

Privacy Policy

1. Introduction

BOLT BURCHILL TRANTER LAWYERS ABN 23 733 269 276 are referred to in this Privacy Policy as we, us or our.

This Privacy Policy explains how we manage personal information. It also describes your rights to access and correct personal information we hold about you, and how you can make a complaint about our management of your personal information. This is in addition to our obligations of confidentiality to clients and other parties arising from sources other than the Privacy Act.

1.1. Application of this Policy

This Privacy Policy only applies to personal information we manage for the purposes of or in connection with our obligations under the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (the AML/CTF Act).

Other personal information we manage remains excluded by applicable exemptions in the Privacy Act.

1.2. Policy Updates

We may update this Privacy Policy from time to time to reflect changes in our practices or legal requirements. The current version will either be available on our website or can be obtained by you contacting our office on 07 4030 4800 or by email to admin@bbtranter.com.au and requesting the Policy Statement.

2. Personal information: what we collect

2.1. Types of personal information

We collect your contact and identity details, financial information and case-related information about you and any relevant entity or person. This may include sensitive information.

The types of personal information we may collect include:



- Identity information: name, date of birth, gender, signature, photographic identification, offices or directorships held;
- Contact information: residential and postal addresses, email addresses, telephone numbers;
- Professional and business information: occupation, employer, job title, professional qualifications, business holdings and structures;
- Financial information: bank account details, billing information, payment card details, tax file numbers;
- Matter-related information: information relevant to your legal matter or the legal matter of our client;
- Transaction information: details of services provided to you or your organisation;
- Communication records: records of correspondence and communications with you.

2.2. Identity Verification and the AML/CTF Act

We may be required to verify your identity and collect certain information under the AML/CTF Act when we provide designated services. Identity documents might also be required for other services such as court matters, real property transactions and asset dealings.

This includes collecting identification documents and information about the source of funds and beneficial ownership of entities.

3. How we collect personal information

3.1. Sources of information

We collect information directly from our clients, from other lawyers, government sources or public sources such as registers or the internet.

3.1.1 Direct Collection

Where reasonable and practicable, we collect personal information directly from you. This may occur when you:

- engage us to provide legal services;
- respond to communication with us or engage a solicitor or agent to do so;
- contact us by telephone, email, post or in person;
- complete forms or provide documents to us;

- visit our website or use our online services; or
- apply for employment with us.

3.1.2 Indirect Collection

We may also collect personal information about you from third parties, including:

- our client(s), where we collect information in the course of providing legal services;
- other parties to legal proceedings or transactions and their lawyers;
- witnesses of fact, expert witnesses, health care providers and hospitals;
- courts, tribunals, law enforcement and government agencies;
- publicly available sources, including public registers, websites and social media;
- referrers who introduce you to us or lead agencies and advertising sites;
- recruitment agencies and previous employers (for job applicants);
- InfoTrack and AML information collection providers; and
- identity verification, commercial data brokers and background check service providers.

3.2. Anonymity and Pseudonymity

If you are a client, you have the option of requesting to deal with us anonymously or by using a pseudonym. However, in most cases this is neither lawful nor practical for legal services. If you do not provide us with the personal information we request, we may not be able to provide you with legal services or respond to your enquiry.

Without limitation, where the information required to be collected from you is required for compliance with and or our obligations under the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (the AML/CTF Act) and you refuse to provide such information, we may not be able to provide you with legal services.

4. Why we collect personal information and how we use it

We collect, hold, use and disclose personal information for the primary purposes of, without limitation:

- providing legal advice and representation to you or to our client(s);
- managing client matters and files;
- conducting legal research and investigations;
- preparing and reviewing legal documents;
- communicating with you and other parties;

- billing and collecting fees, including pursuit of our rights under a Costs Agreement or retainer;
- complying with our legal, professional and insurance obligations; and
- administering and managing our firm.

We collect, hold, use and disclose personal information for the secondary purposes of, without limitation:

- maintaining and developing our relationship with you;
- quality assurance and improvement of our services, including training our AI models or those of our AI providers (subject to our obligations of confidentiality to you);
- training and professional development;
- ongoing Customer Due Diligence as required by the AML/CTF Act;
- training AI or automated systems including AI development by our vendors with appropriate confidentiality safeguards in place;
- enforcement of our right to payment of fees;
- internal reporting and analysis; and
- risk management and insurance purposes.

