



PRIVACY PROCEDURE	
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1. PURPOSE

People who disclose their personal information or personal information about others to the company have a legal right that their information is used correctly and that their privacy is reasonably maintained. This procedure aims to ensure that information about people is handled responsibly by Universal Communications Group.

Property owners, owner's representatives, body corporate committee members, tenants, client representatives, subcontractors, job applicants and other groups of people do share their information with the company from time to time and their disclosure of private information is covered by this procedure.

2. SCOPE

This procedure applies to all employees irrespective of the seniority of the position, or whether the position is head office based or field based or whether the position is temporary, permanent, full time or part time.

3. DOCUMENT CONTROL

Owner: The Group People & Culture Manager.

Authoriser: The Chief Executive Officer.

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4. DISTRIBUTION

All New Zealand Managers and employees upon their request.

5. REFERENCES

- Privacy Act 1993.
- Employment Relations Act 2000.
- Archives and Records Association of New Zealand.
- Telecommunications Information Privacy Code 2003.

6. DEFINITIONS

'Agency' means any individual, organisation or business, whether in the public sector or the private sector.

'Information Privacy Principles' are those contained within Part 2 of the Privacy Act 1993 ("the Privacy Act").

The principles cover:

Information Principles 1-4: Collection of personal information;

Information Principles 5: storage and security of personal information;

Information Principles 6-7: Requests for access to and correction of personal information;



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Information Principles 8: Accuracy of personal information;

Information Principles 9: Retention of personal information;

Information Principles 10-11: Use of personal information;

Information Principles 12: Using unique identifiers.

'Personal information' is any information about an individual (a living natural person) as long as that individual can be identified.

'Telecommunications' (*As per Telecommunications Act 2001*), means the conveyance by electromagnetic means from one device to another of any encrypted or non-encrypted sign, signal, impulse, writing, image, sound, instruction, information, or intelligence of any nature, whether for the information of any person using the device or not; but does not include any conveyance that constitutes broadcasting." Telecommunications information includes:

- Subscriber information.
- Traffic information.
- The content of a telecommunication.

Note: The code covers personal information collected or held by telecommunications agencies relating to individuals who subscribe to, or use, the telephone or other telecommunications services.

Legal Framework

The Privacy Act 1993 ("The Privacy Act") regulates the way the Company collects, uses, keeps secure and discloses personal information. It also gives individuals the right to know what information the Company holds about them and a right to correct the information if it is wrong. The Information Privacy Principles in Part 2 of The Privacy Act, including the telecommunications information privacy codes, are legally binding on the Company.

The Office of the New Zealand Privacy Commissioner

The Office of the Privacy Commissioner can be contacted in order to obtain guidance on compliance with The Privacy Act. Its contact details are 0800 803 909 or enquiries@privacy.org.nz or refer to www.privacy.org.nz

Privacy Contact Officer

The Group People & Culture Manager is the company's designated Privacy Contact Officer. In the first instance the Group People & Culture Manager should be consulted if any employee is unsure about their requirements under this procedure. The Company's Privacy Statement will list the contact details of the Privacy Contact Officer so that questions or complaints can be directed to them.



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INFORMATION PRIVACY PRINCIPLES

Principle 1: Purpose of collection of personal information (& telecommunications information)

The company must not collect personal information (and telecommunications information) unless:

1. the information is collected for a lawful purpose connected with a function or activity of the agency; and
2. the collection of the information is necessary for that purpose.

Principle 2: Source of personal information (& telecommunications information)

Personal information must be collected directly from the individual concerned.

The exceptions to this are when the agency collecting the information believes on reasonable grounds that:

1. the information is publicly available; or
2. the individual concerned authorises collection of the information from someone else; or
3. the interests of the individual concerned are not prejudiced; or
4. it is necessary for a public sector agency to collect the information to uphold or enforce the law, protect the tax base, or assist court or tribunal proceedings; or
5. complying with this principle would prejudice the purposes of collection; or
6. complying with this principle would not be reasonably practical in the particular case; or
7. the information will not be used in a form that identifies the individual; or
8. the Privacy Commissioner has authorised collection under section 54.

