

## **Privacy Policy**

This is the Privacy Policy of Hatzinikolis Group Pty Ltd trading as Legion Legal ABN 19 655 196 366 ("we", "us" and when relating to us, "our").

We are committed to protecting the privacy of our contacts, customers, suppliers and employees ("you" and when relating to you, "your") and complying with the Australian Privacy Principles set out in the *Privacy Act 1988* (Cth) (**Privacy Act**).

In this policy we describe how we manage your personal information.

### **1. The kinds of personal information we collect**

The kinds of personal information that we collect include:

- (a) contact details such as name, role or position, address, email address, mobile number, landline number and fax number;
- (b) information relating to your circumstances and affairs relevant to the matter/s in which we are instructed;
- (c) information about your legal interests and requirements and the legal services that you may wish to purchase;
- (d) information regarding our communications with you and your attendance at seminars and promotional events held by us;
- (e) if you are an employee or prospective employee, information about your qualifications, skills and work experience;
- (f) if you are a supplier or prospective supplier, information about your business skills, services, products and prices;

### **2. How we collect personal information**

2.1 We collect personal information by various means including when:

- (a) you contact us with a question or inquiry;
- (b) you subscribe to our newsletter or legal updates service;
- (c) you attend a seminar or event where we are hosting or presenting;
- (d) you instruct us to act for you and we open a file and conduct a conflict check;
- (e) our clients provide information relating to related and adverse parties relevant to the advice or services we are providing;
- (f) we undertake a search or investigation;
- (g) you visit our website.

2.2 Where practicable we collect personal information about you directly from you. However, we may have collected information about you from a third party such as a

client, a third party information provider, the courts or a person responding to our questions or inquiries.

- 2.3 We are required to collect the full name and address of our clients by the Solicitors Rules made under the *Legal Profession Act 2004* (NSW). Accurate name and address information must also be collected in order to comply with the trust account record keeping requirements in the *Legal Profession Regulation 2005* (NSW) and to comply with our duty to the courts.
- 2.4 If you are a client and do not provide us with name and address information we cannot act for you.
- 2.5 If you do not provide us with accurate personal information we may not be able to carry out our instructions or achieve the purpose for which the information has been sought.

### **3. The purposes for which we collect, hold, use and disclose personal information**

3.1 We collect, hold, use and personal information in order to:

- (a) respond to your enquiries;
- (b) provide legal services;
- (c) employ competent and diligent personnel;
- (d) monitor or improve the use of and satisfaction with our legal services; and
- (e) let you know about legal developments, our expertise and legal services that may be of interest to you.

3.2 We disclose personal information:

- (a) in order to carry out the instructions of our clients; and
- (b) subject to our confidentiality obligations, when using services in support of our legal practice.

### **4. The parties to whom your personal information is disclosed**

4.1 Subject to our confidentiality obligations, we may share some relevant personal information with:

- (a) parties related to a matter you have with us, government authorities and service providers as reasonably required to carry out your instructions;
- (b) our e-mail marketing provider for the purposes of providing you our newsletter, invitations and legal updates; and
- (c) third party service providers who assist us with archival, auditing, accounting, legal, business consulting, website or technology services.

4.2 We also will disclose your information if required by law to do so or in circumstances permitted by the Privacy Act – for example, where we have reasonable grounds to suspect that unlawful activity, or misconduct of a serious nature, that relates to our

functions or activities has been is being or may be engaged in, in response to a subpoena, discovery request or a court order.

## **5. Disclosure of information outside the jurisdiction of collection**

- 5.1 Some of the third parties described above including our service providers and related bodies corporate including but not limited to our Website generator and DocuSign may be in the United States of America and Germany.

## **6. Opting out of marketing communications**

- 6.1 We may, from time to time, send you newsletters, invitations and legal updates about our services. You can opt out of receiving further such communications by notifying us using our contact details below by clicking the "unsubscribe" option at the bottom of any marketing e-mail received from us.

## **7. Security**

- 7.1 We take reasonable physical, technical and administrative safeguards to protect your personal information from misuse, interference, loss, and unauthorised access, modification and disclosure. For example, we maintain our files in secure offices and limit access to personal information to individuals with a need to know.
- 7.2 No data transmission over the internet or wireless network can be guaranteed. Therefore, while we strive to protect your Personal Information, you acknowledge that (i) there are security and privacy limitations of the internet which are beyond our control; (ii) the security, integrity and privacy of any and all information and data exchanged between you and our services and our website cannot be guaranteed; and (iii) any such information and data may be viewed or tampered with in transit by a third party; despite best efforts.
- 7.3 Our services and website may contain links to other resources that are not owned or controlled by us. Please be aware that we are not responsible for the privacy practices or such other resources or third parties. We encourage you to be aware when you leave the website or access links from us in any other way such as via email to read the privacy policy of each and every resource that may collect personal information.

