

## Commitment

Phillip Capital Holdings Pty Ltd ABN 76 053 171 725 and its subsidiaries Phillip Capital Limited ABN 14 002 918 247, Phillip Capital Trading Pty Ltd ABN 68 066 066 911, Phillip Asset Management Limited ABN 94 064 847 669, Phillip Services Pty Ltd ABN 54 155 499 844 (together “PhillipCapital”) understand and appreciate that the privacy of Personal Information that PhillipCapital may collect about you is important. PhillipCapital is committed to protecting your privacy in accordance with the applicable Australian privacy laws. Where a PhillipCapital company collects your Personal Information from another PhillipCapital company, it will have the same primary purpose for which it was collected originally.

PhillipCapital is committed to providing you with high quality financial services in a secure and confidential manner. PhillipCapital complies with the Australian Privacy Principles as required under the Privacy Act 1988 (Cth) when handling your Personal Information.

The Policy describes the types of Personal Information we may collect about you, the purposes for which we use the information and the circumstances in which we may share the information and the steps that we take to safeguard the information to protect your privacy.

This Policy is available on the PhillipCapital website at [www.phillipcapital.com.au](http://www.phillipcapital.com.au) or you can request a copy by contacting our Privacy Officer detailed at the end of this Policy.

## What is Personal Information

Personal Information means information or an opinion, whether true or not and whether recorded in a material form or not, about an individual who is identified or reasonably identifiable.

## Sensitive information

Sensitive information is a subset of Personal Information that is generally afforded a higher level of privacy protection, such as health information. We would normally not collect sensitive information of people requesting our products or services, though we may request it from employees, applicants for employment or individuals wishing to provide services to us. We will only collect sensitive information such as information about your racial or ethnic origin, political opinion, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, sexual orientation or practices, criminal record, genetic information, health information or medical history where it is reasonably necessary for us to receive, process and assess any applications for employment or provision of services and we have your consent or where we are legally required to do so.

## Employee records

PhillipCapital is generally exempt from the Privacy when it collects and handles employee records and this Privacy Policy does not apply to that information. Where State or Territory health privacy legislation applies, we are required to protect the privacy of the employees' health information. This Policy will apply in those circumstances.

## Application of the Privacy Policy

The Privacy Policy applies to all clients, users of the PhillipCapital website, or any persons from whom PhillipCapital has collected or collects Personal Information, in connection with the collection and use of Personal Information.

## Acknowledgement and consent

You may be reading this Privacy Policy because you have provided, or may soon be providing, your Personal Information to an employee of PhillipCapital with whom you have established or will establish

a relationship. By providing us with such Personal Information, you acknowledge that you have read and understood this Privacy Policy and consent to the collection, handling and disclosure of your information in the manner and for the purposes described in this Privacy Policy and as may be indicated on the document (including any online systems), through which you provide such information to PhillipCapital.

In addition to the provisions of this Privacy Policy, there may also be specific and additional privacy provisions that apply to certain products and services provided by the international Phillip companies or any of its affiliates worldwide. These specific and additional provisions may also relate to your privacy protection and you should review them carefully. In the event of any inconsistency between the provisions of this Privacy Policy and those other specific and additional provisions, the specific and additional provisions will prevail.

## What Personal Information we collect about you

The term “Personal Information” in this Privacy Policy, is as that term as defined in the Privacy Act 1988 (Cth). The Personal Information that we collect about you will depend on the PhillipCapital services and products that you use. The types of information that PhillipCapital has collected, or may collect, and hold will include (but are not limited to) information we use to identify you, your financial position and objectives and any other information that may be necessary to the services and products you use.

## Why we collect Personal Information about you

If you deal with PhillipCapital as a private client or otherwise in your individual capacity, e.g. relating to a trust or investment vehicle established to invest on your behalf, or if you deal with PhillipCapital in the capacity of an officer, member, director and or principal of one of our corporate or institutional clients, then typically we collect the following types of Personal Information about you.

- personal details, such as name, age, gender, citizenship, occupation and marital status
- contact details such as current and previous addresses, telephone, email, in some cases both private and work related contact details
- identification documents, such as your passport, copies which may generally include a head and shoulders photograph from, as applicable, your passport or driver's license, as required by laws and regulations addressing due diligence and related matters
- a personal identifier such as your driver licence number, Tax File Number or Medicare Number etc.
- personal details relating to your immediate family members and details relating to any senior political figures (e.g. senior military or government official) to whom you are connected
- for private clients, extensive financial information, including source of wealth, investment experience and objectives, risk tolerance and, in certain jurisdictions, representations required under applicable law or regulation concerning your financial resources, and
- for employees, data obtained during the recruitment process.