Principle 3: Collection of information (including telecommunications information) from subject

Where the company collects personal information and/or telecommunications information directly from the individual concerned, it must take reasonable steps to ensure that the individual concerned is aware of:

1. the fact that the information is being collected, and
2. the purpose for which the information is being collected, and
3. the intended recipients of the information, and
4. the name and address of the company that is collecting the information, and the agency that will hold the information, and
5. any particular law governing the collection of the information and whether or not the supply of the information by that individual is voluntary or mandatory, and
6. any consequences if all, or any part of, the requested information is not provided, and
7. the individual's rights of access to, and correction of, personal information.



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The company is not required to take the steps referred above in relation to the collection of telecommunications information from an individual if the Company has taken those steps in relation to the collection, from that individual, of the same information or information of the same kind, on a recent previous occasion.

It is not necessary for the company to comply with the above steps if the company believes, on reasonable grounds that:

1. non-compliance is authorised by the individual concerned, or
2. the interests of the individual concerned would not be prejudiced, or
3. non-compliance is necessary for a public sector agency to collect the information to uphold or enforce the law, protect the tax base, or assist court or tribunal proceedings; or
4. compliance would prejudice the purposes of the collection, or
5. compliance is not reasonably practicable in the particular case, or
6. the information will not be used in a form that identifies the individual, or
7. the collection is for the purposes of interconnection or the delivery of a CMS (Call Management System).
8. as a general rule the company should only collect information with the knowledge of the person it is about. The main exceptions will be information about an individual's criminal record, information about an individual's tax records or claims for a benefit from the state.

Principle 4: Manner of collection of personal information (& telecommunications information)

Personal information and/or telecommunication information must not be collected by:

1. unlawful means, or
2. means that are unfair or intrude to an unreasonable extent on the personal affairs of the individual concerned.

Principle 5: Storage and security of personal information (& telecommunications information)

The company must ensure that:

1. reasonable security safeguards are in place to protect the information against loss, misuse, or disclosure; and
2. if it is necessary for the information to be given to a person in connection with the provision of a service to the company, everything reasonable is done to prevent unauthorised use or unauthorised disclosure of the information.

Principle 6: Access to personal information (& telecommunications information)

Where the company holds personal information and/or telecommunication information in a way that it can be readily retrieved, the individual it is about is entitled to:



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1. get confirmation from the company about whether or not it holds such personal information, and
2. have access to that information.

Where an individual is given access to personal information and/or telecommunication information, the individual shall be advised that, under principle 7, the individual may request the correction of that information.

This principle is subject to the provisions of Parts 4 and 5 of the Privacy Act, which amongst other things deal with an agency's right to refuse access in certain cases and details the procedure, the company must follow when dealing with requests for access or correction of personal information.

When the company refuses a request access to telecommunications information it must advise the individual of the complaints process available.

Principle 7: Correction of personal information

Where the company holds personal information and/or telecommunications information, the individual concerned is entitled to request correction of the information, and request that if it is not corrected, a statement is attached to the original information saying what correction was sought but not made.

1. If the company has disclosed personal information and/or telecommunications to another party, and it later corrects the information or attaches a statement of a requested correction, it should inform the other party of this.
2. Where the company receives a request to correct personal information and/or telecommunications information, it should inform the individual concerned of the action taken as a result of the request.

Principle 8: Accuracy, etc., of personal information to be checked before use

The company must not use or disclose personal information and/or telecommunications information without taking reasonable steps to make sure the information is accurate, up-to-date, complete, relevant and not misleading.

Principle 9: Personal Information not to be kept for longer than necessary

Company shall not keep any personal information and/or telecommunication for longer than is required for the purposes for which the information may lawfully be used.

