

# Website and Privacy Policy

## Privacy

This privacy policy sets out the practices of Heaney & Partners relating to the collection and use of personal information we hold about our clients, potential clients and others. Heaney & Partners is bound by the Privacy Act 2020 (Privacy Act).

### **Personal Information**

Personal information is information about an identifiable individual and includes their name, address, email address and telephone numbers.

### **What do we use Personal Information for?**

We collect personal information in order to:

- represent and advise you
- market our services
- meet our legal obligations

We may use personal information (as applicable) when providing legal services, sending you Heaney & Partners newsletters and invitations to seminars and functions, for internal business purposes such as invoicing and receipting, making payments to you or on your behalf, and for specific purposes we tell you about or you authorise.

Our website does not generate **cookies** when you visit,

### **How does Heaney & Partners collect Personal Information?**

We collect personal information:

- From you directly when you supply your details to us;

- From you indirectly (through emails, face-to-face meetings, interviews, attendance at seminars, business cards, conversations and through the use of the services and facilities available through our LinkedIn page;
- From a third party, for example, a report provided by an expert, information provided by an insured or insurer, or an employment reference from another person; and
- From publicly available websites.

## **Keeping Your Personal Information Safe**

We take reasonable steps to protect the security of personal information, including the use of physical and IT security and restricted access to electronic records. Heaney & Partners personnel are required to respect the confidentiality of personal information and the privacy of individuals. This is part of their employment contracts as well and an ethical obligation imposed by the Law Society.

Where we no longer require your personal information we will comply with our legal obligations in respect of that information. Heaney & Partners policy is to archive all client related information for 10 years in secure storage.

### **Keeping Information Up to Date**

We endeavour to ensure that the personal information we hold is accurate, complete and up-to-date. We encourage you to contact us in order to update any personal information we hold about you. Contact details are set out below. You have the right to correct any personal information we hold about you in accordance with the Privacy Act.

Subject to the exceptions set out in the Privacy Act, you may seek access to the personal information which we hold about you by contacting our Privacy Officer (partner, Frana Divich) on (09) 367 7021.

### **Disclosure**

We may need to disclose personal information to third parties (including other entities or individuals who assist us in providing services or who perform functions on our behalf, including in the course of representing you or advising you). We may disclose personal information if:

- It is required or authorised by you

- It is required or authorised by the Law Society's Rules of Professional Conduct
- It is required by law (including the laws of any foreign jurisdiction), for example the Foreign Account Tax Compliance Act (FATCA).

## Contacting Heaney & Partners

Under the Privacy Act you have the right to access and ask us to correct any of your personal information provided to us.

If you have any questions about this Privacy Policy, requests to access or correct any of your personal information, or wish to complain about the handling of your personal information by us, please contact our Privacy Officer, partner Frana Divich (ph: 09 367 7021, [frana.divich@heaneypartners.com](mailto:frana.divich@heaneypartners.com)).

If we are unable to satisfactorily resolve your concerns about our handling of your personal information, you can contact the Office of the Privacy Commissioner at: PO Box 10-094, The Terrace, Wellington 6143, phone 0800 803 909, <http://privacy.org.nz/>.

---

# Website

## Content

Heaney & Partners does not guarantee that website content will be current, accurate or complete. You are solely responsible for the actions you take in reliance on the content on, or accessed through, this site. The content does not constitute legal advice and should not be relied on as such. Heaney & Partners may change the content and/or services provided on the site without notice.

---

## Access

Access to and use of our website is not guaranteed and may be restricted or blocked without prior notice for maintenance, operational or technical reasons.

You must not use our website to make an unauthorised, false or fraudulent enquiry and you must not take any action that could interfere with the normal operation of our website.

We may restrict or block your access to and use of our websites at any time if we reasonably believe that you may have breached any provision in these Terms.

## Intellectual Property

Your use of our website must not infringe the intellectual property rights of any person.

Heaney & Partners retains all intellectual property rights worldwide to the text and graphics on this Website and its overall design. You may access, view, reproduce and print the content on this site provided you only use that content for informational, non-commercial purposes and any reproduction includes an acknowledgment of Heaney & Partners' rights in the content. Any other use of this website's content must be with the prior written consent of Heaney & Partners.

Heaney & Partners is not responsible for any third party websites, content and services that may be accessed via this website. The terms and conditions of the third party owners of the relevant website, content or services must be complied with.

## Limitation of Liability

Subject to claims available under consumer protection laws, Heaney & Partners is not liable (in negligence, tort, breach of contract, or otherwise) for any loss or damage (including direct or indirect loss, or special or consequential loss) arising out of or in connection with the use of (or inability to use) our website by you or anyone else; and or the breach in the security of your computer, mobile or other device or the access to any information held on your computer, mobile or other device by unauthorised third parties.

# Governing Law

These Terms shall be governed by the laws of New Zealand. You and Heaney & Partners consent to the exclusive jurisdiction of the courts of New Zealand regarding any legal action that may arise from your use of this website.

# Amendments

We may change these Terms from time to time. We recommend that you check and read this Policy regularly.

These Terms were last updated on 6 December 2023.