## How we collect Personal Information from you

The Personal Information we collect regarding you comes primarily from information that you provide directly to us during the course of your relationship with us and where you have consented or where we are required or authorised by law to do so.

For private clients, we typically obtain Personal Information about you from the forms and documents used when you apply for an account with us, from your transactions with us, from your access to our products

and services, from third parties who provide services to you such as your financial adviser, financial planner, accountant or other professional adviser, or from a third parties authorised to provide us with such information such as credit reporting bodies, other credit providers or other agencies used for running due diligence checks. For employees or applicants for employment, we typically obtain Personal Information about you from your resume or job application or, from previous employers or nominated referees, credit reporting bodies and other credit providers or other agencies used for running due diligence checks. For individuals wishing to provide services to us we typically obtain Personal Information about you from your employer, credit reporting bodies, and other credit providers or other agencies used for running due diligence checks. We also collect Personal Information when we monitor or record our communications with you through use of certain technology.

### Use and disclosure of Personal Information

The purposes for which PhillipCapital uses your information will vary depending on the PhillipCapital services and products you have applied for or use, and the relationship which you have with us. By providing your Personal Information to PhillipCapital, you consent to our use of your Personal Information for any purpose which is related to the purpose for which such information has been provided to PhillipCapital.

Your Personal Information may be disclosed to third parties for purposes related to the purposes for which your Personal Information was collected, with your consent or as authorised or required by law.

We may disclose your Personal Information to the following third parties (as distinct from the employee of PhillipCapital to whom you have provided your Personal Information):

- your financial adviser, margin lending facility provider, other financial services provider providing services to you, your custodian or investment manager where applicable
- any employee of PhillipCapital or any of its affiliates worldwide
- any third party service providers carrying out functions for or on behalf of PhillipCapital or any of its affiliates worldwide
- any person acting on your behalf including your solicitor, accountant, executor, administrator, trustee or guardian
- Financial Services Protection Limited and its members
- government agencies, courts of law, tribunals or regulators (examples include in connection with a subpoena or order with which a employee of PhillipCapital must comply, or a regulatory investigation conducted by an Australian regulator of PhillipCapital), and/or
- any other third party with your consent or where authorised or required by law.
- Depending on the connection which a member or employees of PhillipCapital has/have with you, we may use and disclose your Personal Information for the purposes of:
- providing you with products, services or information in accordance with your requests or reasonable expectations
- administering any accounts you hold with PhillipCapital or any of its affiliates
- enabling PhillipCapital or any of its affiliates to ascertain whether or not they have other services or products which may foreseeably meet your needs or may be of interest to you, and to notify you about these
- the research, planning, product development, risk assessment, risk modelling and marketing conducted by PhillipCapital, or any of its affiliates
- where you have not requested that any marketing communications sent to you, direct marketing of any products or services which PhillipCapital decides may be of interest to you
- identity verification and customer due diligence purposes
- the prevention and detection of money laundering and terrorism financing
- determining whether you have any history of defaulting on payment or delivery of securities
- background checking and verification in connection with recruitment

- compliance with laws including but not limited to the Corporations Act 2001 (Cth), the Anti-Money Laundering and Counter Terrorism-Financing Act 2006 (Cth), the Proceeds of Crime Act 1987 (Cth), the ASIC Market Integrity Rules, any rules of relevant stock exchanges in Australia, and any associated Acts and Regulations enacted pursuant to those Acts named above
- any other purpose to which you have consented, or
- disclosure where required or authorised by law.

### Consequences if you do not consent to the collection or use of some or all of your Personal Information

Where you do not consent or do not provide the relevant employee(s) of PhillipCapital with some or all of your Personal Information, depending on your relationship with such employee(s) and the products or services for which you are applying, PhillipCapital may not be able to process your application or provide you with any of the requested products or services. Where such failure to provide Personal Information constitutes suspicious activity under relevant law, PhillipCapital may be required to report such failure to the relevant authorities.

### Cross border disclosure of Personal Information - transferring your information outside Australia

Given the global nature of the Phillip businesses, and given our strong links with our international Phillip companies which currently have a presence in 17 countries depending on the products or services we provide to you and to effectively provide you financial services, your information may be disclosed to international Phillip companies and their third party service providers carrying out functions on behalf of international Phillip companies. If we disclose your Personal Information outside Australia, we comply with trans-border data flow privacy standards under the relevant Privacy Act, for example, by taking reasonable steps to:

- ensure that the recipient does not breach the Australian Privacy Principles
- protect the information being held, used or disclosed by the recipient, and
- ensure that the recipient is subject to substantially similar privacy laws as Australia (or where that recipient is not - that you have consented to such disclosure.

