

MGA Insurance Brokers Pty Ltd

Privacy Policy



At MGA Insurance Brokers Pty Ltd, ABN 29 008 096 277, we are committed to protecting your privacy in accordance with the Privacy Act 1988 (Cth) (**Privacy Act**) and the Australian Privacy Principles (**APPs**).

This Privacy Policy applies to personal information collected by us and explains how we collect, use, disclose and handle it as well as your rights to access and correct your personal information and make a complaint for any breach of the APPs.

What is Personal Information?

The Privacy Act defines personal information to mean:

“Information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not and whether recorded in a material form or not.”

What is Sensitive Information?

“Sensitive information” is a subset of personal information and means:

“Information or opinion about an individual’s racial or ethnic origin, political opinions, membership of a political organisation, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, criminal record, health information about an individual, genetic information, biometric information or templates.”

What kinds of personal information do we collect and hold?

The kinds of personal information we collect, and hold vary depending on the services we are providing, but generally can include:

- Your contact information such as full name (first and last), e-mail address, current postal address, delivery address (if different to postal address) and phone numbers;
- Details relating to your employment (if applicable) or your previous employment;
- Your date of birth
- Insurance history;
- other information specific to our products or services such as your opinions, statements and endorsements collected personally or via surveys and questionnaires, including but not limited to your views on the products and services offered by MGA Insurance Brokers Pty Ltd; and
- If you are requesting products or services from us, we may collect any relevant payment or billing information, (including but not limited to bank account details, direct debit, credit card details, billing address, premium funding and instalment information.

The type of sensitive information we may collect generally includes:

- criminal record;
- health information; and
- membership of a professional or trade association.

How do we collect and hold personal information?

We only collect personal information by lawful and fair means and where it is reasonably necessary for, or directly related to, one or more of our functions or activities we provide to you.

Unless it is unreasonable or impracticable for us to do so, or as provided otherwise under this Privacy Policy, we will collect your information directly from you or your agents.

If we collect details about you from someone else, we will, take reasonable steps to make you aware of the collection in accordance with the APPs.

We may obtain personal information indirectly, for example, from another insured or your broker if they arrange a policy which also covers you, related bodies corporate, referrals, your previous insurers or insurance intermediaries, witnesses in relation to claims, health care workers, publicly available sources, and persons who we enter into business alliances.

We attempt to limit the collection and use of sensitive information from you unless we are required to do so in order to carry out the services provided to you. However, we do not collect sensitive information without your consent.

We hold the personal information we collect within our own data storage devices or with a third-party provider of data storage. We discuss the security of your personal information below.

The purposes for which we collect, hold, use and disclose your personal information

We collect, hold, use and disclose your personal information where it is reasonably necessary for, or directly related to, one or more of our functions or activities. These will usually include our insurance underwriting services, insurance intermediary services, claims management services and risk management and other consulting services and to meet any obligations we have at law e.g., identity checks required by the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* and other legislation.

For example, we usually need to collect, hold, use and disclose personal information where:

- we are providing personal advice, so we can provide this advice to you;
- we arrange insurance, so insurer(s) can decide whether to offer insurance or not;
- you require premium funding, so the funder can decide whether to provide the funding or not;
- a claim is made, so the insurer can make a decision on the claim;

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 will only use your personal information for the primary purposes for which it was collected or as consented to.

We disclose personal information to third parties who assist us or are involved in the provision of our services and your personal information is disclosed to them only in connection with the services we provide to you or with your consent.

The third parties who might receive your personal information can include our related companies, our agents or contractors, insurers, their agents and others they rely on to provide their services and products (e.g., reinsurers), premium funders, other insurance intermediaries, insurance reference bureaus, loss adjusters or assessors, medical service providers, credit agencies, lawyers and accountants, prospective purchasers of our business and our alliance and other business partners.

These parties are prohibited from using your personal information except for the specific purpose for which we supply it to them, and we take such steps as are reasonable to ensure that they are aware of the provisions of this Privacy Policy in relation to your personal information.

If we give third parties (including their agents, employees, and contractors) your personal information, we require them to only use it for the agreed purposes.

What if you do not provide some personal information to us?

If the required personal information is not provided, we or any involved third parties may not be able to provide appropriate services or products. If you do not provide the required personal information, we will explain what the impact will be.

What do we expect of you/third parties we deal with when providing personal information about another person?

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, how we collect, use, disclose and handle it in accordance with this Privacy Policy and our relevant Privacy Statements. If it is sensitive information, we rely on you to have obtained their consent to the above. If you have not done these things, you must tell us before you provide us with the relevant information.

If we give you personal information, you must only use it for the purposes we agreed to. Unless an exemption applies or we agree otherwise, you must meet the requirements of the Privacy Act, when collecting, using, disclosing and handling personal information on our behalf. You must also ensure that your agents, employees and contractors meet the above requirements.

How do we manage the security of your personal information?

We take reasonable steps to ensure that your personal information is safe. We retain personal information in hard copy records and electronically with us or our appointed data storage provider(s). You will appreciate, however, that we cannot guarantee the security of all transmissions of personal information, especially where the internet is involved.

We endeavor to take all reasonable steps to:

- protect any personal information that we hold from misuse, interference, and loss, and to protect it from unauthorised access, modification or disclosure both physically and through computer security measures;
- destroy or permanently de-identify personal information in accordance with the Privacy Act.

We maintain computer and network security; for example, we use firewalls (security measures for the internet) and other security systems such as user identifiers and passwords to control access to computer systems.

Data quality

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

Throughout our dealings with you we will take reasonable steps to confirm the details of your personal information we hold and ask you if there are any changes required.

