

JESSUPS
PRIVACY POLICY

1. INTRODUCTION

- 1.1 In the course of our business in Australia, there are circumstances where we (Jessups ABN 99 194 967 950) collect personal information. This privacy policy has been developed to ensure that such information is handled appropriately.
- 1.2 We are committed to complying with the *Privacy Act 1988* (Cth) (**Privacy Act**) in relation to all personal information we collect. Our commitment is demonstrated in this policy. The Privacy Act incorporates the Australian Privacy Principles (**APPs**). The APPs set out the way in which personal information must be treated.
- 1.3 This privacy policy also incorporates our policy on managing credit information (see particularly section 8 onwards).

Who does the privacy policy apply to?

- 1.4 This policy applies to any person for whom we currently hold, or may in the future collect, personal information.

What information does the privacy policy apply to?

- 1.5 This policy applies to personal information. In broad terms, 'personal information' is information or opinions relating to a particular individual who can be identified.
- 1.6 Information is not personal information where the information cannot be linked to an identifiable individual.

2. HOW DO WE MANAGE THE PERSONAL INFORMATION WE COLLECT?

- 2.1 We manage the personal information we collect in numerous ways, such as by:
- (a) implementing procedures for identifying and managing privacy risks at each stage of the information lifecycle, including collection, use, disclosure, storage, destruction or de-identification;
 - (b) implementing security systems for protecting personal information from misuse, interference and loss from unauthorised access, modification or disclosure;
 - (c) providing staff with a training manual on our privacy obligations or providing them with information bulletins;
 - (d) appropriately supervising staff who regularly handle personal information;
 - (e) implementing procedures for identifying and reporting privacy breaches and for receiving and responding to complaints;
 - (f) appointing a privacy officer within the business to monitor privacy compliance;
- 2.2 Subject to our professional obligations or any applicable law, we will take reasonable steps to destroy or permanently de-identify personal information if that information is no longer needed for the purposes for which we are authorised to use it.
- 2.3 In almost all circumstances, our professional obligations prohibit you from using a pseudonym or remaining anonymous when dealing with us. If you wish to use a pseudonym or remain anonymous, please contact us and we can advise whether it is possible in the circumstances.

- 2.4 We are also subject to professional obligations and various legislation (such as the *Corporations Act 2001* (Cth) and the *Bankruptcy Act 1966* (Cth)) which may affect how we deal with personal information.

3. WHAT KINDS OF INFORMATION DO WE COLLECT AND HOLD?

Personal information

- 3.1 We may collect and hold personal information about you, which may include:

- (a) sensitive information (see below);
- (b) contact information;
- (c) financial information;
- (d) date and place of birth;
- (e) employment history and arrangements;
- (f) information in company records;
- (g) tax returns and tax file numbers;
- (h) credit information;
- (i) banking details; and
- (j) any other personal information required to perform the service for which we have been engaged, including without limiting the personal information described above, personal information contained in books, records and materials provided to us or lawfully obtained by us in the course of an external administration or other purpose for which we are engaged to act.

Sensitive information ‘Sensitive information’ is a subset of personal information and includes personal information that may have serious ramifications for the individual concerned if used inappropriately.

- 3.3 We generally do not collect sensitive information about individuals unless it is contained in the books and records of a company we have been engaged to act for.
- 3.4 In circumstances limited to individuals involved with forensic accounting disputes or bankruptcy matters for which we are engaged to act, prospective employees or employees of corporations subject to external administrations which we are appointed to or concerned with, we may collect sensitive information such as criminal records, membership of a professional or trade association, or membership of a trade union.

This information is usually provided to us in accordance with the *Corporations Act 2001* (Cth) or the *Bankruptcy Act 1966* (Cth).

4. HOW AND WHEN DO WE COLLECT PERSONAL INFORMATION?

- 4.1 Our usual approach to collecting personal information is to collect it from company records, proofs of debt, the Australian Securities and Investment Commission, statements of affairs, directors records and any other documents we receive in the course of our lawful external administration of:
- (a) companies over which we are appointed and in such a case to the extent reasonably required to perform our obligations under the *Corporations Act 2001* (Cth); or

- (b) a bankruptcy and in such a case to the extent reasonably required to perform our obligations under the *Bankruptcy Act 1966 (Cth)*.

