# Privacy Policy

We respect your privacy and protect personal information in accordance with our legal and professional obligations.

We recognise that your privacy is important and are committed to responsible privacy practices.

This Privacy Policy explains how we collect, hold, use and disclose personal information when providing legal services, including estate planning services for clients referred by financial advisers and, where applicable, designated services under the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth) and the AML/CTF Rules.

This Privacy Policy applies to **Wealth Adviser Legal Services Pty Ltd** ACN **661 475 654**, an incorporated legal practice (**we**, **us** or **our**), and to any related service entity.

It applies to clients, prospective clients, beneficiaries, family members, attorneys, executors, trustees, directors, shareholders, beneficial owners, referrers, website users and other individuals whose personal information we handle.

This Privacy Policy should be read with our client engagement documents and any privacy collection notice we give you. If there is an inconsistency, applicable law and our professional obligations prevail.

## What is personal information?

Personal information has the meaning given in the *Privacy Act 1988 (Cth)* (**Privacy Act**). It is information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not and whether it is recorded in a material form or not.

'Sensitive information' is a category of personal information that includes health information, racial or ethnic origin, political opinions or associations, religious or philosophical beliefs, professional or trade association membership, sexual orientation or practices, criminal record, genetic information and certain biometric information. We collect sensitive information only where it is reasonably necessary for our functions or activities and you consent, or where collection is otherwise required or authorised by law.

## Personal information we collect

The personal information we collect depends on the legal services requested and may include:

- your name, former names, aliases, signature, date and place of birth, residential and postal address, contact details, occupation, employment history, citizenship, nationality, residency and tax residency status;
- identity and verification information, including details from government-issued identity documents, photographs or document images where reasonably necessary, electronic identity verification results and information used to verify authority to act;
- information required to conduct conflict checks, open and manage a legal file, establish who our client is and understand the scope and purpose of the engagement;
- family and relationship information, including marital or de facto status, former spouses or partners, children, stepchildren, dependants, blended-family arrangements, family disputes and other circumstances relevant to estate planning;
- information about proposed or existing executors, trustees, beneficiaries, attorneys, guardians, appointors, directors, shareholders, partners and other persons connected with you, an estate, a trust, a company, a partnership or another legal arrangement;
- your assets, liabilities, income, expenses, ownership interests, property, business interests, trusts, companies, partnerships, loans, guarantees, superannuation, pensions, insurance, compensation entitlements and other financial circumstances;
- taxation and estate administration information, including tax file numbers where collection is required or authorised, tax returns, notices of assessment and information relevant to duties, taxes, social security or superannuation;
- health, disability and capacity information where relevant to testamentary capacity, enduring documents, substituted decision-making, vulnerability, undue influence, special needs or the provision of legal services;
- details of existing wills, codicils, powers of attorney, appointments of enduring guardians, advance care documents, trust deeds, company documents, binding death benefit nominations, succession plans, family agreements, court orders and other legal instruments;
- banking, payment, trust account and transaction information, including source of funds and source of wealth where relevant;

- information used for customer due diligence and financial crime risk management, including the nature and purpose of the relationship, beneficial ownership and control, politically exposed person status, sanctions and adverse-media screening results, customer risk ratings and information relevant to ongoing or enhanced customer due diligence;
- records of instructions, advice, drafts, file notes, meetings, calls, correspondence, consents, complaints, claims and dispute resolution activity;
- technical and online information, such as IP address, device and browser details, cookies, website activity, electronic signatures and audit trails; and
- other personal information reasonably necessary to provide our services or meet legal, regulatory, insurance, risk-management or professional obligations.

## Definitions in this privacy policy

In this privacy policy, the following definitions apply:

- **AML/ CTF** means anti money laundering (**AML**) and counter-terrorism financing (**CTF**) in the context of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth)*. AML means regulations designed to stop criminals disguising illegally obtained funds as legitimate income and CFT means the framework meant to prevent funds from being channeled to terrorist organisations or activities.

