

# KATRINA JACOBS

— Estate Law —

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## Privacy Policy

Katrina Elizabeth Jacobs is a sole legal practitioner trading as Katrina Jacobs Estate Law [ABN 78 848 387 938] (**we, us**). Katrina Jacobs Estate Law provides legal services and advice, predominantly in the area of Wills, Probate and Estate Administration.

Katrina Jacobs Estate Law complies with the *Privacy Act 1988* and, where applicable, State or Territory legislation in relation to health information.

In this Policy, '**you**' or '**the client**' means the person(s) who has engaged us to provide legal services, and if more than one then all jointly.

### Types of personal information we collect

In this Policy, the term '**personal information**' means information or opinion about an identified individual, or an individual who is reasonably identifiable.

Personal information collected by us may include '**sensitive information**', which can include information about an individual's health, religion, and cultural and philosophical beliefs. We may also collect other types of sensitive information in association with preparing wills, administering estates and/or providing legal advice.

The types of personal information which we collect include, but may not be limited to:-

- your contact details,
- detailed information about your financial position,
- your personal history,
- detailed information about your children and other family members,
- financial statements and bank statements,
- information as to your cultural or religious preferences,
- information as to your wishes for care of your children, and
- information as to your wishes for burial or cremation.

We may also collect your **credit information**, such as name, address and date of birth, as an incidental part of the personal information collected above.

All references in this Policy to **personal information** include a reference to **credit information** and to **sensitive information**.

### How we collect personal information

We collect personal information:-

- Directly from you (the client)

- From a third party you have authorised to provide us with information
- From a client or a third party where it is unreasonable or impracticable to collect it from you, such as your financial adviser or other adviser with whom you have dealings

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

How do we use and disclose a client's personal information?

- To provide legal services and prepare advice and legal documentation
- To provide information and copies of documents to third parties, but only if expressly requested by our client
- To contact clients, advisers, individuals and other lawyers in connection with a client's legal affairs, but only where we have been instructed to do so
- To contact clients in relation to documents held by our firm in safe keeping
- To contact clients to provide updates as to future legal changes, if we consider it necessary, though we do not give an undertaking to do so.

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

We will disclose your personal information as follows:-

- To you (the client), as set out in legal documents and correspondence prepared and provided to you; or
- To third parties, but only in the circumstances set out below.

## **When we will provide your information to third parties**

We will only provide information or copies of your documentation to any person apart from you, or release your original documents to any person apart from you, in circumstances where:

1. The information is provided to the Law Society of South Australia for the purpose of being recorded on the South Australian Wills Register (Note that the Wills Register is accessible only by other lawyers practising within South Australia, and the information disclosed on the Wills Register consists of your full name, date of birth and date the Will was signed);
2. the other person is the financial planner, accountant or other adviser who referred you, and you have given permission for him or her to receive copies of your documents;
3. you have expressly requested us to provide documents to that other person;
4. you have died leaving a Will, and the other person is an appointed Executor in your Will;
5. you have died without leaving a Will, and the other person is your legal personal representative or next of kin;
6. the person is your appointed Attorney under a Power of Attorney instrument, and the request is for documents relevant to the administration of your personal financial affairs;
7. the person is your appointed Substitute Decision-Maker or Guardian under an Advance Care Directive or Power of Guardianship instrument, and the request is for documents relevant to the administration of your personal medical affairs;

8. you have engaged us to represent you in a legal matter, and the other person is an adviser, individual or lawyer whom we reasonably need to contact in relation to your legal matter;
9. the other person is a debt collector or debt collection agency, and you have failed to make payment of your invoice within our trading terms, and you have received at least one (1) written notice advising that we intend to take steps to recover our debt;
10. we have been required to provide information about your estate to a Court, to the Public Trustee or to a legal adviser in the context of a current or flagged legal dispute about your estate; or
11. we reasonably consider that for any other reason we are obliged by law to disclose or release your information and/or documents to a third party.

## **Protecting your information**

We will hold your personal information in our electronic databases and in our physical files. We use a range of IT and physical security systems to protect your personal information.

## **Sending personal information overseas**

We will not send personal information overseas except where required for the purposes of providing legal advice or representation to a client. In those limited circumstances, personal information may be sent to any country relevant to the particular matter.

## **Direct marketing**

We will contact you by post and/or telephone, usually more than once, in the event that you have engaged us to prepare legal documentation and that documentation remains uncompleted or requires amendment.

After the completion of your matter, we will generally not use your personal information for direct marketing purposes unless we consider that it is in your best interests, in your personal circumstances, for us to advise you of legal updates and/or offer additional legal services which may be beneficial to you.

In the event that we do send you marketing material, we will ensure that you can 'opt-out' of receiving any future marketing material. In relation to direct marketing via electronic means, such as email, we comply with the *Spam Act 2003* and in relation to telephone marketing we comply with the *Do Not Call Register Act 2006*.

## **Accessing your information**

You may request access to any information we hold about you or request that we make corrections to that information. However, by law we may refuse to allow you access to information in certain circumstances including where the information is subject to legal professional privilege. If we refuse to allow you access to your personal information held by us, we will explain why.

## Contacting us

If you wish to access your personal information held by us, request a correction be made to your personal information or make a complaint about how we have handled your personal information, please contact:

Post: Katrina Jacobs  
Katrina Jacobs Estate Law  
1 Alexandra Ave  
Rose Park SA 5067

Email: [katrina@katrinajacobs.com.au](mailto:katrina@katrinajacobs.com.au)

Phone: (08) 8332 2284

Last updated: August 2020