4.2 We might also collect personal information in other ways, which might include:

- (a) from other government agencies (such as the Australian Investment and Securities Commission and the Australian Taxation Office);
- (b) from bank and other creditors;
- (c) from paid search providers;
- (d) through publicly available records; or
- (e) from our affiliated entity, Jessups Accountants and Business Advisors.

5. HOW DO WE HOLD PERSONAL INFORMATION?

5.1 Our usual approach to holding personal information includes:

- (a) physically:
 - (i) at our premises (securely); and
 - (ii) off-site, by third party physical storage providers (securely);
- (b) electronically, on a secure online server.

5.2 We secure the personal information we hold in numerous ways, including:

- (a) providing authorised access only to areas that contain personal information;
- (b) using a secure server to store personal information;
- (c) regularly destroying personal information no longer required subject to legal obligations for record keeping; and
- (d) using unique usernames, passwords and other protections on systems that can access personal information.

6. WHY DO WE COLLECT, HOLD, USE OR DISCLOSE PERSONAL INFORMATION?

6.1 Our firm helps organisations manage financial challenges through insolvency, business advisory and forensic services.

6.2 We take reasonable steps to use and disclose personal information for the primary purpose for which we collect it. The primary purpose for which information is collected varies, depending on the particular service being provided, but could include any of the following:

- (a) company insolvency services;
- (b) business recovery services;
- (c) personal insolvency services;
- (d) business advisory services;
- (e) forensic services; and

- (f) property services.

A full range of the services we offer can be found at <http://briferrier.com.au/>.

- 6.3 In the case of potential employees of BRI Ferrier NQ, the primary purpose the information is collected is to assess the individual's suitability for employment.
- 6.4 Personal information may also be used or disclosed by us for secondary purposes which are within your reasonable expectations and which are related to the primary purpose of collection.
- 6.5 For example, we may collect and use your personal information:
 - (a) to comply with our obligations under the *Corporations Act 2001 (Cth)* or *Bankruptcy Act 1966 (Cth)*;
 - (b) to comply with the standards set by any professional bodies; or
 - (c) for marketing and business development purposes.
- 6.6 We may disclose personal information:
 - (a) to other service providers or referral partners in order to provide the service to you, or to assist our functions or activities (such as debt collection agencies, banks, solicitors etc);
 - (b) to any other experts we engage on your behalf;
 - (c) to entities affiliated with BRI Ferrier NQ, such as Jessups Accountants and Business Advisors;
 - (d) to our external auditors;
 - (e) to government departments such as the Australian Securities and Investments Commission or the Australian Financial Services Authority;
 - (f) to creditors if required to disclose such information as part of a report or to comply with our other obligations under the *Corporations Act 2001 (Cth)* or *Bankruptcy Act 1966 (Cth)*;
 - (g) to independent accountants, mediators or arbitrators involved with a matter;
 - (h) if required by a court or pursuant to another applicable law.
- 6.7 Otherwise, we will only disclose personal information to third parties if permitted by the Privacy Act.

7. WILL WE DISCLOSE PERSONAL INFORMATION OUTSIDE AUSTRALIA?

- 7.1 From time to time, we may disclose limited information to related entities, located in the following jurisdictions:
 - (a) Hong Kong; or
 - (b) New Zealand.
- 7.2 Your personal information will not be disclosed to any overseas recipients unless we are satisfied that the receiving party provides commitments to privacy and confidentiality which are at least equal to the Australian Privacy Principles or the recipient is subject to privacy protection laws that offer at least the same level of protection as required under the Privacy Act in Australia.

8. HOW DO WE MANAGE YOUR CREDIT INFORMATION?

What kinds of credit information may we collect?