- **AUSTRAC** means the Australian Transaction Reports and Analysis Centre, being the Australian Government's primarily financial intelligence agency and anti-money laundering and counter-terrorism financing regulator.

- **Privacy Act** means the *Privacy Act 1988 (Cth)*.

## Information about other people

Estate planning commonly requires information about other people. If you give us another person's personal information, you must be authorised to do so and, where reasonable, make that person aware of this Privacy Policy and any relevant collection notice.

We may not notify a proposed beneficiary, excluded person or other third party where notification would be impracticable, inappropriate, inconsistent with your instructions or professional obligations, or otherwise not required by law.

## Deceased persons and children

The Privacy Act generally protects information about living individuals. Information about a deceased person may still include personal information about a living relative, beneficiary or other person, and may also be protected by duties of confidentiality, legal professional privilege, succession law or our professional obligations.

We may collect information about children and young people who are beneficiaries, dependents or proposed appointees.

## How we collect personal information

We usually collect personal information directly from you when you:

- make an enquiry, are referred to us, request a costs proposal or engage us;
- complete an estate planning questionnaire, client identification form, conflict check, customer due diligence process or other document;
- give us instructions, documents or information in person, by telephone, email, videoconference, secure portal, electronic signing platform or another method;
- pay an account, provide trust money or participate in a transaction;
- attend a seminar, subscribe to communications or provide feedback; or
- use our website or online services.

We may also collect personal information from:

- your financial adviser, accountant, tax adviser, broker, insurer, superannuation fund, bank, business adviser, previous lawyer or another professional, where you have authorised the collection or it is otherwise permitted by law;
- a joint client, spouse or partner, family member, executor, attorney, guardian, trustee, director, shareholder, beneficiary, witness or other person involved in the matter;
- medical practitioners, capacity assessors, interpreters, experts, barristers, courts, tribunals and government agencies;

- ASIC, the Australian Business Register, land titles registers, probate registries, electoral rolls, court records, insolvency registers and other public or government sources;
- identity verification, Document Verification Service, customer due diligence, sanctions, politically exposed person and adverse-media screening providers; and
- our service providers, related entities, insurers, auditors and legal profession regulators.

## Financial adviser referrals

A financial adviser or other referrer is generally a separate business and handles personal information under its own privacy policy. A referral does not make the adviser our client, your legal representative or our agent, and does not automatically authorise us to disclose your instructions, legal advice, drafts or documents to the adviser.

With your authority, we may obtain relevant factual and financial information from your adviser and may share information reasonably necessary to coordinate your estate planning and financial strategy. We will confirm our client, instructions and disclosure authority through our engagement process. Legal professional privilege may not apply to every communication and disclosure to a third party may affect privilege, so we will consider your instructions and our professional obligations before disclosing information.

## Anonymity and pseudonyms

Where lawful and practicable, you may make a general enquiry anonymously or using a pseudonym. We will usually need to know and verify your identity before accepting instructions, giving legal advice, preparing or witnessing estate planning documents, holding original documents, receiving trust money or providing a designated service. We may be unable to act if required information is not provided.

## Unsolicited personal information

If we receive personal information that we did not request, we will determine whether we could have lawfully collected it. If not, and where lawful and reasonable, we will destroy or de-identify it. We may retain it where necessary to protect confidentiality, privilege, evidence, legal rights or professional obligations.

## Why we collect, use and disclose personal information

We may collect, hold, use and disclose personal information to:

- conduct conflict checks, determine whether we can act and manage actual or potential conflicts;
- identify our client, confirm authority, assess capacity and vulnerability, understand instructions and establish the scope, purpose and terms of the engagement;
- provide legal advice and services, prepare and execute documents, communicate with you, coordinate with authorised advisers and implement your instructions;
- store original wills and other documents in safe custody and administer document release, retrieval or destruction;
- manage fees, billing, payments, trust money, debt recovery, insurance and practice administration;
- comply with legal profession legislation, professional conduct rules, trust accounting requirements, court duties, subpoenas, statutory notices, professional indemnity insurance requirements and regulator directions;
- comply with AML/CTF, sanctions, taxation, corporations, superannuation, succession, fraud-prevention and other legal or regulatory obligations;
- protect clients, personnel, systems and the public from fraud, cyber threats, identity theft, money laundering, terrorism financing, proliferation financing and other unlawful conduct;
- manage complaints, claims, audits, investigations, quality assurance, training and risk;
- improve our services and client experience, using de-identified or aggregated information where reasonably practicable;
- communicate about services, seminars or updates, subject to direct marketing laws and your preferences; and
- assess or implement a merger, acquisition, financing, restructure, transfer or sale of the practice or its assets, subject to law, confidentiality and appropriate safeguards.

## If you do not provide information

You are not required to provide personal information unless a law or contractual obligation requires it. However, if you do not provide information we reasonably require, we may be unable to verify identity or authority, conduct conflicts or customer due diligence, assess capacity, give reliable advice, prepare valid documents, complete a transaction, receive funds or continue to act.

We are required to collect the full name and address of our clients under the Legal Profession Uniform Law (NSW) and the Legal Profession Uniform General Rules 2015, including to meet trust account record-keeping requirements and our duties to the court. If you are a client and do not provide your full name and address, we cannot act for you.

## Legal professional obligations, confidentiality and privilege

We are subject to duties under applicable legal profession legislation, professional conduct rules and the general law, including duties to the court, duties of confidentiality, conflict obligations and obligations concerning client money and files. These duties may require or permit us to handle information differently from other businesses.

We keep client information confidential except where disclosure is authorised by the client, reasonably necessary to perform the engagement, permitted or required by law or professional rules, necessary to obtain advice or insurance, or otherwise lawfully justified. Legal professional privilege may protect confidential communications or documents made for the dominant purpose of obtaining or giving legal advice or for litigation. Not all information held by a legal practice is privileged. Nothing in this Privacy Policy waives or limits privilege or any duty owed to a client.

Where we act for joint clients, information provided by one joint client will generally be available to the other joint client in accordance with the engagement terms. We will not usually agree to keep material information secret from another joint client. Our engagement documents explain how confidentiality and conflicts are managed in a joint retainer.

## AML/CTF and financial crime compliance

From 1 July 2026, legal practices that provide designated services are subject to the AML/CTF regime. Some estate planning and succession work may be a designated service, for example where we assist with creating or restructuring a trust, company or other legal arrangement, act in certain transactions, or manage client money or assets. Where our services are or may be designated services, we may:

- identify and verify clients, customers, agents, representatives, beneficial owners, controllers, trustees, appointors, directors and other relevant persons before or during the relationship;
- collect and verify information about the nature and purpose of the relationship, authority to act, source of funds, source of wealth, ownership, control, transaction purpose and expected activity;
- screen information against sanctions, politically exposed person and adverse-media sources and assign or review an AML/CTF risk rating;
- conduct initial, ongoing, simplified or enhanced customer due diligence and review transactions, instructions or activity for unusual or suspicious features;
- ask for further information or documents, delay work, apply additional controls, decline to provide a service or end the relationship where permitted or required;
- make suspicious matter reports, threshold transaction reports, international funds transfer instruction reports, compliance reports and other reports or disclosures, and respond to notices or requests from AUSTRAC, law enforcement, regulators or other authorised bodies;
- share information with approved identity verification and AML/CTF service providers, external auditors, consultants, members of a reporting group and other persons where lawful and necessary to meet AML/CTF obligations or manage AML/CTF risk; and
- create and retain AML/CTF program, customer due diligence and transaction records for the periods required by law.

The *Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth)* preserves legal professional privilege. We will assess whether information is privileged and may withhold privileged information or make a privilege claim as permitted by law. The duty of confidentiality is separate from privilege and has exceptions, including where disclosure is compelled or authorised by law.