### Employee record exemption

In Australia, this Privacy Policy does not apply to Personal Information provided to, held, or used by PhillipCapital where that information forms part of an employee record for the purposes of the Privacy Act 1988.

### Use of the PhillipCapital website

By using a PhillipCapital website with your browser settings adjusted to accept cookies, you consent to our use of cookies and other tools to provide or improve the products and services available on those sites. A cookie is a small file placed on your computer and contains information about your visit to our website. A cookie identifies your computer to our web server when you visit the Site. We do not use the cookie to collect or store Personal Information about you. If you do not wish to use cookies, you can adjust the settings on your browser to reject cookies or notify you when they are being used. Our site may contain links to other websites and PhillipCapital is not responsible for the privacy practices or the content of these cookies. When you visit the PhillipCapital website to browse, read or download information, our system will log these movements. These website logs are not personally identifiable and PhillipCapital makes no attempt to link them with the individuals who browse the website.

### Security of your Personal Information

PhillipCapital takes reasonable steps to preserve the security of Personal Information it collects. Personal Information of clients, applicants and any other individuals are held in a secure environment in writing, electronically, or both. We have implemented security procedures, controls and protocols across all of our physical premises and electronic environments to ensure that Personal Information is protected from interference, loss, misuse, unauthorised access, modification, or disclosure. All stored client information is protected from unauthorised access through the use of secure passwords and user log-on or other security procedures. Password and log-on details

are subject to password protection and we recommend you do not divulge your password, log-on or other access details to anyone. PhillipCapital cannot guarantee or accept responsibility for the privacy practices or the content of website to which we provide links. Please let the PhillipCapital Privacy Officer know if you become aware of any security breach.

### **Access and updating of information**

PhillipCapital takes reasonable steps to ensure that the Personal Information which we collect, use and disclose is accurate, complete and current. You are able to make a request to access and update the Personal Information that we hold about you. Please provide us with as much detail as possible to assist us to retrieve the Personal Information which you have requested. In accordance with privacy laws a reasonable fee may be charged to cover our costs of providing access to you. You will be required to provide a valid means of identification as a security precaution to assist us in preventing the unauthorised disclosure of your Personal Information. We will process your request within the time provided by applicable law. To access or amend Personal Information that PhillipCapital holds you should write to the Privacy Officer as detailed below and the Privacy Officer will respond to your request within a reasonable period after your request is made and, if it is reasonable and practicable to do so, provide you with access to your Personal Information in the manner you requested.

Please be aware, in certain circumstances, PhillipCapital may not be required to provide you with access to, or the ability to correct, your Personal Information. If such a decision is made, we will provide you with a written notice setting out our reasons and other available options for you.

### **Complaints**

If you have a privacy related complaint or wish to complain about a possible breach of the Australian Privacy Principles by PhillipCapital, please contact the Privacy Officer and, if requested, complete a written complaint explaining the circumstances of your complaint, how you believe your privacy has been interfered with and how you believe your complaint should be resolved.

We will endeavor to acknowledge the Complaint within 7 business days from receipt and advise you who is managing your complaint. We will investigate your complaint and in most cases a response and possible remedy to a complaint will be provided within 30 days of receipt of the Complaint. We will advise you of any delay in the response. We will throughout the dispute resolution process, ensure that we provide you with the opportunity to communicate with us and negotiate and we will attempt to resolve your complaint in a fair and reasonable manner.

You may also apply to the Office of the Australian Information Commissioner (OAIC) on 1300 363 992 or by email at [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au) to have your complaint heard and determined or you may apply to an external dispute resolution service.

### **Amendments to this Policy**

PhillipCapital may, at its discretion and without any prior or subsequent notice to you, amend or remove any part of this Privacy Policy at any time to reflect changes in our practices and or applicable law and regulation. Please check this Privacy Policy at [www.phillipcapital.com.au](http://www.phillipcapital.com.au) from time to time to ensure that you are aware of any changes or updates to the Policy which will be indicated by a change in the date noted in the footer of the document.

### **How you can contact us**

If you have any questions or feedback about this Policy or any complaints about our collection, storage or handling of your Personal Information, please contact the Privacy Officer in writing at any time by using the contact details below.