

Privacy Policy



NM Insurance Pty Ltd, ABN 34 100 633 038 of 28-32 George Street, Sandringham VIC 3191 is committed to protecting your privacy in accordance with the Privacy Act 1988 (Cth) (Privacy Act) and the Australian Privacy Principles (APPs).

This Privacy Policy applies to personal information collected by us and explains how we collect, use, disclose and handle it as well as your rights to access and correct your personal information and make a complaint for any breach of the APPs. It applies to all information collected about individuals, regardless of how or from where or who the information is collected. It may be collected in relation to a personal or a business policy, but does not protect information obtained regarding the business or its related entities. It also does not protect information regarding our own employees.

‘Personal Information’ means 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 recorded in a material form or not.”

“Sensitive Information” is a subset of personal information and means information or opinion about an individual’s racial or ethnic origin, political opinions, membership of a political organisation, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, criminal record, health information about an individual, genetic information, biometric information or templates.

Why and what kinds of personal information we collect

We collect personal information by lawful and fair means in order to provide you with insurance and insurance related services. Only information reasonably necessary for the completion of the above services, Lloyd’s business or related activities will be collected. This includes information necessary to consider the risk, administer the insurance, assess a claim and determine competitive and appropriate premiums.

We may also sometimes collect personal information for the development of better products and services, and for conducting marketing and customer service research. We may sometimes share this information with our related companies in order to serve you better.

We usually collect identifying information such as your name, address, contact telephone numbers and email addresses. If you are applying for a product we may offer, we may also need to collect specific information that will enable us to supply that product to you such as your insurance history and payment information. We will collect and store this information in a manner that allows us to assist you in the future.

Some products or services may require us to collect ‘sensitive information’, which may include (but is not limited to) your membership or associations, health data, criminal records. We will only collect this type of information where necessary to provide our services to you and in accordance with the Privacy Act.

If you do not agree to provide us with the information we request, we may not be able to offer you the product or services you seek.

How we collect personal information

We collect your personal information directly from you and, in some cases where you consent, from other people or organisations, unless it is unreasonable or impracticable for us to do so or the law permits us to.

If we obtain this information from other sources, we will take reasonable steps to advise you of this. We will usually obtain it from another insured if they arrange a policy which also covers you, related bodies corporate, referrals, your previous insurers or insurance intermediaries, witnesses to claims, health care workers, publicly available sources, premium funders and persons who we enter into business alliances with.

When you give us personal information about other individuals you represent to us that:

- you have the authority from them to do so and it is as if they provided it to you;
- you have made them aware that you will or may provide their personal information to us, the types of third parties we may provide it to, the relevant purposes we and the third parties we disclose it to will use it for, and how they can access it. If it is sensitive information we rely on you to have obtained their consent on these matters. If you have not done or will not do either of these things, you must tell us before you provide the relevant information.

Disclosing your personal information

Your personal information will only be disclosed to third parties where the disclosure is reasonably required to carry out our business or activities unless you have authorised otherwise (or if required by law).

Except where you have consented to it, we will limit the use and disclosure of any personal information provided to us by third parties about you, to the specific purpose for which the information was supplied.

We usually disclose personal information to third parties who assist us or are involved in the provision of our services and your personal information is disclosed to them only in connection with the services we provide to you or with your consent. We may also disclose it for direct marketing purposes explained in more detail below.

Some examples of entities we may disclose personal information about you to include (but are not limited to) our insurers, insurance brokers, reinsurers, other insurers, underwriting agents, Lloyd's Regulatory Division, loss adjusters, assessors, medical service providers, investigators, lawyers, insurance reference bureaus, premium funders etc. These parties are prohibited from using your personal information except for the specific purpose for which we supply it to them and we take such steps as are reasonable to ensure that they are aware of the provisions of this Privacy Policy in relation to your personal information.

We also use personal information to develop, identify and offer products and services that may interest you, conduct market or customer satisfaction research. From time to time we may seek to develop arrangements with other organisations that may be of benefit to you in relation to promotion, administration and use of our respective products and services.

See direct marketing explained in more detail further below. We do not use sensitive information to send you direct marketing communications without your express consent.

If we do propose to disclose or use your personal information other than for the purposes listed above, we will first seek your consent prior to such disclosure or use.

If we give third parties (including their agents, employees and contractors) your personal information, we require them to only use it for the purposes we agreed to.

Security of your personal information

We will endeavour to protect your personal information from misuse, loss, unauthorised access, modification or disclosure. We maintain physical security over our paper and electronic data stores and premises, such as 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 personal information is stored.

Accuracy of and Access to your Personal Information

We will take reasonable steps to ensure that the personal information you provide is accurate, complete and up to date, whenever it is used, collected or disclosed.

Throughout our dealings with you we will take reasonable steps to confirm the details of your personal information we hold and ask you if there are any changes required.

The accuracy of personal information depends largely on the information you provide to us, so we rely on you to:

- let us know if there are any errors in your personal information you become aware of; and
- keep us up-to-date with changes to your personal information (such as your name or address).

You are entitled to access your personal information if you wish and request correction if required except in some exceptional circumstances provided by in law. For example, we may refuse access where the:

- information may have an unreasonable impact on the privacy of others;
- request is frivolous or vexatious;
- information relates to existing or anticipated legal proceedings and would not be accessible by the process of discovery in those proceedings;
- information would reveal our intentions in relation to negotiations in such a way as to prejudice those negotiations.

