

INFORMATION FOR CLIENTS

Set out below is the information required by the Rules of Conduct and Client Care for Lawyers of the New Zealand Law Society ("Law Society").

1. **Fees:** The basis on which fees will be charged is set out in our letter of engagement. When payment of fees is to be made is set out in our standard terms of engagement.

We may deduct any fees, expenses or disbursements for which we have provided an invoice from (and/or claim a set off against or a lien over) any funds held on your behalf in our trust account.

2. **Professional Indemnity Insurance:** We hold professional indemnity insurance that meets or exceeds the minimum standards specified by the Law Society and will provide you with particulars upon request.

3. **Lawyers' Fidelity Fund:** The Law Society maintains the Lawyers' Fidelity Fund for the purpose of providing clients of lawyers with protection against pecuniary loss arising from theft by lawyers. The maximum amount payable by the Fidelity Fund by way of compensation to an individual claimant is limited to NZ \$100,000. Except in certain circumstances specified in the Lawyers and Conveyancers Act 2006, the Fidelity Fund does not cover a client for any loss relating to money that a lawyer is instructed to invest on behalf of the client.

4. **Complaints:** We maintain a procedure for handling any complaints by clients, designed to ensure that a complaint is dealt with promptly and fairly.

If you have a complaint about our services or charges, you may refer your complaint to the person in our firm who has overall responsibility for your work.

If you do not wish to refer your complaint to that person, or you are not satisfied with that person's response to your complaint, you may refer your complaint to Hayden Smith (Partner).

He may be contacted as follows:

- by letter;
- by email at hayden.smith@burtonpartners.nz; or
- by telephoning him at +64 9 300 3777.

In addition, the Law Society operates the Lawyers Complaints Service and you are able to make a complaint to that service. To do so you may:

- phone **0800 261 801**;
- email complaints@lawsociety.org.nz; or
- use the online concerns form found at [NZLS | Raise a concern \(lawsociety.org.nz\)](https://www.lawsociety.org.nz/NZLS-Raise-a-concern).

5. **Persons Responsible for the Work:** The name(s) and status of the person(s) who will have the general charge or overall responsibility for the services we provide for you are set out in our letter of engagement.

6. **Client Care and Service:** The Law Society client care and service information is set out below.

Whatever legal services your lawyer is providing, he or she must:

- *Act competently, in a timely way, and in accordance with instructions received and arrangements made.*
- *Protect and promote your interests and act for you free from compromising influences or loyalties.*
- *Discuss with you your objectives and how they should best be achieved.*
- *Provide you with information about the work to be done, who will do it and the way the services will be provided.*
- *Charge you a fee that is fair and reasonable and let you know how and when you will be billed.*
- *Give you clear information and advice.*
- *Protect your privacy and ensure appropriate confidentiality.*
- *Treat you fairly, respectfully and without discrimination.*
- *Keep you informed about the work being done and advise you when it is completed.*
- *Let you know how to make a complaint and deal with any complaint promptly and fairly.*

The obligations lawyers owe to clients are described in the Rules of Conduct and Client Care for Lawyers. Those obligations are subject to other overriding duties, including duties to the courts and to the justice system.

If you have any questions, please visit www.lawsociety.org.nz or call **0800 261 801**.

7. **Limitations on extent of our Obligations or Liability:** Any limitations on the extent of our obligations to you, or any limitation or exclusion of liability, are set out in our letter of engagement and/or terms of engagement.