

OUR PRIVACY POLICY

At Triple T Insurance Services Pty Ltd, we are committed to protecting your privacy in accordance with the Privacy Act 1998 (Cth) and the Australian Privacy Principles. This Privacy Policy describes our current policies and practices in relation to the collection, handling, use and disclosure of personal information. It also deals with how you can complain about a breach of the privacy laws and how you can access the personal information we hold and how to have that information corrected.

What information do we collect and how do we use it?

When we arrange insurance on your behalf, we ask you for the information we need to advise you about your insurance needs and management of your risks. This can include a broad range of information ranging from your name, address, contact details, age to other information about your personal affairs including your assets, personal belongings, financial situation, health and wellbeing. We provide any information that the insurers or intermediaries who we ask to quote for your insurances and premium funding require to enable them to decide whether to insure you and on what terms, or to fund your premium and on what terms. Insurers may in turn pass on this information to their reinsurers. Some of these companies are located outside Australia. For example, if we seek insurance terms from an overseas insurer (e.g. Lloyd's of London), your personal information may be disclosed to the insurer. If this is likely to happen, we inform you of where the insurer is located, if it is possible to do so. When you make a claim under your policy, we assist you by collecting information about your claim. Sometimes we also need to collect information about you from others. We provide this information to your insurer (or anyone your insurer has appointed to assist it to consider your claim, e.g. loss adjusters, medical brokers etc) to enable it to consider your claim. Again, this information may be passed on to reinsurers. From time to time, we will use your contact details to send you direct marketing communications including offers, updates and newsletters that are relevant to the services we provide. We always give you the option of electing not to receive these communications in the future. You can unsubscribe by notifying us and we will no longer send this information to you.

What if you don't provide some information to us?

We can only fully advise you and assist in arranging your insurance or with a claim, if we have all relevant information. The insurance laws also require you to provide your insurers with the information they need in order to be able to decide whether to insure you and on what terms. You have a duty to disclose the information which relevant to the insurer's decision to insure you.

When do we disclose your information overseas?

If you ask us to seek insurance terms and we recommend an overseas insurer, we may be required to disclose the information to the insurer located outside Australia. For example, if we recommend a policy provided by Lloyd's of London, your information may be given to the Lloyd's broker and underwriters at Lloyd's of London to make a decision about whether to insure you. We will tell you at time of advising on your insurance if they are overseas and in which country the insurer is located. If the insurer is not regulated by laws which protect your information in a way that is similar to the Privacy Act, we will seek your consent before disclosing your information to that insurer. Australian and overseas insurers acquire reinsurance from reinsurance companies that are located throughout the world, so in some cases your information may be disclosed to them for assessment of risks and in order to provide reinsurance to your insurer. We do not make this disclosure, this is made by the insurer (if necessary) for the placement for their reinsurance program.

How do we hold and protect your information?

We strive to maintain the reliability, accuracy, completeness and currency of the personal information we hold and to protect its privacy and security. We keep personal information only for as long as is reasonably necessary for the purpose for which it was collected or to comply with any applicable legal or ethical reporting or document retention requirements. We hold the information we collect from you initially in a working file, which when completed is electronically imaged and stored, after which any paper is destroyed. In some cases, your file is archived and sent to an external data storage provider for a period of time. We only use storage providers located in Australia who are also regulated by the Privacy Act. We ensure that your information is safe by protecting it from unauthorised access, modification and disclosure. We maintain physical security over our paper and electronic data and premises, by using locks and security systems.

We also maintain computer and network security; for example, we use firewalls (security measures for the Internet) and other security systems such as user identifiers and passwords to control access to computer systems where your information is stored.

Will we disclose the information we collect to anyone?

We do not sell, trade, or rent your personal information to others.

We may need to provide your information to contractors who supply services to us, e.g. to handle mailings on our behalf, external data storage providers or to other companies in the event of a corporate sale, merger, re-organisation, dissolution or similar event. However, we will take reasonable measures to ensure that they protect your information as required under the Privacy Act.