Where providing access would reveal evaluative information generated by us in connection with a commercially sensitive decision-making process, we will provide an explanation for the decision rather than direct access to the information.

If we refuse access or to give access in the manner requested by you we will let you know why in writing and provide you with details about how to make a complaint about the refusal.

If we make a correction to your personal information we may retain a copy of the previous information for our records or as required by law.

If you wish to access your personal information please write to:
Privacy Officer, NM Insurance Pty Ltd, 28-32 George Street, Sandringham VIC 3191.

Email: customerservice@nautilusinsurance.com.au

In most cases we do not charge for receiving a request for access to personal information or for complying with a correction request.

Transfer of information overseas

We will need to transfer your personal information overseas in order to properly carry out our business. The countries in which these recipients of your personal information are located will depend on the types of services we provide to you, the location of the reinsurer and the location of other services providers. We are unable to identify this location until such time as the services have been provided and this may be subject to change whilst the services are being provided. You can contact us for details.

When we send information overseas, in some cases we may not be able to take reasonable steps to ensure that overseas providers do not breach the Privacy Act and they may not be subject to the same level of protection or obligations that are offered by the Act. By proceeding to acquire our services and products you agree that you cannot seek redress under the Act or against us (to the extent permitted by law) and may not be able to seek redress overseas. If you do not agree to the transfer of your personal information outside Australia, please contact us.

Direct Marketing

We may use your personal information, including any email address you give to us, to provide you with information and to tell you about our products, services or events or any other direct marketing activity (including third party products, services and events which we consider may be of interest to you). Without the limitation just described, if it is within your reasonable expectations that we send you direct marketing communications given the transaction or communication you have had with us, then we may also use your personal information for the purpose of sending you direct marketing communications which we may consider may be of interest to you. We may request our related parties to contact you about services and products that may be of interest to you.

Our Website

You are able to visit our website without providing any personal information. We will only collect personal information through our websites with your prior knowledge for example where you submit an enquiry or application online.

Email addresses are only collected if you send us a message and will not be automatically added to a mailing list.

Cookies

A cookie is a small string of information that a website transfers to your browser for identification purposes. The cookies we use may identify individual users.

- Cookies can either be “persistent” or “session” based. Persistent cookies are stored on your computer, contain an expiration date, and are mainly for the user’s convenience.
- Session cookies are short-lived and are held on your browser’s memory only for the duration of your session; they are used only during a browsing session, and expire when you quit your browser.
- We may use both session and persistent cookies. This information may be used to personalise your current visit to our websites or assist with analytical information on site visits.
- Most internet browsers can be set to accept or reject cookies. If you do not want to accept cookies, you can adjust your internet browser to reject cookies or to notify you when they are being used. However, rejecting cookies may limit the functionality of our website.

Complaints regarding the handling of your personal information

If you believe:

- your privacy may have been prejudiced;
- we or our representatives have breached the Australian Privacy Principles or an APP code,

You have the right to make a complaint about the matter.

In the first instance, your complaint should be addressed in writing to us (see How to contact us and opt out rights section for contact details). We will investigate the matters raised by you and respond directly to you.

If you are dissatisfied with our response, or you have not received a response from us of any kind to your complaint within 30 days, you should refer the matter to the Office of the Australian Information Commissioner (OAIC) in accordance with the Act. OAIC can be contacted on 1300 363 992, <http://www.oaic.gov.au/privacy/making-a-complaint>.

You also have a right in limited circumstances to have your privacy complaint determined by the Financial Ombudsman Service (FOS). The FOS can determine a complaint about privacy where the complaint forms part of a wider dispute within the FOS Terms of Reference between you and us or when the privacy complaint relates to or arises from the collection of a debt.

We are bound by FOS’ determinations, provided the dispute falls within the FOS Terms of Reference. Unless exceptional circumstances apply, you have two years from the date of our letter of decision to make an application to the FOS for a determination.

You can access the FOS dispute resolution service by contacting them at:

The Financial Ombudsman Service,
GPO Box 3,
Melbourne,
Victoria 3001.

Telephone: 1300 780 808
Website: www.fos.org.au
Email: info@fos.org.au

Updating this Privacy Policy

This Privacy Policy is current from 12 March 2014. In the event that this Privacy Policy or any part thereof is amended or modified in the future, the revised version will be available at our office or on our website.

How to contact us and opt out rights

If you wish to gain access to your personal information, want us to correct or update it, have a complaint about a breach of your privacy, wish to withdraw your consent to any of the uses of your information including receiving offers of products or services from us, or have any other query relating to our Privacy Policy, contact our Privacy Officer during business hours on:

Telephone: 1300 780 533
Facsimile: (03) 8599-5099
Email: customerservice@nautilusinsurance.com.au
Mail: Att: Privacy Officer
28-32 George Street, Sandringham VIC 3191

You can also obtain information on privacy issues in Australia on the Office of the Australian Information Commissioner ("OAIC") website at www.oaic.gov.au or by contacting the OAIC by email at enquiries@oaic.gov.au or by calling on 1300 363 992.