## **Guide to Privacy and Access Deed**

We believe in the importance of protecting and respecting the personal information of our clients.

We also believe in being transparent and up-front about privacy obligations relating to our business and services.

For these reasons, we have prepared this Guide in order to ensure that you are fully aware of and understand your privacy obligations in relation to our services moving forward and to explain the effect of the attached Privacy and Access Deed.

**Why is Privacy Compliance Important?**

It's the law. The *Privacy Act 1988* (Cth) (**Privacy Act**) requires all eligible organisations to comply with Privacy Laws and ensure that they take all necessary steps to protect and secure any personal information which they may collect throughout the course of their business operations.

The Office of the Australian Information Commissioner, the regulatory body enforcing the Privacy Act, has recently increased compliance requirements and now has more power to impose greater fines upon non-complying organisations.

Specifically, on 22 February 2018, the Notifiable Data Breach Scheme came into force under the Privacy Act. The Scheme requires organisations to take certain steps in the event of an eligible data breach. Failure to do so may be taken to be an interference with the privacy of the relevant individual, and may attract fines of up to $1.8 million for organisations involved.

In an effort to ensure you and we remain compliant with the Privacy Laws, we have prepared a Privacy and Access Deed to supplement our normal Terms and Conditions.

**What is a Privacy and Access Deed?**

Our Privacy and Access Deed clarifies your obligations in relation to our arrangements. In particular, it ensures that you are aware of our respective obligations in the event that we may collect or have access to any of your customers' personal information.

We have also set out our policies in relation to the collection of any personal information and file sharing options. Specifically, we have confirmed our policy that we do not encourage file sharing and do not accept any responsibility for privacy breaches that may arise as a result of file sharing.

**Additional Information**

Our Privacy and Access Deed requires you to acknowledge that you have provided your customers with a Privacy Policy and Collection Statement.

A Collection Statement is a notification to customers that you may be collecting their personal information in the operation of your business. Collection Statements should typically include information such as why you are collecting the personal information and how you intend to use the personal information (amongst other things).

For your assistance, we have prepared the below example Collection Statement that you may provide to your customers before collecting their personal information.

We confirm we are not providing legal advice in any way whatsoever and accept no responsibility for the legality of the following example. This is an example only and will need to be amended for your own use. We recommend that you obtain your own legal advice in relation to your privacy obligations.

*Example Collection Statement:*

*[Insert company details, including ACN] (we/our) will collect and use your personal information in the provision and promotion of our services. Your personal information may be collected by third parties operating overseas, including but not limited to, Australian Support Services (ABN 29 167 554 967) (****Beepo****), an administrative support company with operations in the Philippines. Your personal information will be used in accordance with our Privacy Policy and may be disclosed to third parties, including Beepo.*

*Our Privacy Policy further explains how we collect use, hold, disclose and transfer personal information. It also explains how you may request access to or correction of your personal information, and how you may submit a complaint about how we handle your personal information. If you wish to contact us regarding how we collect your personal information, please contact our Privacy Officer using the details provided in our Privacy Policy [note: you must include a telephone number and email address of a person in your organisation that will manage privacy related enquiries].*