5. Disclosure of Personal Information

We may disclose personal information to third parties to facilitate the purposes of collection noted in section 4. These purposes include disclosure to parties to proceedings or transactions and their representatives, to Courts, government and regulatory agencies as may be necessary or appropriate to establish legal rights and to progress transactions in which we are instructed. We also disclose information to third parties (such as data storage or archiving companies, our regulators or our insurers) who hold or process information for us.

Your personal information and confidential data are held by us subject to our duty of confidentiality under the Australian Solicitors' Conduct Rules ("ASCR") and any applicable undertakings or court rules. We may disclose personal information to third parties subject to those obligations and for the purposes described in this Privacy Policy, including:

- to discharge our professional obligations to you or to our clients or in the reasonable execution of our instructions;



- to comply with our legal obligations or in answer to a compulsory notice such as a subpoena or warrant, or to disclose information under the AML/CTF Act, Criminal Code(s), Legal Profession Act or other relevant legislation;
- to barristers, mediators, expert witnesses, investigators and consultants and other legal practitioners engaged to act for you (and/or our client) or in relation to the matter;
- other parties to legal proceedings or transactions as instructed, reasonably necessary or required by law;
- courts, tribunals, government agencies and regulators;
- our professional indemnity insurers;
- a Costs Assessor in the event that an assessment is ordered or reasonably necessary;
- service providers who assist us to operate our business (including IT providers, AI providers, document management providers, and marketing service providers);
- related entities;
- as permitted under the ASCR confidentiality exceptions; and
- any person you expressly or impliedly authorise us to disclose information to.

6. Overseas Disclosure

We will disclose information to overseas recipients where this is reasonably necessary to progress our instructions (dealing with a company with an overseas office, for example).

We may disclose personal information to recipients located outside Australia where reasonably necessary or convenient to facilitate the purposes of collection, holding, use and disclosure of information stated in sections 2 and 5 of this policy.

7. Security of Personal Information

7.1. Security Measures

We hold your personal information using a system designed to protect against data breaches. However, like all data security systems, risks may only be mitigated but not eliminated. It is our practice to require our storage service providers to be reputable and to seek assurances from them regarding security and confidentiality.

7.2. Retention and Destruction

We retain personal information for as long as necessary to fulfil the purposes for which it was collected, to comply with our legal and professional obligations and to ensure that pertinent evidence remains available if reasonably required.

Under AML/CTF legislation, we are required to retain identification and records for 7 years. Subject to the AML/CTF requirements, our Client Cost Agreement with you includes conditions stating that we may destroy any information or documents held on your behalf within

- (i) 7 years after the completion of the matter; and
- (ii) we have been unable, despite making reasonable efforts, to obtain instructions from you about the destruction of the document; and
- (iii) it is reasonable in the circumstances, having regard to the nature and content of the document, to destroy the document.

8. Access and Correction

8.1. Access to and correction of your Personal Information

You have the right to request access to or correction of the personal information we hold about you. To make an access request, please contact our Privacy Officer (see Section 9).

If we refuse to correct your personal information, we will provide written reasons for the refusal and information about how you may complain.

The Privacy Act permits us to refuse access in some circumstances. If we refuse your access request, we will provide you with written reasons for the refusal (unless unreasonable to do so or we are prohibited from doing so by law) and information about how you may complain.

9. Complaints and questions

If you have a question about this policy or a complaint about how we have handled your personal information, please contact our Privacy Officer. We ask that you provide details of your complaint in writing. We will acknowledge your complaint within five (5) business days and investigate it promptly. We aim to resolve complaints within 30 days. If we need more time, we will keep you informed of our progress.

Privacy officer details and complaints

Bolt Burchill Tranter Lawyers

Martin Tranter

Address: P.O. Box 616, Port Douglas, Qld, 4877

Email: mtranter@bbtranter.com.au

Phone: 07 4030 4800

If you are not satisfied with our response, you may escalate your complaint to:

Office of the Australian Information Commissioner (OAIC) or the Legal Services Commission.

Website: www.oaic.gov.au

Phone: 1300 363 992

Email: enquiries@oaic.gov.au

Post: GPO Box 5288, Sydney NSW 2001