

Privacy Policy
Meertens
February 2015



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1 Introduction

In December 2000, Federal parliament passed the Privacy Amendment (Private Sector) Act 2000. The Privacy Amendment (Enhancing Privacy Protection) Act 2012 which commenced on 12 March 2014 made significant changes to the original act.

The ensuing information reflects the firm's procedures for handling personal information by adopting the Australian Privacy Principles (APPs). A complaint handling procedure has been set up to deal with any issues that may arise.

2 Policy Statement

Meertens acknowledges the importance of adhering to the APP's and the requirements of the Privacy Amendment (Enhancing Privacy Protection) Act 2014 ("PAA")("the Act"). We undertake to treat all client and other personal information in our possession in accordance with the requirements of the Act.

3 Definitions

The definitions are instrumental to understanding the Act. So as to minimise any possible misunderstandings these have been taken directly from the documentation provided by the Privacy Commission.

3.1 Personal information

means information or an opinion about an identified individual, or an individual who is reasonably identifiable:

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

3.2 Sensitive information

means:

- (a) information or an opinion about an individual's:
 - (i) racial or ethnic origin; or
 - (ii) political opinions; or
 - (iii) membership of a political association; or
 - (iv) religious beliefs or affiliations; or

- (v) philosophical beliefs; or
 - (vi) membership of a professional or trade association; or
 - (vii) membership of a trade union; or
 - (viii) sexual orientation or practices; or
 - (ix) criminal record;
- that is also personal information; or
- (b) health information about an individual; or
 - (c) genetic information about an individual that is not otherwise health information; or
 - (d) biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or
 - (e) biometric templates.

3.3 Collects

an entity collects personal information only if the entity collects the personal information for inclusion in a record or generally available publication.

3.4 Consent

Means voluntary agreement to some act, practice or purpose. It has two elements: knowledge of the matter agreed to, and voluntary agreement. Consent can be express or implied. Express consent is given explicitly, either orally or in writing. Implied consent arises where consent may reasonably be inferred in the circumstances from the conduct of the individual and the organisation. Consent is invalid if there is extreme pressure or coercion.

4 The Australian Privacy Principles

There are 13 APP's of which those relevant to our business are addressed as follows:

4.1 Open and Transparent Management of Personal Information

We collect personal information from you, clients, employees, government agencies and contractors to perform our services. Our collection of personal information extends to persons seeking employment with us as well as persons employed by us.

The usual information collected may include includes name, address, date of birth, gender, occupation, employer details, location, contact details such as phone numbers and email address, financial information and the nature of your association with the work we perform including your status as a potential creditor, debtor, appointer, bankrupt, director employee or other relevant relationship to either an insolvent company or person.

In certain circumstances information collected may extend to health information, but only to the extent such information is voluntarily provided and relevant to the conduct of our business and provision of services to you.

4.2 Anonymity and Pseudonymity

You may choose not to provide personal information and only deal with us anonymously or under a pseudonym name. If this happens we may not be able to meet our statutory obligations to you nor provide the information necessary to enable you to interact with us on appointments.

4.3 Collection of Solicited Personal Information and Adoption, Use or Disclosure of government Related Identifiers

We usually collect information directly from you. We may collect information from persons or entities appointing us to act to enable us to meet our statutory obligations under various Acts. Where we have incomplete information, we may seek to complete that information from publicly available sources or the records of persons or entities over which we are appointed.

We do not use or disclose government identifiers such as tax file numbers or social security numbers, except to the extent necessary in the conduct of our services and limited to the use of those identifiers to properly interact with respective government departments and agencies. We do use identifiers such as bankruptcy numbers as required by law to properly identify you in discharging our statutory obligations.

4.4 Dealing with Unsolicited Personal Information

We may receive unsolicited personal information through our appointments. Where such information is received we do not use that information. Where such information does not form part of the books and records to which we are required to preserve for a statutory period, we will destroy such personal information. Where personal information does form part of the books and records we are required to keep, we will securely store such information with limited access to persons having a direct need to access such information in the conduct of investigations or as required by law in the conduct of our services.

4.5 Notification of the Collection of Personal Information

You may request access to your personal information that we hold by contacting us via our website or by making a request in person. We require individuals to provide identification (such as a drivers' licence or passport) to verify that they are the person to whom the information relates. We will provide access subject to the requirements of the APPs and may charge a fee to cover our costs of providing access.

We take reasonable steps to check that the personal information is accurate, complete and up to date each time we collect, use or disclose it.

4.6 Use and Disclosure

We will only disclose information for the purpose it was collected unless the person has consented, or the secondary purpose is related to the primary purpose and a person would reasonably expect such use or disclosure, or the use is for direct marketing in specified circumstances or in circumstances related public interest such as law enforcement and public or individual health and safety.

4.7 Direct Marketing

We may from time to time collect personal information directly from you, or a third party for purposes of distributing direct marketing material. In such instances we will provide simple opt out facilities so you may cease receiving direct marketing materials at your discretion.

4.8 Cross-border Disclosures

We do not transfer personal information overseas, except where electronic data may be stored via cloud services. In such instances we obtain relevant service provider confirmation that data is stored and used in accordance with Australian Privacy Principles.

4.9 Access and Correction of Personal Information

If the personal information has changed or you know that the personal information that we hold is no longer accurate, complete and up to date, we request you contact us so that we can update our records.

Should you have a question or concern about how we are handle personal information, including any complaints about an alleged breach of the APPs, please contact us and we will try and resolve your question or concern.

We can be contacted by:

Email: info@meertens.com.au

Post: Enquiries
Meertens Chartered Accounts
GPO Box 218
ADELAIDE SA 5001
Phone: (08) 8418 8900

The firm has a staff member who is responsible for privacy within the firm as it relates to the Act (“the Privacy Officer”).

It is possible that a client, or prospective client, might require a copy of our Privacy Policy. All enquiries are to be directed to the Privacy Officer.

It is imperative that the Privacy Officer be made aware of any complaints that are made.

Any person who has concerns as to how information is being dealt with is to raise the issue initially with the Privacy Officer. Should there be a fault with the procedures all reasonable steps will be taken to ensure that it is rectified as soon as practicable.

If you make a complaint it will be dealt with in the following manner:

- Initially the Privacy Officer will be made aware of the complaint. In the first instance they will make every effort to resolve the issue.
- If the Privacy Officer can't immediately resolve the issue, then it will be escalated to the Managing Partner. The matter will be fully investigated whether it is client or staff initiated to ensure compliance with the Act. A response will be conveyed to the complainant within 30 days.