



# PRIVACY POLICY

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# 1. POLICY STATEMENT

Wallace & Wallace Lawyers respects the privacy of personal information you may provide to us. The way we manage your personal information is governed by the Privacy Act 1988 (Cth) (**Act**) and the Australian Privacy Principles (**APPs**) established under the Act.

This Privacy Policy tells you how we manage any personal information we may collect about you. Please note that this Privacy Policy is to be read subject to any overriding provisions of law or contract.

In this Privacy Policy:

- **W&W, we, us** or **our** refer to Wallace & Wallace Lawyers ABN 48 330 358 259
- You or your refers to you as an individual user of W&W facilities, our websites, other W&W media or any of our services; and
- The singular includes the plural and vice versa.

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## 2. WHAT IS 'PERSONAL INFORMATION'?

"Personal information" is any information or opinion, in any form, which identifies an individual or from which an individual's identity is apparent or can be reasonably ascertained.

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## 3. PERSONAL INFORMATION WE COLLECT AND WHY

### 3.1 *What kind of personal information we collect*

The information we collect will depend on the nature of your dealings with us. The types of personal information we may collect include:

1. Your contact and identification details such as your name, address, date of birth, gender, telephone number, email address, driver license details, vehicle registration details and passport information;
2. Transactional and other information acquired as part of undertaking the provision of legal services on your behalf;
3. Personal information provided when you commence a business relationship with us;
4. Any correspondence between you and us; and
5. Any other personal information you provide when you make an enquiry, request information, correspond with us or lodge a complaint.

### **3.2 How we collect your personal information?**

If possible, we always try to collect personal information directly from you when you deal with us such as when you make an enquiry, or access any of our services or access our website.

We may also obtain your personal information from third parties we deal with, including:

1. Law enforcement agencies (for example, Queensland Police);
2. Government agencies (for example, WorkCover and Federal, State or Local government bodies);
3. Our professional advisers (for example, barristers and consultants); and
4. Any other organisations conducting activities on behalf of W&W (for example, InfoTrack, Citec).

We may also collect personal or other information from third parties you refer to us. If we do so, we will assume and you will ensure that you have made that third party aware of your referral and the purposes involved in the collection, use and disclosure of the relevant personal or other information.

When you communicate with W&W through social media sites or using applications provided by third parties (for example, via your smart phone) we may collect information associated with that communication. If this occurs we assume you have informed yourself of the ways such sites or applications can collect and disclose your personal information to others (including W&W) and that you consent to that collection and disclosure and W&W's collection for the purposes of your communication.

### **3.3 Reasons for collecting your personal information**

We collect personal information so that we may provide you with the services you require. This includes to:

1. Keep in contact with you (where you have requested us to do so) and provide you with any information you have requested;
2. Process any communications you send us (including answering any queries and dealing with any complaints or feedback you have);
3. Determine your requirements to provide you with the appropriate services you require;
4. Comply with our legal and regulatory obligations in acting on your behalf;
5. Maintain file records required for legal purposes;
6. Record, investigate and analyse any incidents or occurrences (including potential incidents and occurrences) which occur on W&W premises;
7. Maintain any business relationship we may have with you;
8. Facilitate any relevant consultation process between you and us;
9. Help us develop, manage and improve services to our clients;
10. Properly identify you;
11. Manage or enforce a contract or agreement W&W has with you or investigate, respond to or defend claims made against, or involving, W&W;
12. To do anything you authorise or consent us to do; and
13. Take any action we are required or authorised to take by law.

### **3.4 What if you refuse to supply personal information?**

If you do not provide us with your personal information, it may not be possible for us to provide you with the services or information you require.

Where it is lawful and practical to do so, we may allow you to deal with us anonymously.

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## **4. DISCLOSING YOUR PERSONAL INFORMATION**

### **4.1 Who we may disclose your personal information to**

We respect the privacy of your personal information and will use and disclose it in accordance with the reasons for which it was collected and otherwise subject to the Privacy Act 1988.

On that basis we may disclose your personal information to:

1. Law enforcement agencies (for example, the Queensland Police);
2. Government agencies (for example, WorkCover, various Federal, State or Local government bodies);
3. Any other entity to which we are required or authorised by law to disclose such information (for example, the courts);
4. Our professional advisers or other service providers we engage to carry out, or advise on your matter;
5. Other parties which W&W have advised you of at the time the relevant personal information is collected; and
6. With your consent, express or implied, to others.

### **4.2 Direct marketing**

We may also use your personal information to provide you with information about our products and services. If you do not wish to receive this information, please contact us using our details set out in Part 13 below. After you have told us you no longer wish to receive marketing or promotional material from us, we will not send you any such material.

If you change your mind in the future about receiving marketing or promotional material from us, please contact us.

However, there may be times when the law requires us to provide certain information to you (for example, traveller safety information). We will continue to send this information even though you have told us you do not wish to receive other types of information about our products.

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## **5. HOW WE STORE YOUR PERSONAL INFORMATION**

Personal information is mainly stored in W&W's electronic databases but may be stored in cloud server arrangements. We take reasonable precautions to safeguard your personal information from loss, misuse, unauthorised access, modification or disclosure.

We may be required by law to retain certain information for a set period of time. Once this period of time expires, we will destroy or delete this information in a secure manner.

