



Gow-Gates - Privacy Policy

Our Privacy Policy

We are covered by the Privacy Amendment (Enhancing Privacy Protection) Act which details a number of Australian Privacy Principles (APPs), which set out standards for the collection, use, disclosure and handling of personal information. It also deals with how you can complain about a breach of the Privacy Laws and how you can access the personal information we hold and how to have that information corrected. Our aim is to both support and ensure compliance with these principles. Further information on privacy in Australia may be obtained by visiting the website of the Office of the Australian Information Commissioner at www.oaic.gov.au

Personal information is essentially information or an opinion about a living individual whose identity is apparent or can reasonably be ascertained from the information or opinion.

Our Privacy Policy applies to any personal information we collect, use or disclose after 21 December 2001. It does not apply to our employee records.

How and why we collect personal and sensitive information

As financial services organisations we are subject to certain legislative and regulatory requirements which necessitate us to obtain personal information about you, including s961B of the Corporation Act. This can include a broad range of information ranging from your name, address, contact details, age and other information about your personal affairs including your assets, personal belongings, financial situation, health and wellbeing. We collect information about you for the purpose of reporting to AUSTRAC under the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 where required by law.

We collect personal information either directly from the relevant individuals or indirectly from third parties. For example, an insured may not only provide us with information on themselves for the purpose of obtaining our services but also on other insured's who they represent. We may also obtain personal information from past insurers, witnesses to claims, health care workers and publicly available sources etc. We also collect sensitive information about an individual (as defined in Section 6 of the Privacy Act) provided the individual consents to the collection, however this requirement may not be applicable where the collection is required or authorised by or under an Australian law or a court / tribunal order. Some examples of sensitive information are racial or of ethnic origin, political opinions, religious beliefs, membership of professional, trade or union associations, sexual orientation, criminal records. We collect personal and sensitive information to be able to provide our various services. These services include insurance broking, claims management, risk management consulting and other forms of insurance services (including underwriting and reinsurance). You have a right to refuse us authorisation to collect information from a third party.

We also use it to help to develop and identify products and services that may interest clients, conduct market or customer satisfaction research, develop, establish and administer alliances and other arrangements with other organisations in relation to the promotion, administration and use of our respective products and services.

For more information on our services and how we use your information please contact us.

Dealing with unsolicited information

Where we receive personal information where we did not seek or solicit this information, we will, within a reasonable period of time determine whether or not we could have collected this information under 'How and why we collect personal and sensitive information'. If it is determined that we could not have collected the personal information and the information is not contained in a Commonwealth record, we

will as soon as practicable and only if it is lawful and reasonable to do so, either destroy or delete the information or de-identify it.

How we use and disclose personal information

We do not use or disclose personal information for any purpose that is unrelated to our services and that you would not reasonably expect (except with your consent).

We have a duty to maintain the confidentiality of our clients' affairs, including personal information. Our duty of confidentiality applies except where disclosure of your personal information is with your consent or compelled by law.

We usually disclose personal information to third parties who assist us or are involved in the provision of our services. For example, in arranging and managing your insurance needs we may provide information to insurers, reinsurers, other insurance intermediaries, insurance reference bureaus, our advisers such as loss adjusters, lawyers and accountants, and others involved in the claims handling process. We also provide it to purchasers of our business and related companies.

We take reasonable steps to ensure that your personal information is accurate, complete and up-to-date whenever we collect or use or disclose it.

If the required personal information is not provided, we or any involved third parties may not be able to provide appropriate services.

If you provide inaccurate or incomplete information we may not be able to provide you with the products or services you are seeking.

From time to time, we may provide you with direct marketing material. This will include articles and newsletters that may be of interest to you.

What we expect of you and third parties we deal with

When you provide us with personal information about other individuals, we rely on you to have made them aware that you will or may provide their information to us, the purposes we use it for, the types of third parties we disclose it to and how they can access it (as described in this document). If it is sensitive information we rely on you to have obtained their consent to the above. **If you have not done either of these things, you must tell us before you provide the relevant information.**

If we give you personal information, you and your representatives must only use it for the purposes we agreed to.

