

Privacy Statement

Level 1, 112 Cashel Street,
Christchurch Central,
Christchurch 8011

PO Box 1253
Christchurch 8140.

bms.

Introduction

At BMS Risk Solutions Ltd ("BMS") we value the trust you have in us and that's why how we collect, use, disclose and protect your personal information is of utmost importance to us. We are committed to protecting the privacy of individuals' personal information and will therefore ensure the principals of this Privacy Statement are adhered to.

This Privacy Statement applies to personal information collected by us. Its purpose is to inform you, our client and any users of our website about how we collect, use, disclose, protect, and otherwise manage your personal information and how we comply with the requirements of the New Zealand Privacy Act 2020 (Privacy Act), the Information Privacy Principles (IPPs) and any other relevant privacy or data protection laws. It also explains your rights to access and correct your personal information and how to make a complaint for a breach of the IPPs. Please note that when you contact us via our website, you are agreeing to this Privacy Statement.

Personal information is defined in the Privacy Act as information about an identifiable individual (a natural person as opposed to a company or other legal entity) which identifies, or is capable of identifying, that individual. Examples include name, address, phone number, email address, employment history, or criminal conviction history.

BMS will only collect personal information about an individual where the information is reasonably necessary for, or directly relates to, one or more of our functions or activities which include but are not limited to:

- assessing and managing your insurance application and policy,
- communicating with you about our products and services,
- managing and processing payments, and
- administering claims.

By asking us to assist with your insurance requirements, you consent to the use, disclosure, and managing of your personal information for the purposes described above and in accordance with this Privacy Statement.

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

BMS may collect, retain, and update personal information about an individual in a variety of ways, including when an individual interacts with us directly, for example, in person; or indirectly, for example, through the use of our website, from insurers, claims handlers, loss adjusters, motor vehicle register or others.

When we arrange insurance on your behalf, we collect personal information specific to, and required for, us to advise you about your insurance requirements. The types of personal information we collect and hold, and the purpose for which that information is collected, held, used, and disclosed, will vary depending on the nature of your dealings with us, however in all instances, we can only collect personal information that is necessary for the intended purpose. Examples of the kinds of personal information BMS may collect and hold include:

- your contact information such as your name, postal address, physical address, email address, and phone numbers.
- details relating to your employment or previous employment.
- your date of birth.
- information about your assets, income, or liabilities to be insured.
- physical and personal risk, insurance policy, and other related information.
- relevant payment information such as bank account, direct debit and credit card details and premium funding information.

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We will only use or disclose your personal information for the primary purpose for which it was collected or as consented to by you. This will usually include our insurance broking services including premium funding services, claims management services and risk management or other similar consulting services. For example, we will collect, hold, use and disclose personal information which is required to:

- assist us in providing you advice on the products and services you require. We may also use your personal information to keep you informed of developments or opportunities in areas or activities you have previously been interested in or we believe you may be interested in.
- enable us to negotiate with insurers the products you require (and following your instructions subsequently arrange such products on your behalf). Insurers require this information to enable them to decide if they will insure you, and if so, on what terms and conditions. Insurers may pass this information on to their reinsurers and some of these companies may be located outside New Zealand.
- facilitate payment of your insurances. Whether payment is via direct payment or premium funding, bank account and other associated information will be required.
- handle claims on your behalf. We collect information about your claim from you or others and provide this information to your insurer or anyone your insurer has appointed to assist them in considering your claim eg: a loss adjuster or assessor. Again, this information may be passed on to your insurers' overseas based reinsurers.

We will not collect, hold, use, and disclose any personal information that is unrelated to the services we provide.

What happens if you don't provide us with your personal information?

We can only fully advise you about your insurance requirements if we have all relevant information. The insurance laws also require you to provide your insurers with all the information they require to enable them to decide whether to insure you, and if so, on what terms and conditions. If the information sought by us is not provided, it may affect our ability to provide you with, and administer, the products and/or services you require. Please ask us if you are unsure why the information is important and how not providing it might affect you.