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## **6. ACCESSING AND CORRECTING PERSONAL INFORMATION**

To effectively conduct our business with you, it is important that the personal information we hold about you is complete, accurate and current. At any time while we hold your personal information, we may ask you to tell us of any changes to your personal information. Alternatively, if you are aware that the personal information we hold needs to be corrected or updated, please contact us using our details listed in Part 13 below.

You can also ask to obtain access to your personal information that we hold by contacting us at the contact details in Part 13 below.

In certain circumstances we may charge you a fee for providing you with access to your personal information, for example, if you make multiple requests for information, the information requested is voluminous or we incur third party costs in providing you access to your personal information.

Under certain circumstances in the APPs, we may not be required to provide you with access or correct your personal information. Also, we may not be able to require other entities to provide personal information to you. If we decide not to provide you with access to or correct your personal information, we will give you reasons for our decision.

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## **7. IDENTIFIERS**

An "identifier" is a unique identification number assigned to you by the Commonwealth Government or a Commonwealth Government Agency. Examples of identifiers include your Tax File Number (TFN), Medicare number or passport number.

W&W will only use this information to identify you when we are required to do so by law or to properly identify you in order to protect your personal property or information.

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## 8. OVERSEAS TRANSFER OF PERSONAL INFORMATION

W&W uses service providers of internet based services that *may* have servers located overseas, including social media and cloud service providers. This means that personal information supplied to W&W via its websites or through W&W's social media sites may sometimes be sent overseas.

If you elect to provide personal information to W&W through any of its online services you are deemed to consent to the overseas transfer that personal information.

Other than as described above, W&W will only transfer your personal information overseas if:

1. You have consented to the transfer;
2. It is not practical to obtain your consent, the transfer is for your benefit and your consent would likely be given;
3. The transfer of your information is necessary for the performance of a contract or provision of services between you and W&W; or
4. We have taken reasonable steps to ensure that your personal information will not be held, used or disclosed by the recipient in a manner inconsistent with this Privacy Policy and the APPs.

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## 9. SENSITIVE INFORMATION

"Sensitive information" is a kind of personal information which is given a greater level of protection under the APPs. Examples of sensitive information include:

1. Information about your health;
2. Criminal records;
3. Religious beliefs or affiliations; or
4. Political opinions.

The APPs impose greater obligations on us regarding any collection, use or disclosure we make of your personal information. We will only collect your sensitive information if we are permitted to do so under the APPs, for example where:

1. You have expressly consented to us doing so;
2. We are required to by law; or
3. The collection is necessary to establish, exercise or defend a legal claim.

## **10. ONLINE DEALINGS WITH W&W**

### **10.1 Cookies**

Our website may use cookies to assist in your website navigation by customising site information tailored to your needs. Cookies are packets of information stored on your computer for this sole purpose. If you are concerned about cookies, you can set your browser to reject cookies or to alert you when cookies are being used (although rejection of cookies may affect your use of the website).

W&W uses third party web analysis services to gather and analyse data about the usage and performance of its website or individual web pages. Such third parties use cookies to gather information for the purpose of providing statistical reporting. The information generated by the cookie about your use of W&W's website may be transmitted to and stored by the third party on servers located outside of Australia. No personally identifying information is recorded or provided.

W&W's website is hosted by a cloud service provider and we may also use the services of other online service providers from time to time. Our service providers' use of cookies is not covered by our Privacy Policy.

We reserve the right to gather more extensive information about any attempted access to the website that raises security issues and if appropriate, make disclosures to the relevant authorities.

### **10.2 Links to other websites**

Our website includes hyperlinks which enable access to a number of third party websites. These third party websites are not subject to this Privacy Policy. To determine how they deal with personal information, you should ensure you read their respective privacy policies.

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## **11. CHANGES TO OUR PRIVACY POLICY**

W&W may amend this Privacy Policy at any time and from time to time. If we amend this Policy, we will post the amended Privacy Policy on our website.

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## 12. COMPLAINTS

If you wish to make a complaint about how we have managed your personal information, please contact us at the contact details in Part 13 below.

If you are not satisfied with how we handled your complaint, you can lodge a complaint with the Federal Privacy Commissioner at:

**Telephone:** 1300 363 992 (if calling from outside Australia including Norfolk Island please call: +61 2 9284 9749)

**TTY:** 1800 620 241 (this number is for the hearing impaired only, no voice calls)

**Post:** Director of Complaints, Office of the Federal Privacy Commissioner, GPO Box 5218, SYDNEY NSW 2001

**Fax:** +61 2 9284 9666

**Email:** [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au) or [privacy@privacy.gov.au](mailto:privacy@privacy.gov.au)

**Website:** [http://www.oaic.gov.au/privacy-portal/complaints\\_privacy.html](http://www.oaic.gov.au/privacy-portal/complaints_privacy.html)

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## 13. OUR CONTACT DETAILS

If you need to contact us for the purposes of this Privacy Policy, you may contact Office Manager during office hours (between 8.30am to 5.00pm – Monday to Friday) at:

**Telephone:** +61 7 4963 2000

**Fax:** +61 7 4963 2099

**Post:** Office Manager  
PO Box 733  
Mackay QLD 4740

**Email:** [mail@wallaw.com.au](mailto:mail@wallaw.com.au)