Tipping-off and secrecy provisions may prevent us from telling you that information has been reported, that a reporting obligation has arisen, or that certain enquiries or actions relate to a suspicion, where disclosure would or could reasonably be expected to prejudice an investigation or otherwise contravene the law.

We will not use information collected solely for AML/CTF compliance for direct marketing unless permitted by the Privacy Act and any required consent has been obtained. For AML/CTF purposes, we will generally record relevant identity details and the verification method rather than retain full copies of identity documents, unless a copy is reasonably required for another lawful, legal, evidentiary, fraud-prevention or professional purpose.

## How we hold and protect personal information

We may hold personal information in electronic legal practice management systems, secure portals, email systems, cloud services, backups, physical files, safe custody facilities and other approved systems. Information may be held by us or by service providers acting on our behalf.

We take reasonable technical and organisational measures appropriate to the nature and sensitivity of the information. These may include access controls, multi-factor authentication, encryption, secure configuration, backups, logging, personnel screening and training, confidentiality obligations, vendor due diligence, physical security, secure document transfer, incident response and secure destruction. No method of transmission or storage is completely secure.

If you have concerns about email or another communication method, contact us to arrange a suitable alternative.

## Use of technology, AI and automated decision-making

We may use approved technology, including document automation, transcription, legal research and artificial intelligence-assisted tools, to support administrative, research or drafting tasks. Any use is subject to lawyer supervision and our duties of confidentiality, privilege, competence, privacy and cybersecurity. We do not knowingly input client personal information into publicly available AI systems unless appropriate protections and authority are in place.

We do not arrange for a computer program to use personal information to make, or take a substantially and directly related step in making, a decision that could reasonably be expected to significantly affect an individual's rights or interests without meaningful human involvement. If this changes, we will update this Privacy Policy to describe the kinds of personal information used and the relevant kinds of decisions as required by law.

## Retention and destruction

We retain personal information only for as long as reasonably necessary for a permitted purpose or as required or authorised by law. Retention periods vary according to the type of record and the matter.

Legal files, trust records, conflict records, safe custody records and professional indemnity records may be retained for statutory or risk-management periods.

Original wills and enduring documents may be held for longer, including until released under the safe custody terms or after the maker's death.

AML/CTF customer due diligence records are generally required to be kept for seven years after the business relationship ends or an occasional transaction is completed. Transaction and other AML/CTF records may have separate seven-year retention periods. When information is no longer required or permitted to be retained, we take reasonable steps to securely destroy it or permanently de-identify it.

## Data breaches

We maintain procedures to identify, contain, investigate, assess and respond to suspected data breaches. If the Notifiable Data Breaches scheme applies and an eligible data breach is likely to result in serious harm, we will notify affected individuals and the Office of the Australian Information Commissioner as required by law. We may also notify legal profession regulators, insurers, AUSTRAC, law enforcement or other bodies where required or appropriate.

## Who we may disclose personal information to

We may disclose personal information for the purposes described in this Privacy Policy to:

- our directors, lawyers, employees, secondees, contractors, consultants and related service entities who need the information to perform their functions;
- barristers, other lawyers, experts, medical practitioners, capacity assessors, interpreters,

mediators, witnesses and other professionals engaged in connection with the matter;
- your financial adviser, accountant, tax adviser, broker, insurer, superannuation fund, bank, business adviser or other nominated professional, to the extent authorised by you or otherwise permitted by law;
- joint clients, authorised representatives, attorneys, guardians, trustees, executors, administrators, beneficiaries and other persons involved in the matter, subject to the engagement terms, confidentiality and privilege;
- courts, tribunals, probate registries, land registries, ASIC, the Australian Taxation Office, state revenue offices, government agencies and statutory bodies;
- cloud hosting, practice management, cybersecurity, data storage, backup, telecommunications, secure portal, electronic signing, document automation, transcription, printing, archiving, safe custody, mailing, payment and IT support providers;
- identity verification, customer due diligence, sanctions, politically exposed person, adverse-media and fraud-prevention providers;
- our professional indemnity insurer, insurance brokers, auditors, trust account examiners, external costs consultants, legal advisers and legal profession regulators;
- AUSTRAC, ASIC, police, intelligence, law enforcement, taxation and other regulatory or government bodies where required or authorised;
- a prospective purchaser, successor practice, financier or adviser in connection with a proposed business transaction, subject to lawful confidentiality and security arrangements; and
- any other person you authorise or to whom disclosure is required or permitted by law.