We may provide your information to others if we are required to do so by law, you consent to the disclosure or under some unusual other circumstances which the Privacy Act permits.

How can you check, update or change the information we are holding?

Upon receipt of your written request and enough information to allow us to identify the information, we will disclose to you the personal information we hold about you. We will also correct, amend or delete any personal information that we agree is inaccurate, irrelevant, out of date or incomplete.

If you wish to access or correct your personal information, please write to our Privacy Officer, Phillip Thurgood at Triple T Insurance Services Pty Ltd, P.O. Box 123 Braeside Vic 3195. We will advise you as soon as possible after your request if this is the case and the reasons for our refusal.

What happens if you want to complain?

If you have concerns about whether we have complied with the Privacy Act or this Privacy Policy when collecting or handling your personal information, please write to our Privacy Officer, Phillip Thurgood at Triple T Insurance Services Pty Ltd, P.O. Box 123 Braeside Vic 3195.

Your complaint will be considered by us through our internal complaints resolution process and we will try to respond with a decision within 45 days of you making the complaint.

Your consent

By asking us to assist with your insurance needs, you consent to the collection and use of the information you have provided to us for the purposes described above.

Website information and content.

The information provided on this website does not cover all aspects of the law on the relevant subject matter.

Professional advice should be sought before any action is taken based upon the matters described and discussed on this site. To the extent permitted by law, we make no representations about the suitability of the content of this site for any purpose. All content is provided without any warranty of any kind. We disclaim all warranties and conditions with regard to the content, including but not limited to all implied warranties and conditions of fitness for a particular purpose, title and non-infringement. We will not be liable for any damages or injury caused by, including but not limited to, any failure of performance, error, omission, interruption, defect, delay in operation of transmission, computer virus, or line failure. To the extent permitted by law we will not be liable for any damages or injury, including but not limited to, special or consequential damages that result from the use of, or the inability to use, the materials in this site. We believe the content of this site to be accurate, complete and current; however, there are no warranties as to the accuracy, completeness or currency of the content. It is your responsibility to verify any information before relying on it. The content of this site may include technical inaccuracies or typographical errors. We reserve the right to modify the content of this site from time to time.

Anonymous data – We use technology to collect anonymous information about the use of our website, for example when you browse our website our service provider logs your server address, the date and time of your visit, the pages and links accessed and the type of browser used. It does not identify you personally and we only use this information for statistical purposes and to improve the content and functionality of our website, to better understand our clients and markets and to improve our services.

Cookies – In order to collect this anonymous data we may use “cookies”. Cookies are small pieces of information which are sent to your browser and stored on your computer’s hard drive. Sometimes they identify users where the website requires information to be retained from one page to the next. This is purely to increase the functionality of the site. Cookies by themselves cannot be used to discover the identity of the user. Cookies do not damage your computer and you can set your browser to notify you when you receive a cookie so that you can decide if you want to accept it. Once you leave the site, the cookie is destroyed and no personal or other information about you is stored.

Forms - Our Website allows visitors to submit information via Self-Service forms (Claim Forms, Employment and Contact request). The information submitted via the Forms is **not** encrypted – an option is available for claim forms to be downloaded in PDF format for faxing. Should you be concerned about confidentiality of the claim information, this would be the recommended method. Information collected via on-line forms is sent to our offices via EMAIL (not encrypted) and is also stored on a database which is accessible by Triple T Insurance Services Pty Ltd, staff only (password protected). We also use your information to send you requested product information and promotional material and to enable us to manage your ongoing requirements, e.g. renewals, and our relationship with you, e.g. invoicing, client surveys etc. We may occasionally notify you via direct marketing about new services and special offers, events or articles we think will be of interest to you. We may send you regular updates by email or by post on insurance matters. If you would rather not receive this information or do not wish to receive it electronically, email or write to us. We may use your information internally to help us improve our services and help resolve any problems.

