



# Privacy policy.

## 1. Background/Introduction

- 1.1 The purpose of this policy is to provide clear guidelines on the collection, use, storage and disclosure of personal information, support relevant agencies and assist in investigation of suspected breaches of policy and/or codes of conduct and to ensure compliance with the Privacy Act 2020 (“**the Act**”).
- 1.2 The Policy will also enable a framework for collection, use, storage and disclosure of personal information to all contractors retained to provide services related to Legacy Funeral Homes Limited.
- 1.3 Legacy Funeral Homes Limited (**Legacy**) is committed to protecting the privacy of the personal information it collects and receives. This privacy policy will explain how Legacy collects, uses, stores, discloses and otherwise handles personal information. It will also explain how you can access and correct any personal information that we hold about you, how to request information from us, and how to complain about any suspected privacy breach.
- 1.4 Warwick Francis is the Privacy Officer for Legacy. Their contact details are:  
**Legacy Privacy Officer:** Warwick Francis  
Email: [office@legacyfunerals.co.nz](mailto:office@legacyfunerals.co.nz)

## 2. What is personal information?

- 2.1 The term “personal information” has the meaning given to it in the “Act”. Personal information is any information that can be used to personally identify you. This includes your name, address, telephone number, email address and profession or occupation.
- 2.2 We may also collect information about you from third parties when you have authorised this or where such information is publicly available.

## 3. Collection of your information

- 3.1 Personal information will be collected only for a lawful purpose connected with and necessary for a Legacy activity. Information will be collected directly from the individual concerned unless it is publicly available or the individual concerned authorises collection of the information from someone else.
- 3.2 We collect your information from you when you visit our website. This can either be by you inputting your information into our website, or through the use of Cookies.<sup>1</sup>
- 3.3 We may also collect information about you from third parties when you have authorised this or where such information is publicly available.
- 3.4 The information that we collect may include, but is not limited to:
  - (a) Your name, address (postal and email), location and telephone numbers.
  - (b) The IP address for your computer or IT system.
  - (c) Your browsing behaviour.
  - (d) Information provided for the purpose of Legacy’s provision of services to you.
  - (e) Information about the deceased. This could include (but is not limited to):
    - (i) Information required by law for Births, Deaths and Marriages;
    - (ii) Medical certificates; and
    - (iii) Instructions for funeral arrangements.
  - (f) Information from credit agencies.
  - (g) If you are using your social sign-in.
  - (h) Your Facebook email address or Google email address.
  - (i) Payment information.

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<sup>1</sup> A “**Cookie**” is a file which allows us to track your likes, dislikes and interests as you use our website. Our site is able to place a Cookie on your computer or IT system. We may use this information to help us identify you, to personalise your experience when you visit our site and to provide advertisements for our services when you visit ours or third party websites. You can stop Cookies being placed on your computer or IT system by changing the settings for your internet browser. Please note ... that some of our site’s features will not work without Cookies.

3.5 If any of the information provided to us includes information about another person, this is on the basis that you have confirmed they have authorised you to provide us with that information.

4. You cannot opt out of providing this information if you want us to provide our services, but you can opt out of certain uses and disclosures of your personal information (more information below).

## 5. **How we collect personal information**

5.1 Legacy will only collect information from you in a way that is lawful and fair. If it is reasonable and practicable, we will collect personal information we require directly from you. We will collect personal information in a number of ways, including but not limited to:

- (a) Through the use of Cookies on our website;
- (b) Through the use of your sign-in information when you enter our site;
- (c) Through any information we gather when we speak with you or from correspondence with you;
- (d) From third parties where this has been authorised; and

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

7. We use your personal information to provide Legacy services to you. This includes:

- (a) Communicating with you about Legacy services, including retaining your contact details in order to communicate with you from time to time;
- (b) Performing credit checks and collecting payment;
- (c) Making historical records; and
- (d) To comply with our obligations at law, including accounting and tax record keeping obligations, the requirement for us to record information for Births, Deaths and Marriages about the cause of death of the deceased and other relevant information.

## 8. **How we store your information**

8.1 We take all reasonable steps to ensure that any personal information we collect about you is protected against loss, unauthorised access or disclosure. Our processes meet the requirements prescribed by both New Zealand and Australian legislation.

8.2 We store information on a cloud based server. This includes a server hosted by Amazon AWS, and a private server located in Te Puke on a dedicated virtual machine. The virtual machine is subject to regular updates to ensure security and access is from a data centre using a secure IPSec VPN tunnel.

8.3 Data will be retained for a limited period of time, being the period of time required to achieve the purpose for which it was collected. Where information is required to be kept for longer, it will only be retained for a reasonable period of time.

## 9. **Your rights to access and correct your information**

9.1 You can ask us to provide you with information we hold about you and request corrections to it at any time. There may be a charge for providing this information, but we will let you know if this is the case before we provide you with the information.

9.2 Legacy will take all reasonable steps to ensure that the information it holds is accurate, up to date, complete and not misleading.

9.3 If you would like to see the information we hold about you or request a correction, please fill out the "Privacy Act Complaint Form" at Appendix 1, and/or contact us at Legacy.

## 10. **Disclosure of your information**

10.1 Legacy take its clients' privacy seriously, and disclosures of the personal information held will only be made to another agency or person if:

- (a) The information was collected so as to be disclosed for the relevant purpose;
- (b) The information is being disclosed directly back to the person who provided it (or agent nominated on behalf of that person);
- (c) The person who disclosed the information authorised the disclosure of the information in the circumstances;
- (d) The information is being disclosed in order for an agent associated with the enforcement of unpaid invoices; or
- (e) The information does not identify the person.

10.2 There may be some circumstances (e.g. to lessen the threat to public or individual health and safety or to assist with law enforcement) where the “Act” may require the disclosure of information. Where reasonably practicable, information disclosed will be anonymous.

## 11. **Complaints**

11.1 We take complaints seriously. To report a breach you will need to complete a “Privacy Act Complaint Form”, and send it to the Privacy Officer. The Privacy Officer will meet with you to discuss the process for dealing with your complaint.

11.2 Any suspected or known breaches of the privacy will be investigated by the Privacy Officer, who will take appropriate action to prevent any further breach and minimise impact.

11.3 Where any breach of personal privacy has the potential to cause embarrassment or harm, the effected individual will be advised of the breach and supported to minimise impact, and Legacy will seek to agree a remedy acceptable to the individual.

11.4 Should there be a deliberate breach of the privacy of a person, the person in breach will be considered to have committed serious misconduct and may be subject to disciplinary procedures up to and including dismissal. They may also be subject to the terms of the “Act”.

11.5 You can also make a complaint directly to the Privacy Commissioner. The Commissioner will either investigate the complaint or decide to take no action, following the rules set out in the “Act”. The Privacy Officer will assist the Privacy Commissioner in any investigation.

## 12. **Changing this policy**

12.1 We may change this policy at any time by changing or removing existing terms or adding new ones. Changes may take the form of a completely new policy. We will tell you about any changes by updating the policy on our website. Any changes we make apply from the date posted on our website. .

12.2 If you have any questions about our Privacy Policy, email us at [office@legacyfunerals.co.nz](mailto:office@legacyfunerals.co.nz)



*Keep the story alive.*

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