



## 1. Introduction

North Harbour Law Limited takes your privacy seriously. We are committed to protecting your privacy and handling your personal information responsibly, in accordance with the Privacy Act 2020.

This privacy policy explains how North Harbour Law Limited collects, uses, stores, and discloses your personal information. It applies to information collected in the course of providing legal services, but also information collected through our website and social media channels such as Facebook, as well as through our client onboarding process.

## 2. What Personal Information We Collect

### **If you are browsing our website, or social media**

Through this website we receive information you directly give us via our contact form submission and information that your computer automatically gives us. We may collect information about the users of our website or social media channels to help us better administer these platforms and to gain a better understanding of how the users use them. Our website uses Google reCAPTCHA and Akismet's automated spam detection service or similar on our contact form to help protect our website from spam and automated abuse. It also uses embedded Google Maps to help visitors locate our office. These tools may collect information such as your IP address, browser information, browsing behaviour, and via Akismet when you use our contact form, your name, email address and message content. All of these tools may use cookies or similar technologies and the information is processed in accordance with Google and the relevant provider's privacy policies. If you prefer not to accept cookies, most browsers allow you to manage or disable cookies through your browser settings.

On social media platforms we may collect information to improve our services and for the purposes of determining what information clients or potential clients are interested to learn about. Third parties, including Facebook, may use cookies, web beacons and other storage technologies to collect or receive information from our website and elsewhere on the internet and use those third parties may use that information to provide measurement services and target ad suggestions to us. We do not typically place ads on social media despite such suggestions from social media channels, and you also have the right to opt out of the collection and use of information for ad targeting and can access a mechanism for exercising this right by visiting, for example: <http://www.aboutads.info/choices> or <http://www.youronlinechoices.eu/>.

### **If you engage with us**

When you contact us, instruct us, or engage our legal services, we may collect personal information from you including (but not limited to):

- your name, date of birth, and gender
- contact information (address, email, phone number)
- identity documents (such as a passport or driver's licence)
- financial details and account information, IRD number
- employment information
- information relevant to the legal services we are providing to you

You may provide this information directly to us, or we may collect it from third parties where you have authorised us (directly or indirectly) to do so, or where the information is publicly available. Providing

certain personal information may be optional. However, if you choose not to provide certain information, we may be unable to provide some or all of our legal services to you.

### **3. How We Use Your Personal Information**

We use your personal information for the following purposes:

- to verify your identity
- to provide legal services to you
- to meet the New Zealand Law Society's requirements for providing legal services
- to comply with the Anti-Money Laundering and Countering Financing of Terrorism Act 2009 (**AML/CFT Act**) and the Foreign Account Tax Compliance Act (**FATCA**) and Common Reporting Standard (**CRS**) frameworks
- to invoice you and collect fees owing to us
- to authorise and process transactions
- to communicate with you, including about our services
- to protect and enforce NHL's legal rights and interests
- for our business administration purposes
- to protect the security and integrity of our website and prevent spam, fraud and other malicious activity
- for any other purpose authorised by you or the Privacy Act 2020

### **4. How We Share Your Personal Information**

We will not share your personal information with third parties except where:

- we have engaged a third party on your behalf to assist in providing legal services to you
- you have authorised us whether directly or indirectly to disclose it to another person or agency
- we are required to do so by a legal or professional obligation
- we are required to comply with a legal or regulatory requirement or request, including under the AML/CFT Act or FATCA/CRS frameworks
- you have chosen to interact with our website contact form submission in which case trusted technology providers have access to host, maintain and provide support

In providing personal information to us, you confirm that you are authorised to provide that information and consent to it being checked with the document issuer or official record holder via third-party systems for the purpose of confirming your identity. You also authorise us to disclose personal information, in the normal course of performing our legal services, to third parties including technology providers for the purpose of providing those services and any other reasonably necessary purposes and as also set out in our Terms of Engagement.

### **5. Identity Verification and Anti-Money Laundering**

As a reporting entity under the AML/CFT Act, we are required to verify the identity of our clients and conduct customer due diligence.

