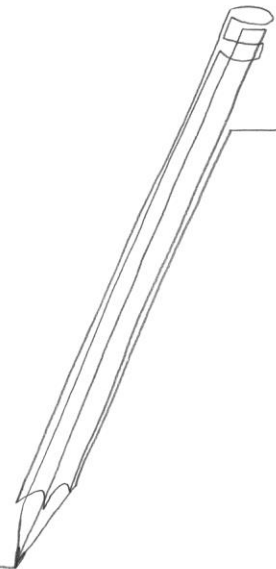


# Australia Privacy Policy

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## 1 About this document

### 1.1 Purpose

Australian Income Protection Pty Ltd and Beazley Underwriting Pty Ltd, the Australian offices of the Beazley group ("Beazley") obtain, store and use a variety of personal information relating to you. Accordingly Beazley is committed to dealing with personal information lawfully and in accordance with applicable regulations to keeping personal information safe.

Beazley provides underwriting and insurance services to the Australian market sector and assesses claims made against those insurance policies.

This policy is developed from the Privacy Act 1988 (Cth) ("the Act"), as amended, covering the Australian Privacy Principles ("APP" or "the Principles") and sets out the principles that must be applied, and provides guidance on the practical steps that must be taken, in relation to personal information obtained, stored and used by the Australian offices.

### 1.2 Audience

In accordance with the Australian Privacy Principles, this policy applies to you and governs the information handling practices employed by us with respect to personal information entrusted by you to us.

For the purpose of this policy, 'us', 'we' and 'our' mean all Beazley employees and staff (including but not limited to officers, directors, temporary staff, consultants, contract staff, secondees, interns and other workers) processing personal information on Beazley's behalf in the Australian offices (**Staff**). This also includes all contractors, vendors, service providers, agents and representatives (including but not limited to brokers, loss adjusters and legal advisers) and their employees and staff (including but not limited to officers, directors, temporary staff, consultants, contract staff, secondees, interns and other workers) processing personal information on Beazley's behalf in the Australian offices (**Contractors**).

### 1.3 Document location

This policy is located on [www.beazley.com](http://www.beazley.com) .

This policy may be revised from time to time to reflect changes in privacy laws, regulations and requirements and the technologies used to process personal information. All revised policies will also be located on the Beazley internet.

### 1.4 Related Documents

This document is related to the Group Privacy Policy which sets out the overarching privacy principles for the Beazley group of companies.

## 2 Personal Information

### 2.1 What is “personal information”

“Personal information” is defined in the Act as information or an opinion about an identified individual who is reasonably identified:

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

In short, personal information is information or an opinion that can identify you or from which your identity can be reasonably ascertained. Please note that this policy only applies to personal information and not to general or commercial information regarding a company or organisation.

### 2.2 What is “sensitive information”

If personal information concerns particular topics it is regarded as sensitive information. Sensitive information can be information or an opinion about your racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices, criminal record or health information.

Health information can be information or an opinion about:

- the health or a disability of an individual; or
- an individual’s expressed wishes about the future provision of health services to him or her; or
- a health service provided, or to be provided, to an individual;

that is also personal information.

We will only collect, use or disclose sensitive information about you as is allowed by law, where we have received your consent to do so or:

- the collection is reasonably necessary for the establishment, exercise or defence of a legal claim by or against us;
- the collection is reasonably necessary for the purpose of a confidential alternative dispute resolution process;
- it is unreasonable or impracticable to obtain the individual’s consent to the collection, use or disclosure.

## 3 Australian Privacy Principles

### 3.1 APP 1 – open and transparent management of personal information

*The object of this principle is to ensure that APP entities manage personal information in an open and transparent way.*

Beazley has various privacy statements and clauses designed to ensure that this is the case. These set out the purpose for which personal information may be processed, who may process the personal information for Beazley and to whom Beazley may disclose the personal information. These privacy statements or clauses will form part of your policy information.

Our privacy policy is available on [www.beazley.com](http://www.beazley.com) and is also available free of charge should you request a hard copy from us.

## **3.2 APP 2 - anonymity and pseudonymity**

*The object of this principle is to provide individuals with the option of not identifying themselves or of using a pseudonym.*

### **3.2.1 Do you have to be identified?**

Generally speaking, it is not possible for us to do business with you (i.e. assess your claim under your insurance policy or provide you with insurance) unless we have identified you.