You are responsible for supplying us with all relevant information in a timely manner including all information and facts which may be material to an insurer's assessment of a risk you have asked us to arrange insurance cover or a claim. If you fail to disclose or misrepresent any relevant information, this could invalidate your policy meaning that any claim made by you under the policy could be refused by the insurer.

Will we disclose your personal information we collect to anyone?

It may be necessary for us to provide your personal information to relevant third-party businesses who supply services to us for specialised functions, for example our agents or contractors, insurers, reinsurers, premium funders, credit agencies, loss adjusters or assessors, lawyers and accountants, risk managers, external auditors, compliance advisers, regulators such as the Financial Market Authority (the FMA is the regulatory body that governs New Zealand's financial industry), technology service providers, etc. We may also need to supply your personal information to other companies in the event of a corporate sale, merger, reorganisation, dissolution, or similar circumstance.

Your personal information may be disclosed to, and collected by, the insurers listed in the link below for the purposes set out in each insurer's privacy statement, including to assess your application for insurance (if applicable). Each insurer's website includes its address and privacy statement, which explain how you can access and request correction of your personal information. This list is not exhaustive, if you require details for an insurer not listed, please contact us using the contact details on the following page.

[Insurer and Underwriter Agency List & Privacy Statements](#)

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If your personal information is provided to a third party to enable them to perform their agreed activities, they are required to abide by the Privacy Act and only use the personal information for the sole purpose of supplying their specific services. We will do our best to ensure that they protect your personal information in the same way we do.

We may also disclose your personal information to third parties if we are required or authorised to do so by any laws in New Zealand or overseas that apply to us, to you, or the services we provide, for example the Police or Inland Revenue Department or when we are permitted or required to disclose the personal information under the Privacy Act.

Some of these third parties may be located outside New Zealand and may not be subject to data protection laws comparable to those in New Zealand. You agree to such disclosure, and you also agree to obtain any prior consents necessary under the Privacy Act, from those individuals whose confidential information you disclose to us.

Security and protection of your personal information

We will take all reasonable steps to ensure that any personal information we hold is secure and protected from misuse, interference, and loss, and to protect it from unauthorised access, modification, and disclosure. We will only keep personal information for as long as is reasonably necessary for the intended purpose for which it was collected subject to any legal or ethical obligation or document retention requirements. All documentation no longer required will be either destroyed or permanently de-identified in accordance with the Privacy Act.

If we utilise third party or cloud-based service providers for storage or processing of your personal information we will ensure they are subject to appropriate security and information handling arrangements and that the information stored or processed by them remains subject to confidentiality obligations. However, we cannot guarantee the security of all transmissions of personal information, especially where the internet is involved.

Your right to access, correct and delete personal information

The Privacy Act gives you the right at any time to access, correct and, in some circumstances, delete your personal information that we hold. Upon receipt of your written request and enough information to allow us to identify you, we will disclose to you the personal information we hold. We will also correct or delete any personal information that we agree is inaccurate. We are only able to delete your personal information to the extent that it is not required to be held by us to satisfy any legal, regulatory, or similar requirement. If you require access to your personal information, please contact us via:

Telephone: +64 3 365 2522
Mail: BMS Risk Solutions Ltd, PO Box 1253, Christchurch 8140
Email: office@bmsrisk.com

There are certain circumstances when BMS are not required to provide an individual access to their personal information. These circumstances include where providing access, would have an unreasonable impact on the privacy of others, would reveal commercially sensitive information about us, or where providing access would be unlawful. If we refuse your request to access, correct, or delete your personal information:

- we will let you know our reasons, except if the law prevents us from doing so.
- you have the right to request that a statement be associated with your personal information noting that you disagree with its accuracy.
- we will provide you with information on how you can complain about our refusal.

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There is no fee for requesting that your personal information is corrected or deleted or for us to make corrections or deletions, however in processing your request for access to your personal information, a reasonable cost may be charged. This charge covers such things as locating the information and supplying it to you.

