

## **IMF AUSTRALIA LTD - PRIVACY POLICY & DISCLOSURE STATEMENT**

### **Application**

IMF Australia Ltd (“IMF”) has a commitment to respecting your privacy and believes that privacy is an important individual right. This Privacy Policy & Disclosure Statement (“Disclosure Statement”) explains the privacy policy of IMF and its subsidiary company Insolvency Litigation Fund Pty Ltd (“ILF”), collectively referred to as IMF.

IMF is subject to the National Privacy Principles contained in the *Privacy Act 1988* (Cth). This Disclosure Statement explains in general terms how IMF protects the privacy of your personal information under the National Privacy Principles.

The principles set out in this Disclosure Statement will apply generally to any personal information IMF collects, stores and/or uses.

### **Who is IMF**

IMF is an Australian publicly listed litigation funding company, which has an investigation and debt recovery function.

IMF has offices in Australia located in Sydney, Melbourne and Perth. Each state office has agreed to adhere to the provisions of the Privacy Policy & Disclosure Statement of IMF.

### **Collection of Personal Information**

Personal information is generally defined as information or an opinion that can identify a person.

IMF will generally collect your personal information directly from you. For example, we may collect personal information about you when you deal with us over the telephone, send us correspondence (whether by letter, fax or e-mail), request litigation funding via our website or when you contact us in person.

Generally, the type of personal information we collect about you may include your name, mailing address, telephone number, email address as well as information relating to your case or matter. IMF rarely needs to collect sensitive information about you (such as information about your health, religion, or membership of a professional or trade association) and will not do so without your consent.

There may be occasions when we need to source personal information about you from a third party or source. For example, we may collect personal information about you from a publicly maintained record or from the public domain generally (for example via the media).

## **Our disclosure statement**

IMF only collects personal information if it is necessary:

- to conduct our business;
- to provide our services and products to you;
- to market our services and products;
- to communicate with you;
- to purchase from you;
- to comply with our legal obligations; and/or
- to help us manage and improve our services.

If you do not provide the information requested, we may not be able either to provide you with appropriate professional services or to fulfil another applicable purpose of collection.

When IMF collects personal information about you from a third party source or from a publicly maintained record or the public domain, we will take reasonable steps to contact you and ensure that you are aware of the purposes for which we are collecting your personal information.

If you are our client or are employed by a client of IMF, we may disclose your personal information to:

- other companies or individuals who assist us in providing services or who perform functions on our behalf;
- solicitors, barristers or any other experts engaged to provide you with services which are funded by IMF; and
- anyone else to whom you authorise us to disclose it.

## **How we use or disclose your personal information**

We will use and/or disclose your personal information for the primary purpose for which it was collected or, in a nutshell, for any related purpose for which you would reasonably expect that information to be used.

We do not disclose any personal information we collect to third parties for the purpose of allowing them to direct market their products and services. We do not sell or trade personal information.

If we engage third party contractors to perform services for us, which involves the contractor handling personal information we hold, we prohibit the third party contractor from using personal information about you except for the specific purpose for which we supply it.

In all other cases, we will only disclose personal information to a third party if the disclosure is permitted by law (including under the National Privacy Principles).

## **Other people's information which you provide to us**

If you provide personal information to us about someone else (such as one of your directors or employees or someone with whom you have dealings) you must ensure that you are entitled to disclose that information to us and that, without us taking any further steps required by privacy laws, we may collect, use and disclose such information for the purposes described above. For example, you should take reasonable steps to ensure the individual concerned is aware of the various matters detailed in this Disclosure Statement as those matters relate to that individual, including our identity, how to contact us, our purposes of collection, our information disclosure practices, the individual's right to obtain access to the information and the consequences for the individual if the information is not provided.

## **Gaining access to information we hold about you**

We will, on request, provide you with access to the personal information we hold about you.

If we refuse to provide you with access to the information, we will provide you with reasons for the refusal and inform you of any exceptions relied upon under the *Privacy Act*, for example that your request is unreasonable or otherwise unlawful.

Your request to obtain access will be dealt with in a reasonable time. IMF may recover from you its reasonable cost of providing you with access.

## **Keeping your personal information up-to-date**

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

If you find that the personal information we hold about you is inaccurate, incomplete or out-of-date, please contact us immediately and we will take reasonable steps to correct this information or, if necessary, we will discuss alternative action with you.

## **Security of your personal information**

We protect the personal information that we hold from misuse and loss. We also protect it from unauthorised access, modification and disclosure.

Your personal information may be stored in hard copy documents and/or as electronic data in IMF's software or systems. We maintain physical security over our premises and also maintain computer and network security.

## **How to contact us**

If you wish to gain access to your personal information, change details about your personal information, make a complaint about a breach of your privacy or have any query on how your personal information is collected or used, please contact our Privacy Officer:

Telephone: (08) 9225 2300  
Address: Level 4, Chancery House, 37 St Georges Terrace, WA, 6000  
Fax: (08) 9225 2399  
Email: [prainford@imf.com.au](mailto:prainford@imf.com.au)

We will respond to your query or complaint as soon as possible.

### **Effect of Policy**

This policy does not form a contract between an individual and IMF. The Policy may also be subject to change. Whenever you need to refer to this policy you should contact us, or check our website at [www.imf.com.au](http://www.imf.com.au), for the most up to date version.