## **8. Access/correction/updating personal information**

- 8.1 You can contact us to access, correct or update your personal information. Unless we are subject to confidentiality obligation or some other restriction on giving access to the information and we are permitted to refuse you access under the Privacy Act, we will endeavour to make your information available to you within 30 days. Examples of circumstances where we may refuse to give you access to your personal information include where:
- (a) giving access would be unlawful;
  - (b) we reasonably believe that giving you access would pose a serious threat to the life, health or safety of any individual or to public health or public safety;
  - (c) giving access would have an unreasonable impact on the privacy of others;
  - (d) the information could reveal the intentions of a party in negotiations;

- (e) giving access could prejudice the taking of appropriate action in relation to unlawful activity;
  - (f) giving access could reveal evaluative information in a commercially sensitive decision making process.
- 8.2 If you request to correct your personal information, we will correct, or, if we consider more appropriate, note your request for amendment of the information on your record.
- 8.3 We will not charge you to make a request to access your record but we may charge you to actually provide access depending on the costs associated with obtaining and providing the material.
- 8.4 These actions can usually be taken by contacting a customer relations representative using the contact information on the "Contact Us" section below.

## **9. Our Website**

- 9.1 When you open the Website, our servers automatically record information that your browser sends. This data may include information such as your device's IP address, browser type, and version, operating system type and version, language preferences or the webpage you were visiting before you came to the Website and Services, pages of the Website and Services that you visit, the time spent on those pages, information you search for on the Website, access times and dates, and other statistics.
- 9.2 Information collected automatically is used only to identify potential cases of abuse and establish statistical information regarding the usage and traffic of the Website and Services. This statistical information is not otherwise aggregated in such a way that would identify any particular User of the system
- 9.3 You can access and use the Website and Services without telling us who you are or revealing any information by which someone could identify you as a specific, identifiable individual. If, however, you wish to use some of the features offered on the Website, you may be asked to provide certain Personal Information (for example, your name and email address).
- 9.4 We receive and store any information you knowingly provide to us when you fill any forms on the Website. When required, this information may include but is not limited to the following:-- Contact information (such as email address, phone number, etc) Basic personal information (such as name, country of residence, etc). You can choose not to provide us with your Personal Information, but then you may not be able to take advantage of some of the features on the Website. Users who are uncertain about what information is mandatory are welcome to contact us.
- 9.5 We do not knowingly collect any Personal Information from children under the age of 13. If you are under the age of 13, please do not submit any Personal Information through the Website and Services. If you have reason to believe that a child under the age of 13 has provided Personal Information to us through the Website and Services, please contact us to request that we del child's Personal Information from our Services. etc that We encourage parents and legal guardians to monitor their children's Internet usage and to help enforce this Policy by instructing their children never to provide Personal Information through the Website and Services without their permission. We also ask that all parents and legal guardians overseeing the care of

children take the necessary precautions to ensure that their children are instructed to never give out Personal Information when online without their permission.

- 9.6 Use and processing of collected information We act as a data controller and a data processor when handling Personal Information, unless we have entered into a data processing agreement with you in which case you would be the data controller and we would be the data processor. Our role may also differ depending on the specific situation involving Personal Information. We act in the capacity of a data controller when we ask you to submit your Personal Information that is necessary to ensure your access and use of the Website and Services. In such instances, we are a data controller because we determine the purposes and means of the processing of Personal Information. We act in the capacity of a data processor in situations when you submit Personal Information through the Website and Services. We do not own, control, or make decisions about the submitted Personal Information, and such Personal Information is processed only in accordance with your instructions. In such instances, the User providing Personal Information acts as a data controller.
- 9.7 In order to make the Website and Services available to you, or to meet a legal obligation, we may need to collect and use certain Personal Information. If you do not provide the information that we request, we may not be able to provide you with the requested products or services. Any of the information we collect from you may be used for the following purposes:----- Create and manage user accounts Respond to inquiries and offer support Request user feedback Improve user experience Respond to legal requests and prevent harm Run and operate the Website and Services
- 9.8 Processing your Personal Information depends on how you interact with the Website and Services, where you are located in the world and if one of the following applies: (i) you have given your consent for one or more specific purposes; (ii) provision of information is necessary for the performance of an agreement with you and/or for any precontractual obligations thereof; (iii ) processing is necessary for compliance with a legal obligation to which you are subject; (iv) processing is related to a task that is carried out in the public interest or in the exercise of official authority vested in us; (v) processing is necessary for the purposes of the legitimate interests pursued by us or by a third party. We may also combine or aggregate some of your Personal Information in order to better serve you and to improve and update our Website and Services. Note that under some legislations we may be allowed to process information until you object to such processing by opting out, without having to rely on consent or any other of the legal bases. In any case, we will be happy to clarify the specific legal basis that applies to the processing, and in particular whether the provision of Personal Information is a statutory or contractual requirement, or a requirement necessary to enter into a contract.
- 9.9 Disclosure of Information - Depending on the requested Services or as necessary to complete any transaction or provide any Service you have requested, we may share your information with our affiliates, contracted companies, and service providers (collectively, "Service Providers") we rely upon to assist in the operation of the Website and Services available to you and whose privacy policies are consistent with ours or who agree to abide by our policies with respect to Personal Information. We will not share any personally identifiable information with third parties and will not share any information with unaffiliated third parties. Service Providers are not authorized to use or disclose your information except as necessary to perform services on our behalf or comply with legal requirements. Service Providers are given the information they need only in order to perform their designated functions, and we do not authorize them to use or disclose any of the provided information for