The accuracy of personal information depends largely on the information you provide to us, so we rely on you to:

- let us know if there are any errors in your personal information you become aware of; and
- keep us up-to-date with changes to your personal information (such as your name or address).

Access to and correction of your personal information

You are entitled to have access to any personal information relating to you which we possess, except in some exceptional circumstances provided by in law. For example, we may refuse access where the:

- information may have an unreasonable impact on the privacy of others;
- request is frivolous or vexatious;
- information relates to existing or anticipated legal proceedings and would not be accessible by the process of discovery in those proceedings;
- information would reveal our intentions in relation to negotiations in such a way as to prejudice those negotiations.

Where providing access would reveal evaluative information generated by us in connection with a commercially sensitive decision-making process, we will provide an explanation for the decision rather than direct access to the information.

If we refuse access or to give access in the manner requested by you, we will let you know why in writing and provide you with details about how to make a complaint about the refusal.

If we make a correction to your personal information, we may retain a copy of the previous information for our records or as required by law.

If you wish to access your personal information please write to the Privacy Officer, MGA Insurance Brokers Pty Ltd, Locked Bag 4001, Kent Town DC SA 5071 or pat.warren@mga.com.

We do not charge for receiving a request for access to personal information or for complying with a correction request.

Do we transfer information overseas?

Any personal information provided to us may be transferred to, and stored at, a destination outside Australia, including but not limited to New Zealand, Singapore, Cambodia, United Kingdom, the Philippines, India, the European Union and the United States of America. These countries may change from time to time. Personal information may also be processed by staff or by other third parties operating outside Australia who work for us or for one of our suppliers, agents, partners or related companies.

When we send information overseas, we will ensure that the overseas recipient does not breach the Australian Privacy Principles in relation to the use of that information. If you do not agree to the transfer of your personal information outside Australia, please contact us.

Sale or restructure of business

In the future we may consider the sale or restructure of our business or the purchase of the business of other financial services companies. In such circumstances it may be necessary for your personal information to be disclosed to permit the parties to assess the sale or restructure proposal for example through a due diligence process. We will only disclose as much of your personal information as is necessary for the assessment of any sale or restructure proposal and subject to appropriate procedures to maintain the confidentiality and security of your personal information. In the event that a sale or restructure proceeds, we will advise you accordingly.

Our Website

You are able to visit our website without providing any personal information. We will only collect personal information through our websites with your prior knowledge for example where you submit an enquiry or application online. Email addresses are only collected if you send us a message and will not be automatically added to a mailing list.

Cookies

A cookie is a small string of information that a website transfers to your browser for identification purposes. The cookies we use may identify individual users.

- Cookies can either be "persistent" or "session" based. Persistent cookies are stored on your computer, contain an expiration date, and are mainly for the user's convenience.
- Session cookies are short-lived and are held on your browser's memory only for the duration of your session; they are used only during a browsing session and expire when you quit your browser.
- We may use both session and persistent cookies. This information may be used to personalise your current visit to our websites or assist with analytical information on site visits.
- Most internet browsers can be set to accept or reject cookies. If you do not want to accept cookies, you can adjust your internet browser to reject cookies or to notify you when they are being used. However, rejecting cookies may limit the functionality of our website.

Complaints

If you do have a complaint about privacy we ask that you contact our office first to help us to assist you promptly.

In order to resolve a complaint, we:

- will liaise with you to identify and define the nature and cause of the complaint;
- may request that you detail the nature of the complaint in writing;
- will keep you informed of the likely time within which we will respond to your complaint;
- will inform you of the reason for our decision in resolving such complaint; and
- keep a record of the complaint and any action taken in the Register of Complaints.

If you have a complaint, please either email us at idr@mga.com or write to us at MGA Insurance Brokers Pty Ltd, Locked Bag 4001, Kent Town DC SA 5071 and our Privacy Officer will then attempt to resolve the issue or complaint.

When we make our decision, we will also inform you of your right to take the matter to the Office of the Australian Information Commissioner (OAIC) if you are not satisfied. In addition, if you have not received a response from us of any kind to your complaint within 30 days, then you have the right to take the matter to the OAIC (contact details are provided below).

If you are not satisfied with our response, you also have a right to have your privacy complaint determined by the Australian Financial Complaints Authority (AFCA). AFCA provides fair and independent financial services complaint resolution that is free to consumers. AFCA will be able to consider complaints relating to a breach of obligations of the Privacy Act or Consumer Data Framework, providing the complaint falls within AFCA's jurisdiction. We are bound by AFCA's determinations once accepted by the complainant.

You can contact AFCA by:

Online: www.afca.org.au

Email: info@afca.org.au

Phone: 1800 931 678

Mail: Australian Financial Complaints Authority, GPO Box 3 Melbourne VIC 3001

If you would like further details of our Privacy Complaints Handling Procedure, please contact our Privacy Officer using the contact details listed above.

How to contact us and opt out rights

If you wish to gain access to your personal information, want us to correct or update it, have a complaint about a breach of your privacy, wish to withhold your consent (opt out) of providing consent to any of the uses of your information or have any other query relating to our Privacy Policy, contact our Privacy Officer during business hours on:

Privacy Officer
MGA Insurance Brokers Pty Ltd
Locked Bag 4001
KENT TOWN DC SA 5071

Telephone: (08) 8291 2300

Email: pat.warren@mga.com

You can also obtain information on privacy issues in Australia on the Office of the Australian Information Commissioner ("OAIC") website at www.oaic.gov.au or by contacting the OAIC by email at enquiries@oaic.gov.au or by calling on 1300 363 992.

Revision of our Privacy Policy

We reserve the right to revise this Privacy Policy or any part of it from time to time. Please review this policy periodically for changes. If we do so we will notify you by posting an updated version on our website (www.mga.com).