

## **PRIVACY POLICY**

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### **1. COMMITMENT**

- 1.1. We recognise that it is important for us to protect and keep confidential and secure any personal information that you provide to us. Personal information is information that allows others to identify you.
- 1.2. We abide by the Privacy Act 1988 (Cth) and the Australian Privacy Principles (APPs), which govern how we collect, hold, use and disclose personal information and which require us to have a clearly expressed and up-to-date privacy policy about our management of personal information.
- 1.3. Information received about a party to a litigation is subject to strict duties of confidentiality. We will not disclose any such information except in accordance with our legal obligations, as authorised by the party or as contemplated by this Privacy Policy.

### **2. OUTLINE**

- 2.1. This Privacy Policy sets out:
  - 2.1.1. The type of personal information we collect and hold;
  - 2.1.2. How we collect personal information;
  - 2.1.3. How we hold personal information;
  - 2.1.4. Why we collect personal information;
  - 2.1.5. How we use and disclose personal information;
  - 2.1.6. How you can access the personal information we hold;
  - 2.1.7. How you can correct the personal information we hold;
  - 2.1.8. How you can complain about the way in which we have collected, held, used or disclosed personal information.

### **3. THE TYPE OF PERSONAL INFORMATION WE COLLECT AND HOLD**

- 3.1. We collect and hold personal information that is necessary for us to conduct our business, provide our services and meet our legal obligations. Personal information may include:
  - 3.1.1. Your name, current address, occupation and contact information including telephone numbers, email addresses and social media contact information;
  - 3.1.2. Sensitive information relevant to litigation funded by us, such as information about racial or ethnic origin, political opinions, membership of a political association or health information;
  - 3.1.3. Information about Court proceedings that we are funding;
  - 3.1.4. Billing, credit card information and other credit information including default information; and

- 3.1.5. If you apply for a position with us we will collect your qualifications, employment history, and bank account and superannuation account details and a tax file number if you obtain employment with us.

#### **4. HOW WE COLLECT PERSONAL INFORMATION**

- 4.1. Where practicable we will collect personal information directly from you, either in person, in documents, by email or via our website in the course of carrying on our business. We may also collect personal information from third parties, such as business associates, business counterparties or from publicly available sources such as the internet and social media. We will notify you of the main reasons for collecting personal information about you at the time of collection.
- 4.2. **Collection from our website:** When using our website you may disclose personal information to us. Our server may automatically record details such as your internet address, domain name, if applicable, and the date and time of your visit to our website. This information is used for internal purposes only, including statistical purposes.
- 4.3. We will not try to identify users or their browsing activities except as necessary to investigate or report any suspected unlawful activity, as required or authorised by law or as reasonably necessary for the activity of an enforcement body.
- 4.4. Our website uses cookies, which may collect personal information. Cookies are pieces of data stored on your browser that record information on your use of our website, such as details of your server and your browsing activity, and send the information to the server. We use these cookies to monitor usage of our website only. You may be able to change the settings of your browser so that cookies are not accepted generally or that you are provided with options to accept or reject them as they are sent to your browser.

#### **5. HOW WE HOLD PERSONAL INFORMATION**

- 5.1. We hold personal information either as electronic or paper files. We have in place security systems to protect information from unauthorised access.
- 5.2. Where personal information is no longer required for any of our functions or activities we take reasonable steps to ensure that the information is securely destroyed or de-identified.

#### **6. WHY WE COLLECT PERSONAL INFORMATION**

- 6.1. We collect your personal information to:
  - 6.1.1. Provide and offer litigation funding to you;
  - 6.1.2. Manage and account for our services to you;
  - 6.1.3. Manage our relationships with you and our other clients;
  - 6.1.4. Provide you with information regarding legal developments, products or services that may be of interest to you and to improve our services;
  - 6.1.5. Facilitate our internal business operations, including fulfilling our legal requirements and professional obligations; and
  - 6.1.6. Enable you to seek employment with us.