Wherever it is lawful and practicable to do so, we may offer you the opportunity to deal with us anonymously. For example, when making an inquiry about current premium prices, the type of policies that we offer or the policy to which you may have subscribed indirectly.

## **3.3 APP3 – collection of solicited personal information**

*The object of this principle is to outline when personal and/or sensitive information can be collected about you.*

### **3.3.1 Why do we collect your personal information?**

When we underwrite or broker insurance policies with your broker, employer, superannuation fund, union or other organisation on your behalf, we do not normally collect any personal information about you. We only collect your personal information if you enter into an individual policy directly with us (e.g. by completing an application form) or if you lodge a claim against your insurance policy (e.g. by completing a claim form).

It is absolutely necessary for you to provide us with personal information in order for us to properly insure your interests and/or to assess a claim made by you against your insurance policy. If you do not provide us with this information, we will not be in a position to do business with you (e.g. to verify your claim and make a payment to you under your insurance policy).

### **3.3.2 How do we collect your personal information?**

Where possible, we collect your personal information directly from you. In most instances, collection will take place when you complete a claim form and lodge it with us. However, we may collect personal information about you from other sources. For example, in assessing a claim made by you under your insurance policy we may:

- approach your agents or representatives, for example your insurance broker, your legal advisers, your family member who applies for a policy that covers you or is instructed by you to deal with us;
- approach your employer regarding your employment conditions or membership of a superannuation fund;
- utilise an insurance investigation or reference service; or
- consult with a medical practitioner in relation to a sickness, injury, medical history, consultation, examination, prescription, treatment or medical record relevant to your claim.

We shall employ all reasonable endeavours in order to obtain your express consent prior to our collection, use or disclosure of your personal information.

### **3.3.3 What personal information do we collect about you?**

In the context of Beazley's business, information that is likely to be personal information that we collect about you may be:

- Information such as name, address, contact details, date of birth, medical and disability information, medicare numbers, tax file numbers, bank details, education, offences (and alleged offences), which may include sensitive information;
- Personal details about your families such as name, address, contact details, medical information and relationship to each other which may include sensitive information.
- Claims information relating to individual claimants or contacts of corporate claimants such as witness statements, Beazley's intention in respect of the claim, the claimant's loss/damage and Beazley's view of the claimant.

### **3.4 APP 4 – dealing with unsolicited personal information**

*The object of this principle is to outline how we should handle personal information we receive about you which we did not solicit.*

If we receive personal information about you which we did not solicit, we will, within a reasonable period after receiving the information identify whether or not we could have collected the information under APP3 if we had solicited the information.

In the event that we could not have solicited the information, we will endeavour to as soon as practicable, if it is lawful and reasonable to do so, destroy the information or ensure the information is de-identified.

In the event that we could solicit the personal information, this information will be treated in accordance with the APP as if we had directly solicited the information.

### **3.5 APP 5 – notification of the collection of personal information**

*The object of this principle is to outline the extent of notification required to be provided to you when we are collecting personal information.*

In your privacy statement or terms and conditions of your policy we will notify you of the collection of personal information about you.

### **3.6 APP 6 – use or disclosure of personal information**

*The object of this principle is to outline how we may use or disclose your personal information.*

#### **3.6.1 How do we use your personal information?**

We will only use your personal information for the purposes for which it was obtained. These are the purposes set out in your privacy statement or terms and conditions of your policy.



We will use your personal information in order to properly insure your interests, to decide whether or not your claim falls within the parameters of your insurance policy to which you have subscribed (whether under a direct individual policy or indirectly through your employer, union or superannuation fund), to assess a claim made by you under your insurance policy and to determine the amount of any claim payments to be made to you under your insurance policy.

### **3.6.2 Do we disclose your personal information to anyone else?**

We may need to disclose your personal information to third parties in certain circumstances and in most cases with your express consent. Only Beazley Staff and authorized third parties with a legitimate need to see or process personal information for the primary purpose for which it was collected will be allowed access to the personal information.