Where relevant, you must meet the requirements of the Australian Privacy Principles set out in the Privacy Act 1988, when collecting, using, disclosing and handling personal information on our behalf. You must also ensure that your agents, employees and contacts meet the above requirements.

Security of your personal information

We endeavour to protect any personal information that we hold from misuse and loss, and to protect it from unauthorised access, modification and disclosure. This includes a broad range of security from electronic storage, shredding, physical security, computer network security and other security measures.

It is a legislative requirement that we keep all personal information and records for a period of 7 years. After this, the information may be destroyed.

Transfer of information overseas

We may transfer your personal information overseas where it is necessary to provide our service. For example, we sometimes use the internet to collect and process information. In addition, some insurers or reinsurers are based overseas and we need to provide your personal information to them to arrange your cover. In most cases, we only do this with your consent.

Internet Cookies

Our Website utilises cookies to provide you with a better user experience. Cookies also allow us to identify your browser while you are using our site – they do not identify you. If you do not wish to receive cookies, you can instruct your web browser to refuse them.

Dealing with us anonymously

You can deal with us anonymously where it is lawful and practicable to do so. For example, if you telephone requesting our postal address.

Direct marketing

Should we hold personal information (other than sensitive information) about an individual we will not use or disclose this information for the purpose of direct marketing unless we have collected this information from the individual and the individual would reasonably expect us to use or disclose the information for the purpose of direct marketing. Where an individual would not reasonably expect this personal information to be used for the purpose of direct marketing it will only be used for this purpose where we have gained the individual's consent.

An individual may request our source of personal information and this will be provided within a reasonable period and without charge, unless it is impracticable or unreasonable to do so.

With sensitive information we will only use this information for the purposes of direct marketing where we have obtained your consent.

Should you request not to receive direct marketing communications please refer to section on 'Opting out'

Opting out

If we send you any information about services or products or other direct marketing material and you do not wish to receive this information any further, you may contact us with this request. We will endeavour to meet your request within 2 weeks. We maintain a Register for those individuals not wanting direct marketing material.

If you do not want us to disclose your personal information to any other organisation (including related bodies corporate) you can opt out by phoning our office.

Exceptions to providing personal information

Some exceptions exist where we will not provide you with access to your personal information if:

- Providing access would pose a serious threat to the life or health of a person;
- Providing access would have an unreasonable impact on the privacy of others;
- The request for access is frivolous or vexatious;
- The information is related to existing or anticipated legal proceedings between us and would not be discoverable in those proceedings;
- Providing access would reveal our intentions in relation to negotiations with you in such a way as to prejudice those negotiations;
- Providing access would be unlawful;
- Denying access is required by or under law;
- Providing access would be likely to prejudice certain operations by or on behalf of an enforcement body or an enforcement body requests that access not be provided on the grounds of national security.

Should we refuse you access to your personal information, we will provide you with a written explanation for that refusal.

Updates to our Privacy Policy

We encourage you to check our website regularly for any updates to our Privacy Policy.

How to contact us

If you wish to gain access to your personal information or you require us to correct or update the information and should charges be applicable in providing access, these charges will be disclosed to you prior to providing you with the information. For security reasons, any requests for details of personal information held by us should be made in writing.

Please contact our Privacy Officer during business hours using the contact details shown below if you want to complain about any breach or potential breach of your privacy rights. Our Privacy Officer will investigate the issue through our internal complaints resolution process to determine the steps we will undertake to resolve your complaint. We will contact you if we require any additional information from you and will notify you in writing of the determination of our Privacy Officer. If you are not satisfied with the outcome of your complaint, you are entitled to contact the Office of the Australian Information Commissioner.

Telephone : (02) 8267 9999

Mail : GPO Box 4731 SYDNEY NSW 2001

Fax : (02) 8267 9998