- 8.1 In the course of providing our services to you, we may collect and hold the following kinds of credit information:
- (a) your identification information;
 - (b) information about any credit that has been provided to you;
 - (c) your repayment history;
 - (d) information about your overdue payments;
 - (e) if terms and conditions of your credit arrangements are varied;
 - (f) if any court proceedings are initiated against you in relation to your credit activities;
 - (g) information about any bankruptcy or debt agreements involving you;
 - (h) any publicly available information about your credit worthiness; and
 - (i) any information about you where you may have fraudulently or otherwise committed a serious credit infringement.
- 8.2 From time to time, we may collect credit information and personal information from credit reporting bodies (e.g. Veda). The kinds of information we collect could include any information listed in section 8.1 of this policy.
- 8.3 We may also collect personal information that affects your credit worthiness from other credit providers, who have collected that information from a credit reporting body. This could include any information listed in 3.1 or 3.4 of this policy.

How and when do we collect credit information?

- 8.4 In most cases, we will only collect credit information about you if it is contained in company or personal insolvency documents and it is relevant in providing you with our services.
- 8.5 Other sources we may collect the credit information from include:
- (a) credit reporting bodies;
 - (b) banks and other credit providers;
 - (c) government agencies (such as the Australian Securities and Investment Commission);
 - (d) other creditors.

How do we store and hold the credit information?

- 8.6 We store and hold credit information in the same manner as outlined in section 5 of this policy.

Why do we collect the credit information?

- 8.7 Our usual purpose for collecting, holding, using and disclosing credit information about you is to enable us to provide you with our services.
- 8.8 We may also collect the credit information:

- (a) to process payments;
- (b) to assess eligibility for credit; and
- (c) for other purposes incidental to our services.

Overseas disclosure of the credit information

8.9 We will not disclose your credit information to entities without an Australian link unless you expressly advise us to or we are required to do so, to satisfy our obligations under the *Corporations Act 2001 (Cth)*, the *Bankruptcy Act 1966 (Cth)*, or any other applicable law.

How can I access my credit information, correct errors or make a complaint?

8.10 You can access and correct your credit information, or complain about a breach of your privacy in the same manner as set out in section 9 of this policy.

9. HOW DO YOU MAKE COMPLAINTS AND ACCESS AND CORRECT YOUR PERSONAL INFORMATION OR CREDIT INFORMATION?

9.1 It is important that the information we hold about you is up-to-date. You should contact us if your personal information changes.

Access to information and correcting personal information

9.1 You may request access to the personal information held by us or ask us for your personal information to be corrected by using the contact details in this section.

9.2 Subject to section 9.4, we will grant you access to your personal information as soon as possible.

9.3 In keeping with our commitment to protect the privacy of personal information, we may not disclose personal information to you without proof of identity.

9.4 We may deny access to personal information if:

- (a) the request is unreasonable;
- (b) providing access would have an unreasonable impact on the privacy of another person;
- (c) providing access would pose a serious and imminent threat to the life or health of any person;
- (d) providing access would compromise our professional obligations; or
- (e) there are other legal grounds to deny the request.

9.5 We may charge a fee for reasonable costs incurred in responding to an access request. The fee (if any) will be disclosed prior to it being levied.

9.6 If the personal information that we hold is not accurate, complete and up-to-date, we will take reasonable steps to correct it so that it is accurate, complete and up-to-date, where it is appropriate to do so.

Complaints

9.7 If you wish to complain about an alleged privacy breach, you must follow the following process:

- (a) The complaint must be firstly made to us in writing, using the contact details in this section. We will have a reasonable time to respond to the complaint.

- (b) In the unlikely event the privacy issue cannot be resolved, you may take your complaint to the Office of the Australian Information Commissioner.

Who to contact

- 9.8 A person may make a complaint or request to access or correct personal information about them held by us. We will take reasonable steps to ensure the personal information we hold is accurate and complete. Such a request must be made in writing to the following address or contact officer:

Privacy Officer: Moira Carter
Postal Address: , PO Box 1269, Townsville, Qld, 4810
Telephone number: 07 4755 3399
Email address: privacy@jessupsnq.com.au

10. CHANGES TO THE POLICY

- 10.1 We may update, modify or remove this policy at any time without prior notice. Any changes to the privacy policy will be published on our website.
- 10.2 This policy was last updated in March 2014. If you have any comments on the policy, please contact the privacy officer with the contact details in section 9 of this policy.