However, there may be certain situations where we are required or authorised by law to disclose your personal information without your consent. For example, we may be compelled to disclose personal information under subpoena to a Court or subject to the investigative powers of the Police or government authority.

In general, we will not disclose your personal information to a third party unless that person or organisation has an agreement with us or we have reviewed their privacy compliance measures and can be assured that your privacy will not be abused.

In particular, you should be aware that if you wish to have our decision regarding your claim reviewed, the review process involves referral to an internal disputes committee which may comprise representatives of your employer or a union of which you may be member. Upon commencing the review process, you will be informed which parties may be involved and we will endeavour to obtain your express consent prior to the disclosure of your personal information under these circumstances.

Other examples of parties outside Beazley to whom we may disclose your personal information may include insurance reference agencies, assessors, medical practitioners or investigative service providers who may assist us in assessing your claim.

### **3.7 APP 7 – direct marketing**

*The object of this principle is to outline when personal information may be used or disclosed by us in relation to direct marketing.*

We do not use your personal information for the purpose of direct marketing. We do not disclose your personal information to third parties for the purposes of allowing them to direct market their products or services to you.

### **3.8 APP 8 – cross-border disclosure of personal information**

*The object of this principle is to outline what steps we must take if we disclose your personal information outside Australia.*

#### **3.8.1 Does your personal information leave Australia?**

In some instances, your personal information might be disclosed to other companies within the Beazley group, business partners, reinsurers and service providers. The countries in which these recipients may be located will vary from time to time, but include the United Kingdom, United States of America and other countries where the Beazley group has a presence.

Where such transfers are necessary these are carried out in accordance with these Principles and we would take reasonable steps to ensure that the overseas recipient does not breach the Principles in relation to the information.

### **3.9 APP 9 – adoption, use or disclosure of government related identifiers**

*The object of this principle to outline when government related identifiers can be used to identify individuals.*

We will only use government related identifiers in relation to identifying you as an individual where it is reasonably necessary for us to correctly identify you.

### **3.10 APP 10 – quality of personal information**

*The object of this principle is to outline that we must take reasonable steps to ensure that personal information is accurate, up to date and complete.*

#### **3.10.1 Is the personal information that we hold about you accurate?**

In order to properly do business with you (e.g. to assess your claim under a Beazley Australian Policy), it is very important that the personal information we collect from you is complete, up-to-date and accurate. We therefore ask that you take care in completing your claim form to ensure that the particulars you have provided to us are truthful and comprehensive.

Whilst assessing your claim, we may ask you to tell us of any changes to your personal information. In any event, you should feel free to contact us at any time if you believe that any personal information we have collected about you is somehow inaccurate or incomplete.

### **3.11 APP 11 – security of personal information**

The object of this principle is to outline how we are required to ensure the security of your personal information.

#### **3.11.1 Is your personal information secure?**

The protection of your personal information is very important to Beazley. As a result, we take reasonable precautions to safeguard your personal information from loss, misuse, unauthorised access, modification or disclosure. We employ a number of means to protect your personal information including:

- Physical restrictions on access to premises and information, such as use of access codes and cards.
- Procedures and processes on the use of personal information. For instance:
  - All outgoing emails to third parties (e.g. anyone involved in the administration of your insurance policy) and attachments which contain significant personal information such as lists, spreadsheets or bordereaux will be protected in a way that does not allow for unauthorised access.
  - Electronic files and emails are protected such that only authorised persons have access to this information.
  - All hard copy documents and media are stored in secure locked cabinets.
- Technological measures restricting access to information. For instance, log in credentials and passwords are only issued to relevant Staff and Contractors.

- We enter into confidentiality agreements with employees, contractors and third party organisations.
- Processes for approving and appointing Contractors and third parties.

Whilst the Internet has brought many improvements to the way we are able to do business with you, we also understand that you may have concerns about the personal information collected about you online or the security of your personal information that may be exchanged between us online.

Our web sites rely on "cookies" to record limited information, including the Internet Protocol address of the computer you use to access our web site and the pages you request within our web site. A cookie is a piece of data that a web site can send to your browser, which may then be stored on your computer. Cookies generally allow the web site to interact more efficiently with your computer. You may be able to set your browser to notify you before you receive a cookie so that you can decide whether to accept it or to turn off cookies altogether, but sometimes not accepting a cookie may affect your use of a web site. We do not use cookies to track your browsing habits.