We strive to maintain the reliability, accuracy, completeness, and currency of the personal information we hold. We would therefore ask that you keep us up-to-date with changes to your personal information (such as your name or contact details) and when you receive policy schedules, renewal notices or other documentation from us, you contact us immediately if you believe the information is incorrect.

If you have a query or concern

If you require further information about how BMS is managing the privacy of your personal information, if you are concerned about how your personal information is being handled or, if you have a complaint, we ask that you contact us via:

Telephone: +64 3 365 2522
Mail: BMS Risk Solutions Ltd, PO Box 1253, Christchurch 8140
Email: office@bmsrisk.com

Please be assured BMS takes complaints very seriously and after receiving written notice of your complaint we will respond to you as soon as possible. We aim to resolve complaints within 5 business days, but it is possible that some matters will take longer to review and address. If your complaint is taking longer than 5 business days, we will let you know what is happening and what date you can expect a reply. We will endeavour to resolve your complaint fairly and in a timely manner.

If you are not satisfied with our response to any privacy related concern, you may lodge a complaint with the Privacy Commissioner online at www.privacy.org.nz or via:

Telephone: 0800 803 909
Mail: Office of the Privacy Commissioner, PO Box 10 094, Wellington 6143
Email: enquiries@privacy.org.nz

What if there is a privacy breach?

Whilst we take every effort to keep your personal information safe unfortunately there is still a possibility that our security could be breached resulting in unauthorised access or disclosure of your personal information. After becoming aware of a privacy breach that is likely to cause you serious harm we will:

- identify and secure the breach to prevent any further breaches from occurring.
- assess the nature and severity of the breach, including what personal information is involved.
- advise the appropriate authorities if criminal activity is suspected.
- notify any individuals who are affected by the breach.
- where required, notify the Privacy Commissioner.

Cookies

A cookie is a piece of information contained in a very small text file that your computer downloads when you visit a website. Cookies are stored by your browser when you visit a website and enable that website to identify a user's device whenever they return to the site. Cookies are commonly used to make a website work more efficiently, however they also enable the owner of the website to provide services to the end user.

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BMS collects information during your visit to our website through the use of cookies. We use these cookies for a variety of reasons, primarily to help us provide you with a positive experience when you browse our website, help us improve the content included on our site, and to personalise your visit to our website by recording details of the pages relating to particular products and services you have visited. We use cookies to collect broad geographic information on our website visitors. We do not link IP addresses to personally identifiable information, which means that none of the information collected can be traced to an individual – we do not know who you are as a unique user, merely that there are a certain number of people using our site. We only collect data that relates to what goes on in the BMS site and the information cannot be used for marketing on an individual basis.

The web-browsers of most computers are initially set up to accept cookies however through your browser settings you can decide not to accept cookies. Please be aware that if you decide to reject cookies your ability to use some of the content and functions on our website might be affected.

We do not as a general rule pass on the information obtained via the use of cookies to third parties, however, we do use Google Analytics, a web analytics service provided by Google, Inc. Google Analytics sets a cookie in order to evaluate your use of our website. Google stores the information collected by the cookie on servers in the United States. Google may also transfer this information to third parties when required to do so by law, or where such third parties process the information on Google's behalf. Google will not associate your IP address with any other data held by them. BMS uses Google Analytics to optimise our website and improve the service we provide to our visitors.

By using our website, you agree to the use of cookies and similar technologies.

Use of Artificial Intelligence (AI)

While providing our services to you, we may use AI tools and technology to assist in research, document review, document drafting and other tasks. This technology enables us to provide more efficient and cost-effective services. We recognise the inherent limitations of AI tools. While AI can enhance our work, it is not a substitute for our independent expertise and judgment, and we remain responsible for our services. We will exercise professional independent judgment in using AI-generated content and ensure its accuracy and appropriateness in each specific scenario.

Amendment of our Privacy Statement

We review this Privacy Statement periodically to ensure it remains current and relevant. A copy of the latest version can be obtained by contacting us.