

## **Introduction**

The privacy of personal information you provide to us is important. This Privacy Policy governs the collection, use and disclosure of your personal information by Fiduciary Duty Advisers Pty Ltd (FDA), In Your Interest Financial Planning Pty Ltd and all our representatives and related parties, their related entities, subsidiaries, employees and the financial adviser that will assist you (“we”, “us” or “the Group”). This Privacy Policy sets out how we intend to respect your rights to privacy, in accordance with the Australian Privacy Principles contained in the Privacy Act 1988 (Cth).

## **How we collect personal information**

When we refer to “personal information”, we mean information from which your identity is reasonably apparent. This information may include information or an opinion about you, whether true or not. Where reasonable and practical, we will collect your personal information directly from you. We collect personal information from you through our financial advisers and our administrative staff, when interviewing you, from our website and from requests for information to which you choose to respond.

## **The personal information we collect**

The type of personal information we collect may include your name, date of birth, address, account details, occupation and any other information we may need to identify you. If you are seeking financial planning advice, we may also collect the number and ages of your dependants, the length of time you have lived at your current address, your employment details, proof of income and expenses, beneficiaries, bank accounts for funds to be transferred to and from, other financial details and in some cases health information about you.

If you apply for insurance, we may collect information about what is being insured, including information about your health, beneficiaries, claims history, income, professional background, training and experience.

The information we collect such as health information or criminal record may be sensitive. We will only collect it if required for business purposes and if we do collect it will only do so and use it in accordance with privacy laws.

When seeking financial planning advice from us, we will make it clear what information we need to obtain from you for the purpose of providing financial planning advice, as well as any personal information that may be provided by you at your option. You may choose not to provide any optional information requested by us, however this may restrict our ability to assist you.

If you give us personal information about another person, you represent that you are authorised to do so and agree that you have obtained consent from that person for us to use and disclose their personal information. They may access any personal information we hold about them.

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

We use your personal information to assist us to:

1. Make recommendations to you in respect of investment products and services, such as managed investment funds and investor directed portfolio services (IDPS);
2. Make recommendations to you in respect of superannuation products, including self-managed superannuation funds (SMSF);
3. Make recommendations to you in respect of investments in direct equities and stock exchange listed products;
4. Make recommendations to you in respect of risk insurance products, such as insurance for your life, permanent disability, income replacement and critical illness cover;
5. Communicate information about our products and services to you;
6. Meet our internal administrative, marketing, planning and research requirements.

We will take reasonable steps to destroy or de-identify your personal information when your personal information is no longer required for one of the above purposes.

## **Disclosure of your personal information to others**

Where possible, we will inform you, at or before the time of collecting your personal information, of the types of organisations to which we intend to disclose your personal information. We may disclose your personal information to our related bodies corporate, financial advisers, credit representatives, panel of financial product suppliers and advisers, service providers and agents that we use in the ordinary operation of our business. For example, if you provide us with personal information to assist us to apply for personal insurance on your behalf, we may collect personal information about you and disclose it to one of our relevant product providers.

We will disclose your personal information only for the purpose/s for which we collected the personal information. Prior to disclosing any of your personal information to another person or organisation, we will take all reasonable steps to satisfy ourselves that:

- The person or organisation has a commitment to protecting your personal information at least equal to our commitment; or, if required,
- You have consented to us doing so.

We will disclose your personal information to those third parties only where such disclosure is for the purposes required. We will disclose your personal information when we are required by law to do so. For example, we may be required to give your information to AUSTRAC or product providers for the purposes of anti-money laundering matters. We may use cloud storage to store your personal information that we hold.

## **CROSS-BORDER DISCLOSURE OF INFORMATION**

We may also transfer information to external service providers in locations outside Australia, in the course of storing that information and when using or disclosing it for one of the purposes referred to above. When transferring information to foreign jurisdictions, we will ensure that we satisfy one of the requirements below:

- We will take reasonable steps to ensure the overseas recipient does not breach the Australian Privacy Principles (APP) in relation to the information;
- We form a reasonable belief that the overseas recipient is subject to a law, or binding scheme, that has the effect of protecting the information in a way that, overall, is at least substantially similar to the way in which the APP protect the information and there are mechanisms that the individual can access to take action to enforce that protection of the law or binding scheme; or
- We will seek your informed consent prior to disclosing your information overseas.