Whilst we acknowledge that emails are a convenient and efficient forum for the transfer of information, we do not consider email to be a secure form of communication. Therefore, we discourage you from sending your personal information to us via email.

### **3.11.2 Do we retain your personal information?**

Beazley may be required by law to retain your personal information for a period of time after you have ceased your relationship with us - up to seven (7) years subsequent to the resolution of your claim. Beazley will continue to retain your information until such time as you either request for it to be deleted or de-personalised, or Beazley deems it no longer relevant to hold.

### **3.12 APP 12 – access to personal information**

The object of this principle is to outline how you can access the personal information we hold about you.

#### **3.12.1 Can you access the personal information we hold about you?**

You may request access to any of the personal information we hold about you. In most cases, a summary of personal information such as your name and address details, contact telephone numbers and policy cover are freely available to you by calling the Claims Officer handling your file or our Privacy Officer. For more detailed requests (e.g. access to personal information held in off-site archives), a fee may be charged to cover the cost of retrieval and the supply of this information to you.

All requests for access to personal information will be handled as quickly as possible and we shall endeavour to respond to any request for access within thirty (30) days of having received the request.

In certain circumstances, we may decline to release information to you but we will not do so unreasonably. In these circumstances, we will provide you with reasons and you will have the right to request us to review our decision through our complaints handling procedures. We will provide our reasons in writing to you.

The following are examples of when we may decline to release information:

- Where the provision of access could pose a serious threat to the life, health or safety of any individual, or to public health or public safety; or
- Giving access would have an unreasonable impact on the privacy of other individuals;
- The request for access is frivolous or vexatious
- Where information is subject to privacy laws;
- Where information is protected from disclosure by law; or
- Where the information relates to existing or anticipated legal proceedings and would be accessible by the process of discovery in those proceedings;
- Where the information would reveal evaluative information generated in connection with a commercially sensitive decision making process.

### **3.13 APP 13 – correction of personal information**

*The object of this principle is to outline our duty to ensure your information is correct.*

We will endeavour to ensure that all personal information we hold about you is accurate, up to date, complete and relevant.

In the event that you are aware that personal information we hold about you is inaccurate or incomplete, you can request that we correct the personal information, notify any third parties to whom we have disclosed the information of the correction and associate a statement to the personal information if we refuse to make the correction.

We will respond to any request you make within a reasonable period of time after the request is made and will not charge you for the correction of any personal information or for associating a statement with your personal information.

## **4 Requests/Complaints**

### **4.1 Who do I contact to make a complaint/request information?**

If you have a question about this Privacy Policy, if you wish to lodge a request to access your personal information or if you believe that Beazley has not protected your personal information as set out in this privacy policy and wish to make a complaint about how we handled your personal information, please contact our Privacy Officer at the details below:

Phone (02) 8252 7900

Fax: (02) 9252 6643

Mail: Beazley  
Attention: Privacy Officer  
PO Box R1196 Royal Exchange NSW 1225

### **4.2 How will we handle your complaint?**

We will endeavour to resolve all privacy complaints in the first instance where possible. In the event we cannot resolve your privacy complaint in the first instance, your complaint will be referred to our Privacy Officer.

Our Privacy Officer will investigate and provide a response to your complaint. If you are unhappy with our response to your complaint, we encourage you to raise your concerns

with us at which point we will escalate this internally through our internal complaints review process.

In the event you are not satisfied with our further response to your complaint concerning your privacy, you can refer your complaint to the Office of the Australian Information Commissioner at the details below:

Phone: 1300 363 992

Email : [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

Mail: Director of Complaints  
Office of the Australian Information Commissioner  
GPO Box 5218  
SYDNEY NSW 1042

#### Office of the Australian Information Commissioner

The Australian Information Commissioner was set up to deal with Privacy related complaints that could not be resolved between complainants and the relevant company (Beazley).

#### Timeframe for dealing with Privacy complaints

The Australian Information Commissioner requires complainants to allow us 30 days to respond to their complaint before raising the matter with them.

Where the complaint has been referred to the Australian Information Commissioner we have 28 days to respond to the Commissioner.