Principle 10: Limits on use of personal information

If the company obtains personal information and/or telecommunications information for one purpose, it must not use the information for any other purpose unless the Company believes, on reasonable grounds that:

1. the use is one of the purposes for which the information was collected; or
2. the use is directly related to the purpose the information was obtained for; or
3. the agency got the information from a publicly available publication; or



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4. the individual concerned has authorised the use; or
5. the use is necessary for a public sector agency to collect the information to uphold or enforce the law, protect the tax base, or assist court or tribunal proceedings; or
6. the use is necessary to prevent or lessen a serious threat to public health or safety, or the life or health of any individual; or
7. the individual concerned is not identified; or
8. the use is authorised by the Privacy Commissioner under section 54.

Principle 11: Limits on disclosure of personal information

Company must not disclose personal information unless it believes, on reasonable grounds:

1. the disclosure is in connection with, or directly related to, one of the purposes for which it was obtained; or
2. the agency got the information from a publicly available publication; or
3. disclosure is to the individual concerned; or
4. disclosure is authorised by the individual concerned; or
5. it is necessary for a public sector agency to disclose the information to uphold or enforce the law, protect the tax base, or assist court or tribunal proceedings; or
6. disclosure is necessary to prevent or lessen a serious threat to public health or safety, or the life or health of any individual; or
7. disclosure is necessary to facilitate the sale of a business as a going concern; or
8. the information is to be used in a form in which the individual concerned is not identified; or
9. disclosure has been authorised by the Privacy Commissioner under section 54.

Principle 12: Unique Identifiers

1. The company must not assign a unique identifier to an individual unless it is necessary to enable the Company to carry out its functions efficiently.
2. The company should not assign to an individual a unique identifier that has been assigned to that individual by another company or agency, unless both agencies are associated persons within the meaning of subpart YB of the Income Tax Act 2004 or it is permitted by sub rule 5.
3. The company may identify a telephone installation or an individual associated with that installation by reference to a number or identifier generated or assigned by another telecommunications agency where that is necessary for interconnection, wholesaling or similar arrangements between telecommunications agencies or between a telecommunications agency and another agency providing telecommunications service.



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Schedule 1

Complaints of Breach of Code Procedure

1. The Group People & Culture Manager will review the Company's Privacy Procedure and Privacy Statement on a needs basis to ensure legislative requirements are met.
2. Executive Managers should audit their business procedures on an annual basis or when introducing a new process that involves the handling of personal information. The audit should determine if the collection, dealing, integrity, access to, and correction of, personal information is compliant with this Company procedure and any other relevant legislation.
3. Each Executive Manager must ensure that personal information that is protected by this procedure is being handled in accordance with the New Zealand Information Privacy Principles and the Telecommunications Information Privacy Code. Where an audit identifies any shortfall, appropriate changes should be implemented and supported by training and supervision.
4. Any person who requests a copy of the Company's Privacy Statement should be provided a copy.
5. Privacy complaints should be forwarded to the Group People & Culture Manager, including the contact details of the complainant. The complaint should be addressed quickly and effectively (within 5 working days). Systematic or ongoing problems, if they occur must be addressed in order to enhance the stakeholder's confidence in the Company's privacy policies.
 - a. The complainant must be informed of any relevant internal and external complaints procedures.
 - b. The complaint and the actions of the agency regarding that complaint should be documented.
6. Within 10 working days of acknowledging the complaint, the Company must:
 - a. decide whether it accepts that the complaint is justified;
 - b. not accept that the complaint is justified.
7. If the company decides that more time is needed to investigate the complaint, it must inform the complainant of that determination and of the reasons for it.
8. After the Company decides whether or not it accepts that a complaint is justified, it must inform the complainant of:
 - a. (i) the reasons for the decision;
 - b. (ii) any actions it proposes to take; and
 - c. (iii) the right to complain to the Privacy Commissioner.
9. Any employee who breaches this procedure or a departmental procedure aimed at protecting the privacy of persons covered by The Privacy Act will be subject to retraining, counselling or disciplinary procedures as appropriate.



