

# PRIVACY POLICY

## Introduction

1. From time to time Legal Solutions Limited, trading as Argyle Welsh Finnigan, ("**AWF**") may collect, use and/or disclose personal information relating to its clients, contractors, suppliers and employees in the performance of its business activities.
2. This policy sets out guidelines to assist AWF and its employees comply with the requirements of the Privacy Act 1993 and the Privacy Act 2020 (together, the "**Privacy Act**") and the Information Privacy Principles ("**IPP**") in relation to the collection, storage, use and disclosure of records containing an individual's personal information.

## Scope

3. This policy applies to the collection, storage, use and disclosure by AWF (or a person acting on behalf of AWF) of an individual's personal information in New Zealand.

## Definitions

4. **Personal Information** is as defined in section 7 of the Privacy Act 2020, which essentially means any information by which the individual that information concerns could reasonably be identified.
5. **Website** is defined as [www.argylewelsh.co.nz](http://www.argylewelsh.co.nz) or any website substituted.

## Collection of Personal Information

6. AWF may collect personal information for a lawful purpose relevant to the purpose(s) for which the information is to be used and connected with a function or activity of AWF.
7. Personal information will not be collected in an unreasonably intrusive way.
8. A person who collects Personal Information on behalf of AWF will comply with this Policy and the requirements of the Privacy Act.
9. In the event that AWF uses unique identifiers, AWF will assign a unique identifier to an individual for use in its operations only if that identifier is necessary to enable AWF to carry out one or more of its functions efficiently. In such event, AWF will take any steps that are, in the circumstances, reasonable to ensure that a unique identifier is assigned only to an individual whose identity is clearly established and that the risk of misuse of a unique identifier by any person is minimised.

## Use and Disclosure of Personal Information

10. AWF will not use or disclose personal information about an individual for a purpose (the secondary purpose) other than the primary purpose of collection unless:
  - a) the use or disclosure is not inconsistent with the requirements of the Privacy Act; and
  - b) the secondary purpose is directly related to the primary purpose of collection; or
  - c) the individual has consented to the use or disclosure; or

- d) the source of the information is a publicly available publication and, in the circumstances, it would not be unfair or unreasonable to use or disclose the information; or
- e) the use or disclosure of the information for the secondary purpose is necessary for avoiding prejudice to the maintenance of the law by any public sector agency, the enforcement of a law imposing a pecuniary penalty, the protection of the public revenue, the conduct of proceedings (reasonably in contemplation or already commenced) before any court or tribunal, or the enabling of an intelligence and security agency to perform any of its functions; or
- f) the use or disclosure of the information is necessary to prevent or lessen a serious threat to public health or public safety, or the life or health of the individual concerned or another individual; or
- g) the use or disclosure is required or authorised by the Privacy Commissioner under section 54 of the Privacy Act 1990, section 30 of the Privacy Act 2020 or otherwise under New Zealand law.

### **Data Quality**

- 11. AWF will take reasonable steps to make sure that the personal information it collects, uses or discloses is accurate, complete and up-to-date.

### **Data Security**

- 12. AWF will take reasonable steps to protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure.
- 13. AWF will take reasonable steps to destroy, or permanently de-identify, personal information (such as a job applicant's resume) if it is no longer needed.

### **Openness**

- 14. This Privacy Policy will be made available to anyone who asks for it and will be available on the Website.
- 15. Where AWF holds personal information in such a way that it can readily be retrieved, the individual concerned shall be entitled to obtain from AWF confirmation of whether or not AWF holds such personal information and to have access to that information.

### **Access and Correction**

- 16. If AWF holds personal information about an individual, it will comply with legislative obligations to provide the individual with access to the information on request by the individual.
- 17. If AWF holds personal information about an individual and the individual is able to establish that the information is not accurate, complete and up-to-date, AWF will take reasonable steps to correct the information so that it is accurate, complete and up-to-date.
- 18. AWF will provide reasons for denial of access or a refusal to correct personal information.
- 19. Where AWF holds personal information but is unwilling to correct that information in accordance with a request by the individual concerned, AWF shall, if so requested by the individual concerned, take such steps (if any) as are reasonable in the circumstances to

attach to the information (in such a manner that it will always be read with the information) any statement provided by that individual of the correction sought.

### **Security**

20. AWF has, to the best of their ability, implemented generally accepted standards of technology and operational security in order to protect personal information from loss, misuse, alteration or destruction.
21. A person acting on behalf of AWF will not transfer personal information to an individual, without first establishing the identity of the recipient through the use of a personal identifier and/or cross check.

### **Notifiable Privacy Breaches**

22. AWF will notify the Privacy Commissioner and any affected individual(s) as soon as practicable after becoming aware that a notifiable privacy breach has occurred in a manner conforming to the requirements set out in section 117 of the Privacy Act 2020, subject to any exceptions under section 116 of the Privacy Act 2020.
23. In the event that it is not reasonably practicable to notify an affected individual or each member of a group of affected individuals, AWF will instead give public notice of the privacy breach. Such public notice will be given in a form in which no affected individual is identified and in accordance with any regulations made under section 215(1)(a) of the Privacy Act 2020.

### **Mailing List**

24. If an individual chooses to sign up for any mailing list prepared and circulated by AWF, they will only be required to give limited personal information (e.g. name and email address). This information will only be used for the purposes of any such mailing list. The individual will be permitted to unsubscribe at any time by contacting AWF by email at [email@awlegal.co.nz](mailto:email@awlegal.co.nz), by post at Westburn Courts, 201-203 West Street, Ashburton 7740 or by telephone at (03) 308 8228.

### **Cookies**

25. AWF uses cookies on its website. A cookie does not provide any personally identifiable information to AWF. The individual user does not have to permit the use of cookies but this may result in limitations of use of the Website.

### **Minors**

26. AWF does not engage in its business activities or promote its website to individuals under the age of 18 years ("**Minor**").
27. AWF will not knowingly collect personal information from a Minor. In the event personal information from a Minor has been collected, AWF will immediately delete the personal information and contact the parent or guardian.

### **Third Party Websites**

28. The Website may have links to third party websites which are not controlled or owned by AWF. All links to third party websites do not constitute sponsorship, endorsement or approval of these websites. AWF is not responsible the privacy practices of any other websites or companies.

### **Enquiries**

29. All enquiries replated to this policy can be directed to AWF by email at [email@awlegal.co.nz](mailto:email@awlegal.co.nz)