We do not sell personal information. We may disclose de-identified or aggregated information where we have taken reasonable steps to ensure it is no longer personal information and the disclosure is lawful.

## Overseas disclosures

Some service providers may store, process or access personal information outside Australia. Before disclosing personal information overseas, we take reasonable steps required by the Privacy Act to ensure the recipient handles it consistently with the Australian Privacy Principles, unless an exception applies. We may remain accountable for an overseas recipient's handling of personal information.

If you ask us to communicate directly with an overseas person or organisation, or use a particular overseas service, the disclosure may be made at your request and different privacy protections may apply. We will consider confidentiality and privilege before making the disclosure.

## Direct marketing

We may use contact details to tell you about legal services, seminars or updates where permitted by law. You may opt out at any time by using the unsubscribe facility or contacting us. Opting out of marketing does not prevent service, legal, safety or regulatory communications.

We do not use sensitive information or information collected solely for AML/CTF compliance for marketing unless permitted by law and any required consent has been obtained.

## Website, cookies and external links

Our website may use cookies, analytics and similar technologies to operate the site, remember preferences, understand usage and improve services. You can adjust browser settings, although some functions may not work correctly. Our website may contain links to third-party sites. We are not responsible for the privacy practices of those third parties.

## Access and correction

You may request access to personal information we hold about you or ask us to correct it by contacting the Privacy Officer. We may need to verify your identity and authority. APP 12 provides access to personal information, not necessarily to every document in a legal file.

We will respond within a reasonable period, usually within 30 days. We will not charge for making a request. We may charge a reasonable, non-excessive amount for the cost of providing access and will tell you the likely amount before proceeding.

We may refuse or limit access where permitted by the Privacy Act or another law, including where access would pose a serious threat to the life, health or safety of any individual or to public health or public safety, have an unreasonable impact on another person's privacy, reveal information protected by legal professional privilege, prejudice legal proceedings or an enforcement activity, disclose commercially sensitive evaluative information, be unlawful, or breach AML/CTF secrecy or tipping-off requirements. Where required, we will give written reasons and explain available complaint mechanisms.

If personal information is inaccurate, out of date, incomplete, irrelevant or misleading, we will take reasonable steps to correct it. If we refuse a correction request, we will generally give written reasons and, if requested, take reasonable steps to associate a statement with the information noting your position.

## Privacy complaints

If you have a privacy concern or complaint, contact our Privacy Officer using the details below. We will acknowledge the complaint, investigate it fairly, keep you informed where appropriate and aim to provide a written response within 30 days.

If you are not satisfied with our response, you may complain to the Office of the Australian Information Commissioner. Complaints about legal professional conduct may also be made to the applicable legal services regulator in your State or Territory.

## Office of the Australian Information Commissioner

Address: GPO Box 5288, Sydney NSW 2001

Telephone: 1300 363 992

Online: www.oaic.gov.au (use the online privacy complaint form)

## Contact details

Wealth Adviser Legal Services Pty Ltd

ACN: 661 475 654

Address: Level 1, 17 - 19 Bridge Street, Sydney, NSW 2000

Email: **admin@wealthadviser.com.au**

Website: https://www.wealthadviser.com.au/adviser-solutions/estate-planning-and-legal-services/

This Privacy Policy may be updated from time to time. The current version is available at https://www.wealthadviser.com.au/adviser-solutions/estate-planning-and-legal-services/

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Wealth Adviser Legal Services Pty Ltd
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