- 6.2. If the personal information that we request is not provided or is incomplete or inaccurate, this may affect or reduce our ability to meet our obligations to you (which may mean that we are not able to provide the relevant service) or to process any application.

## **7. HOW WE USE AND DISCLOSE PERSONAL INFORMATION INCLUDING TO OVERSEAS RECIPIENTS**

- 7.1. We may disclose your personal information:
- 7.1.1. To Courts;
  - 7.1.2. To any person where necessary or desirable in connection with our litigation funding services, such as your lawyers, other litigants we fund in a representative action, regulatory authorities, or other parties or advisers subject to our professional obligations;
  - 7.1.3. To any person, body or agency where we are required or allowed by law;
  - 7.1.4. To our external service providers and advisers on a confidential basis in connection with the operation of our business (for example, data storage and archive service providers, IT service providers and banks);
  - 7.1.5. To recruitment agencies for suitability assessment if you are seeking employment with us;
  - 7.1.6. External dispute resolution providers; and
  - 7.1.7. Otherwise as permitted under the APPs or with your express or implied consent.
- 7.2. We may disclose your personal information to overseas recipients in (but not limited to) the United Kingdom, the United States of America, Singapore, the Isle of Man and Malta.
- 7.3. We have an obligation to take reasonable steps, in the circumstances, before disclosing personal information to an overseas recipient to ensure that the overseas recipient does not breach privacy laws in relation to that information.

## **8. ACCURACY, COMPLETENESS AND SECURITY OF PERSONAL INFORMATION**

- 8.1. We will take reasonable steps to ensure that the personal information we hold is:
- 8.1.1. Accurate, up to date, complete, relevant and not misleading;
  - 8.1.2. Protected from misuse, interference, loss, unauthorised access, modification or disclosure.
- 8.2. Please let us know if your details change.

## **9. ACCESSING AND CORRECTING YOUR PERSONAL INFORMATION**

- 9.1. If you wish to access your personal information that we hold, or have any questions about privacy issues please contact us. We will comply with any request to access your personal information except where the *Privacy Act 1988*

(Cth) or the APPs allow us to refuse to do so. We may require information for us to verify your identity and to specify what information you seek.

- 9.2. There is no fee for requesting to access your personal information. We may charge a fee for granting access to your personal information in a mutually agreed format.
- 9.3. You have the right to ask us to correct information about you that is inaccurate, incomplete, out-of-date, irrelevant or misleading. If we refuse to correct your personal information as requested, we will:
  - 9.3.1. Notify you in writing of the reasons (unless it would be unreasonable to do so) and how to complain about the refusal; and
  - 9.3.2. Upon your request that we issue a statement that the information is inaccurate, incomplete, out-of-date, irrelevant or misleading, take such steps as are as reasonable, in the circumstances, so that it will be apparent to users of the information.

## **10. LINKS TO OTHER WEBSITES**

- 10.1. The LCM website may contain a link to third party websites. We are not responsible for the content or material contained in, or obtained through, any third party website or for the privacy practices of the third party website. We suggest that you review the privacy policy of each website that you visit.

## **11. QUESTIONS AND COMPLAINTS**

- 11.1. Questions and complaints can be directed to:

Telephone: (02) 8211 0511 (Patrick Moloney)

Email: [pmoloney@lcmfinance.com](mailto:pmoloney@lcmfinance.com)

Post: Level 25, Aurora Place, 88 Philip Street, Sydney NSW 2000

- 11.2. We will consider and respond to a complaint within 21 days and endeavour to resolve it to your satisfaction. If you are not satisfied with how we handle your enquiry or complaint, you can contact the Office of the Australian Information Commissioner on 1300 363 992 or [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au).

## **12. POLICY REVIEW**

- 12.1. We may review and vary this Privacy Policy from time to time. The current version of this Policy is available online at [www.lcmfinance.com](http://www.lcmfinance.com) or by contacting us. We encourage you to review our website regularly to ensure that you are aware of our current Privacy Policy.