One method we may use for identity verification checks is via a third-party electronic identity verification platform, APLYiD. In undertaking its checks, APLYiD will check the information you provide against government databases (such as NZTA and DIA) and independent data sources and will produce a report for our review. Alongside manual verification checks and politically exposed person checks,

APLYiD has a function which enables the use of biometric technology (including facial recognition and liveness detection) along with optical character recognition and trusted data source checks to confirm your identity and the legitimacy of your identification documents. Biometric verification is an option offered for your convenience only, and is not our only or default option for identity verification. You will be informed and asked for your consent before any biometric data is collected, and we will always have alternative verification methods available if you do not wish to use the biometric verification option.

Any personal information collected as part of the customer due diligence process will be used exclusively for the purpose of ensuring we meet our obligations under the AML/CFT Act and will be held in accordance with the privacy provisions in our standard terms of engagement contained in our Terms of Engagement. You can also access APLYiD's privacy policy at: <https://aplyid.com/nz>

## **6. Artificial Intelligence**

We may use artificial intelligence (**AI**) tools to support our internal research, document review, drafting and data analysis for productivity, and to provide our clients with the best possible service. When we use AI we carry out risk assessments to assess whether the tool is secure, your information is kept confidential and the use of the AI is appropriate for our services.

Any AI-assisted outputs are always reviewed by a qualified solicitor or staff member before being relied upon or provided to clients. We are committed to the responsible use of AI in line with the principles of transparency, accountability, and data protection.

## **7. Protecting and Storing Your Personal Information**

We take reasonable steps to keep your personal information safe from unauthorised access, use, modification, or disclosure, and to comply with the Privacy Act 2020. We apply appropriate technical and organisational safeguards to protect personal information.

While we take reasonable steps to maintain a secure website and social media channels, the provision of any personal information over the internet is at your own risk. We do not accept any liability for any damage or loss caused in connection with our communications with you or a third party being interfered with or intercepted. It is essential that you stay alert and if something does not look or sound right you should telephone us to check. We always recommend that our trust account number is checked verbally by telephone or in person at our office if you have received it electronically.

We store your personal information at our offices and on our in-house office databases. We also store or process personal information using third-party technology or cloud service providers, which are located both in and outside of New Zealand. Our third-party technology providers may share your personal information with their affiliates, any other entity that they merge with or sell their business or assets to, and other third parties (such as government agencies) if legally required to do so. We do not accept responsibility and will not be liable for damage or loss caused by third parties provided we used reasonable diligence in selecting our service providers in accordance with usual practice.

## **8. How Long We Keep Your Information**

We keep your personal information only for as long as it is needed in connection with the purposes for which it was collected, or as otherwise required by law, including our professional obligations and record-keeping requirements including for trust accounting, insurance, limitation period obligations and generally under the Lawyers and Conveyancers Act 2006 and the AML/CFT Act.

## **9. Breach Notification**

If there is a breach of privacy involving your personal information, we will comply with our obligations under the Privacy Act 2020, including notifying you and the Privacy Commissioner where required.

## **10. Your Rights**

You have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong. If you would like to ask for a copy of your information (please note that a charge will apply in some circumstances), or to have your information corrected, please contact us at:

### **North Harbour Law Limited**

3 Alice Avenue, Orewa

Phone: 09 427 0550

Email: nhl@nhlaw.co.nz

If you require further information on the Privacy Act 2020, the Privacy Commissioner's website has useful guides:

[www.privacy.org.nz](http://www.privacy.org.nz)

## **11. Australian Customers**

If you have any queries or complaints about our collection, use or storage of your personal information (including a complaint relating to any failure by us to comply with our obligations under the credit reporting provisions of the Privacy Act 1988 (Cth) or under the Credit Reporting Privacy Code), or if you wish to exercise any of your rights in relation to your personal information, please contact us using the details above and address your correspondence to a Director.

We will investigate and attempt to resolve any such complaint or dispute regarding the use or disclosure of your personal information.

If you are dissatisfied with the handling of your complaint, you may contact the Office of the Australian Information Commissioner or the Australian Financial Complaints Authority (AFCA):

### **Office of the Australian Information Commissioner**

GPO Box 5218, Sydney NSW 2001

Phone: 1300 363 992

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

## **12. Changes to This Policy**

We may update this privacy policy from time to time to reflect changes in our practices or legal obligations, so you should check and read these terms regularly.