their own marketing or other purposes. We may also disclose any Personal Information we collect, use or receive if required or permitted by law, such as to comply with a subpoena or similar legal process, and when we believe in good faith that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or respond to a government request

- 9.10 **Retention of information** We will retain and use your Personal Information for the period necessary to comply with our legal obligations, to enforce our agreements, resolve disputes, and unless a longer retention period is required or permitted by law. We may use any aggregated data derived from or incorporating your Personal Information after you update or delete it, but not in a manner that would identify you personally. Once the retention period expires, Personal Information shall be deleted. Therefore, the right to access, the right to erasure, the right to rectification, and the right to data portability cannot be enforced after the expiration of the retention period.
- 9.11 **Cookies** Our Website and Services use “cookies” to help personalize your online experience. A cookie is a text file that is placed on your hard disk by a web page server. Cookies cannot be used to run programs or deliver viruses to your computer. Cookies are uniquely assigned to you, and can only be read by a web server in the domain that issued the cookie to you. You may learn more about cookies and how they work in this guide. We may use cookies to collect, store, and track information for security and personalization, and for statistical purposes. Please note that you have the ability to accept or decline cookies. Most web browsers automatically accept cookies by default, but you can modify your browser settings to decline cookies if you prefer.
- 9.12 **Data analytics** Our Website and Services may use the other similar information third party analytics tools that use cookies, web beacons, or gathering technologies to collect standard internet activity and usage information. The information gathered is used to compile statistical reports on User activity such as how often Users visit our Website and Services, what pages they visit and for how long, etc. We use the information obtained from these analytics tools to monitor the performance and improve our Website and Services.
- 9.13 **Social media features** Our website and services may include social media features, such as Facebook and Instagram buttons, Share This buttons, etc (collectively, ‘social media features’). These social media features may collect your IP address, what page you are visiting on our website and services, and may set a cookie to enable social media features to function properly. Social media features are hosted by either their representative providers or directly on our website and services. Your interactions with these social media features are governed by the privacy policy of their respective providers.
- 9.14 **Analytics tools** Our website and services may use third party analytics tools that use cookies, web beacons or other similar information gathering technologies to collect standard internet activity and usage information. The information gathered is used to compile statistical reports on use activity such as how often users visit our website and service, what pages they visit and for how long, etc. We use the information obtained from these analytics tools to monitor the performance and improve our website and services.

## **10. Notification of Changes**

- 10.1 If we decide to change our Privacy Policy, we will send you a copy of our revised policy or post a copy on our website.

## **11. Acceptance of this policy**

You acknowledge that you have read this policy and agree to all its terms and conditions. By accessing and using our services and website and submitting your information you agree to be bound by this policy. If you do not agree to abide by the terms of this Policy then you are not authorised to access or use our services or our website.

## **12. Complaints / Contact us**

If a breach of this Privacy Policy occurs, a complaint may be made to us by sending it to:

Attention: Nadia Talarico  
nadia@legionlegal.com.au  
PO Box 200, Sans Souci NSW 2219  
or by calling 0400 014 110.

We will endeavour to respond to any complaint within 30 days. If you are not satisfied with our response to your complaint you may seek a review by contacting the Office of the Australian Information Commissioner using the information available at <http://www.oaic.gov.au/privacy/privacy-complaints>.

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