Tell us what you think

We welcome your questions and comments about privacy. If you have any concerns or complaints, please contact our Privacy Officer, Phillip Thurgood, on telephone number (03) 9767 5111 or by email phil@tttinsurance.com.au

YOUR DUTY OF DISCLOSURE

When answering our questions you must be honest and tell us anything that you and a reasonable person in the circumstances would think we need to know when deciding to offer insurance. Your answers will apply to you and anyone else who may be covered under the policy. If you don't answer our questions in this way then the insurer/underwriter may refuse to pay a claim or may cancel the policy.

Note:

Your duty of disclosure relates to any information that you give us verbally or complete on any applications or other forms used to obtain insurance quotations for you. The duty of disclosure also applies to the offer of renewal for any policy.

When you take out insurance or renew or vary a policy you hold, by law you have a duty to disclose relevant information about the risk relating to you as the insured or your business. The Insurance Contracts Act 1984 requires insurance companies to tell you about the duty of disclosure and the impact of failing to disclose information to the insurer. If you are uncertain as to whether particular information is relevant to the insurer's decision to insure, please contact us and we can help you identify whether the information should be disclosed to the insurer on the application or upon renewal or variation of the insurance. Many of the policies referred to in this manual will be subject to the Insurance Contracts Act because the proper jurisdiction of the insurance contract will be the laws of Australia. For other types policies (e.g. marine insurance or policies placed overseas), the duty of disclosure exists under the common law.

Policies covered by the Insurance Contracts Act

Before you enter into an insurance contract you have a duty to disclose to the insurer every matter that you know, or could reasonably expect to know and is relevant to the insurer's decision whether to accept the risk of the insurance and, if so, on what terms. You have the same duty to disclose those matters to the insurer before you renew, extend, vary or reinstate a contract of insurance.

Your duty however does not require disclosure of matter:-

- That diminishes the risk to be undertaken by the insurer;
- That is common knowledge;
- That your insurer knows or in the ordinary course of business ought to know;
- As to which the Insurer waives compliance with your duty.

For some insurance policies which are retail client insurances (e.g. home, contents and motor vehicle policies), your duty is to answer specific questions posed by the insurer when you first apply for the insurance and then the general duty of disclosure (above) applies in year when you renew the policy.

Non-Disclosure - If you do not comply with your duty of disclosure, the insurer may be entitled to reduce its liability in respect of a claim or may cancel the contract of insurance. If the non-disclosure was fraudulent, the insurer may be able to avoid (or cancel) the contract of insurance from its beginning. This would have the effect that you were never insured.

Policies not covered by the Insurance Contracts Act

Please note that in relation to policies which are not governed by the Insurance Contracts Act 1984 such as marine insurance (other than marine inland transit insurance) and insurance required by statute, you still owe a duty of disclosure to the Insurer. This is a duty to disclose to the Insurer before the contract is concluded, every material circumstance which is known to you. Every circumstance is material which would influence the judgement of a prudent insurer in fixing the premium or determining whether the insurer will take the risk. The insurer may avoid the contract from inception if you fail to make such disclosure.

In the case of insurance required by statute, such as compulsory third party motor vehicle insurance, the insurer may have rights of recovery against you in the event of misrepresentation, misstatement or non-disclosure.

The duty of disclosure applies to the named insured but also in relation to other people covered by the policy and for associated and past businesses and private insurances.

This duty applies up to the time of placement of the insurance and when you apply for any variations or renewals of the insurance contract. Further, most insurance contracts impose a continuing obligation to notify the insurer of any changes to the risk.

In addition to the information that we will collect from you in order to obtain quotations, matters which are important to the insurer include:

- In relation to premises and property to be insured: the location, use, materials of construction, value, occupation, security etc
- In relation to persons to be insured: occupation and activities, criminal convictions (for motor vehicle insurance, driving record and convictions / cancellations), insolvency, occupation etc
- Insurance and loss history, i.e. past losses and claims,
- Cancellation of previous insurance contracts
- Refusals to insure or the imposition of increased premiums.

This is not a comprehensive list and you should consider your circumstances carefully to ensure that you provide all relevant information to your insurer. Contact us if you need guidance about whether information needs to be provided.