

Ports Retirement Trustee Limited

Privacy Policy

This Privacy Policy covers how the Trustee collects, uses and stores personal information collected from members. Membership of the Plan is the only reason the Trustee collects members' personal information. The Trustee understands the importance of protecting members' privacy and complying with their obligations under the Privacy Act 2020 ("the Act") with regards to the handling of personal information.

The Trustee has delegated the administration functions of the Plan to Melville Jessup Weaver Limited ("MJW", or "the Administrator"), and, in most circumstances, it is MJW that will collect, use and store the relevant personal information on the Trustee's behalf. The Trustee has also delegated the secretarial functions of managing the Plan to The Rail and Maritime Transport Union.

Collection of personal information

The Trustee collects and uses personal information in accordance with the Privacy Act 2020, under the grounds that this is necessary to carry out its functions as the manager of the Plan.

Personal information is collected about a member:

- To administer the membership of the Plan,
- To keep records up to date for each member, and
- To meet the Trustee's statutory obligations.

The personal information collected may include some or all of the following:

- Name, address (residential, postal and email) and telephone number(s),
- Date of birth,
- Citizenship or permanent residency of New Zealand,
- IRD number,
- Identity information (e.g. passport details),
- Salary,
- Bank account number, and
- Name of the employing entity.

Personal information may be collected directly from a member or from their employer. Enquiries can also be made with others to verify the information a member provides.

Other than where an exception applies under the Act, the Trustee must take reasonable steps to ensure that a member is aware of the following matters relating to any information collected from a third party:

- The fact that the information has been collected;
- The purpose of the collection;
- The intended recipients of the information;
- The name and address of the agency that is collecting the information and the agency that holds the information;
- If the collection is authorised or required by law, which particular law applies; and
- Their rights of access to, and correction of, the information.

The Trustee is required to inform a member as soon as reasonably practicable after the information has been collected, unless the notification steps have already been taken by that third party.

Other than as set out under “How does the Trustee use the personal information?” below, any information collected will not be used in ways that a member has not consented to, unless required by law. Information is held for each member for so long as the Trustee is legally obligated to hold this information. Where personal information is destroyed, this is undertaken in a secure and confidential manner.

What happens if a member does not provide the requested personal information?

If a member chooses not to provide the requested information, this may affect the Trustee’s ability to process their membership or pay benefits.

How does the Trustee use the personal information?

In addition to the Administrator, personal information may also be shared with the following third parties:

- The Administrator’s IT service provider(s);
- The Plan’s Insurer, currently AIA Insurance;
- Where appropriate, professional advisors such as the Trustee’s legal advisors or auditors;
- Law enforcement agencies; or
- As otherwise agreed with members.

How does the Trustee store personal information?

The Administrator holds all personal information on the Trustee’s behalf. It is stored physically and electronically by MJW or within secure offsite facilities. The Trustee and MJW will do everything reasonably within their power to ensure that all personal information is securely protected from unauthorised use or disclosure.

Can a member obtain a copy of their personal information?

A member has the right to ask for a copy of any personal information held about them, and to ask for it to be corrected if they think it is wrong.

To access or correct personal information, members should contact:

Makayla Gilmour
Plan Administrator
Melville Jessup Weaver
P O Box 1096
Wellington 6140
Email: makayla.gilmour@mjlw.co.nz or ports.retirement@mjlw.co.nz
Telephone: (04) 499 0277

Requests will be responded to within 20 working days.

What does the trustee do if there has been a breach of any personal information?

If there has been a privacy breach of any personal information and it is reasonable to believe this breach has (or is likely to) cause serious harm to a member, then the member(s) affected by the breach will be notified and this breach will also be reported to the Privacy Commissioner. The member(s) will be notified as soon as practicable after the Trustee becomes aware of the breach and will also be advised what remedial steps have been or will be taken.

The Trustee is mindful that serious harm may arise from unauthorised or accidental access or disclosure of personal information that may result in identity theft or fraud, financial loss or significant humiliation or loss of dignity.

How can a member complain about a breach of privacy?

If a member believes their privacy has been breached by the Trustee or the Administrator, or have any concerns about this Privacy Policy, the Trustee will refer the matter to the Plan's Privacy Officer who will investigate. The Privacy Officer will endeavour to determine the nature of the breach, how it occurred and the steps (if any) to resolve the complaint.

The Plan's Privacy Officer can be contacted as follows:

Lara Topping
Privacy Officer
Ports Retirement Plan
P O Box 4197
Wellington 6140
Email: lara.topping@rmtunion.org.nz
Telephone: (04) 473 8349

A member may be contacted during the process to seek any further clarification, if necessary. The member will also be contacted with details of the outcome of the investigation. The Trustee will endeavour to ensure all investigations are resolved within a reasonable timeframe as agreed with the member.

A member who is not satisfied with the Trustee's response, may make a complaint to the Office of the Privacy Commissioner, phone 0800 803 909 (Monday to Friday, 10:00am to 3:00pm) or visit their website (www.privacy.org.nz) for more information on making a complaint.

How does the Trustee monitor privacy?

With almost all of the tasks involving personal information being delegated to the Administrator, the Trustee monitors any privacy issues that MJW encounters in their administration of the Plan. MJW will include in their quarterly administration reports the following confirmations:

- Whether any new personal information has been collected and, if so, a brief description of what information was collected and the purpose for which it was collected (e.g., for new members).
- If there has been any change to the facilities where the Plan's personal information is securely stored (and, where applicable, a brief summary in this regard).
- If there has been any request for personal information held by MJW (and, where applicable, a brief summary in this regard).
- Whether it has identified any breach of privacy or if there has been an event that has triggered a requirement for the Privacy Commissioner to be notified under the Privacy Act 2020 (and, where applicable, a brief summary of the matter(s) in question).
- If it has received any complaints from members about breaches of privacy (and, where applicable, a brief summary of the complaint(s)).

To protect the Plan's private data held by MJW from unauthorised use or disclosure, the Trustee reviews MJW's Cyber Security Review which is commissioned annually to test the resilience of MJW's IT systems to cyberattacks.

Adopted: 30 April 2026

Review: Q2 2029