of such changes (whether by direct communication or by posting a notice on our website). If you do not agree to our continued use of your personal information or Personal Data (as applicable) due to the changes in our Privacy Policy, please cease providing us with your personal information or Personal Data (as applicable) and contact us via the details set out at the top of this document.