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10. Nothing in this Schedule limits or restricts any provision of the Act.

Contact Details: Privacy Commissioner *Te Mana Matapono Matatapu*

Enquiries Line (for general enquiries):

Ph: 0800 803 909

Email: enquiries@privacy.org.nz

Telephone: 04-474 7590 (Wellington)

Telephone: 09-302 8680 (Auckland)

Email: enquiries@privacy.org.nz



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Appendix 1 - Universal Communications Group's Privacy Statement

Protecting Your Privacy

Universal Communications Group (herein referred to as "UCG") is responsible for providing telecommunications services to its clients and its client's customers. Personal information disclosed to UCG deserves to be treated with the highest level of confidentiality.

UCG is committed to the Information Privacy Principles of the Privacy Act 1993 (The Privacy Act). The Company shall take all reasonable steps to ensure the personal information we have obtained about you is not disclosed or accessed by unauthorised persons.

In accordance with The Privacy Act, all persons will be issued this statement at or before the time (or if that is not practicable, as soon as practicable after) UCG collects personal information about you. Alternatively this statement is accessible by any person at any time by placing a request with our Privacy Contact Officer.

Your Personal Information

Personal information held by UCG may include, but is not limited to, your name, date of birth, your address or your email address. We collect it to conduct business with you or to provide telecommunication services to you as directed by our clients who have relevant authority.

When is Your Personal Information Collected?

UCG may collect information about individuals who interact with it in a number of scenarios, including, but not limited to when our clients advise UCG you are eligible to receive our services or when you directly request our services. Or we may collect information from persons who work for companies who subcontract to UCG.

Who Do We Give Your Personal Information To?

If you are a customer, UCG procedure is that employees or our contractors will only use your information for the discharging of their regular duties. Your information will not be discharged to other parties without your prior consent unless where permissible under The Privacy Act. Examples where your personal information can be discharged to third parties without your prior consent include if there is a serious threat to your health or safety or where the Company must disclose the information by law. Your information shall not be disclosed to third parties located overseas.

Where a contractor is contracted to perform work on our Company's behalf, if they are provided your personal information they must only use it in order to discharge their obligations under the contract.

If you work for a company who subcontracts to UCG, there are certain stakeholders who may receive your personal information.

Help Us To Ensure Your Personal Information Is Accurate

UCG takes considerable care to ensure your personal information is accurate and up-to-date. It is recommended that you provide us with accurate information and notify us of any changes or recognised inaccuracies.

How Do You Access Your Personal Information?

If you would like to access the personal information that we may hold about you, please provide a written request to the Company or the Privacy Contact Officer. The Company will undertake necessary checks to validate your identity before supplying the information to you.



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How Is Your Private Information Used?

Your personal information will be used by UCG so we can provide you the services that you require or our clients require. This will include the referencing of relevant personal details to administer the process including the scheduling of work. Or if you work for a company that subcontracts to UCG, we use your personal information to monitor your eligibility to work for UCG.

UCG may also inform you of alternative or new products and services. Each time UCG does approach you with such information you will be given the opportunity to inform it that you do not wish to receive any further information of the same kind.

Alternatively you may contact our Privacy Contact Officer if you do not wish to be contacted regarding other services.

What If You Don't Provide Personal Information?

If you elect not to provide our Company your personal information that is relevant to our dealings with you this may prevent us from conducting business with you such as providing you the product or services you desire, or allowing you to work on our work sites. In some instances the law may require you to supply your personal information to us or for other parties, such as government agencies, to supply the information to us.

What Can You Do If You Have A Complaint?

If you are unhappy with how UCG has handled your personal information please contact our Privacy Contact Officer to discuss your concerns. If you remain unsatisfied contact the Office of the Information Commissioner on 0800803909.

Privacy Contact Officer (The Group People & Culture Manager), PO Box 13639, Onehunga, Auckland 1643. P: 0800 824 975.