## **NOTIFIABLE DATA BREACHES**

We are required to notify you and the Information Commissioner of an eligible data breach. An eligible data breach happens if:

- There is unauthorised access to, unauthorised disclosure of, or loss of personal information held by us; and
- The access, disclosure or loss is likely to result in serious harm to you

If you receive a statement of an eligible data breach from us, you should read and implement the recommendations about the steps you should take in response to the eligible data breach.

## **Direct Marketing**

From time to time, we may use your personal information to provide you with current information about our service offerings, special offers you may find of interest, changes to our organisation, or new products and services being offered by us or any business with which we are associated. We do not sell your personal information for direct marketing purposes.

If you do not wish to receive marketing information, you may, at any time, decline to receive such information by contacting us on the details listed below. If the direct marketing is by email, you may also use the unsubscribe function included in such emails. We will not charge you for giving effect to your request and we will take all reasonable steps to satisfy your request at the earliest possible opportunity.

## **Updating your personal information**

It is important to us that the personal information we hold about you is accurate and up-to-date. During the course of our relationship with you, we will ask you to inform us if any of your personal

information has changed. If you wish to make any changes to your personal information, you may contact us. We will generally rely on you to assist us by informing us if the information we hold about you is inaccurate or incomplete.

#### **Access to and correction of your personal information**

You may request access to any of the personal information we hold about you at any time. In such instances, we will provide you with access to that information. To access your personal information that we hold, use the contact details specified below. We will respond to you within seven days of receiving your request. We may need to contact third parties to properly investigate your request. We will provide you with the outcome of our investigation within 30 days.

There may be situations where we are not required to provide you with access to your personal information. For example, if the information relates to existing or anticipated legal proceedings or if your request is vexatious. An explanation will be provided to you if we deny you access to the personal information about you that we hold.

If any of the personal information about you that we hold is incorrect, inaccurate or out-of-date, you may request that we correct the information. We will provide an initial response to you within seven days of receiving your request. Where reasonable and after our investigation, we will provide you with details about whether we have corrected the personal information within 30 days.

We may need to consult with third parties as part of our investigation about the accuracy of the personal information about you that we hold. If we refuse to amend personal information, we will provide you with our reasons for not amending the information.

#### **Government Related Identifiers**

If we collect government identifiers, such as your Tax File Number, we do not use or disclose this information other than as required by law. We will never use a government identifier in order to identify you.

#### **Business without identifying you**

In most circumstances, it will be necessary for us to identify you in order to successfully do business with you. However, where it is lawful and practicable to do so, we will offer you the opportunity of doing business with us without providing us with personal information. For example, if you make general enquiries about interest rates or current promotional offers.

#### **How we store your personal information**

We take all reasonable steps to protect your personal information from misuse, loss, unauthorised access, modification or exposure by:

- Installing security and access requirements for all our IT systems, such as passwords, firewalls and virus scanning software;
- Maintaining document storage and destruction policies;
- Providing your personal information to you only when we are satisfied as to your identity.

We have a regulatory requirement to store your personal information for a period of seven years after we cease to provide financial services to you. We store your personal information in both electronic and paper form.

We require all staff to maintain the confidentiality of customer information. Access to personal information is restricted to employees whose job responsibilities require access to the information. If we no longer need to hold your personal information, it is securely destroyed or de-identified.

### **Contacting us and providing feedback**

If you are not satisfied with how we have managed your personal information, you may contact our Privacy Officer below. We will acknowledge your complaint within seven days of receipt. We will provide you with a decision on your complaint within 30 days of receipt.

You can make any requests relating to your personal information held by us or any complaints regarding treatment of your privacy by contacting:

The Privacy Officer  
Fiduciary Duty Advisers Pty Ltd  
2A Napier Street, Goonellabah NSW 2480  
Phone: 02 6624 4242  
email: [service@fdadvisers.com](mailto:service@fdadvisers.com)

### **Changes to this Privacy Policy**

We may amend this Policy from time to time to comply with new laws or codes of practice that may be implemented. We may also change this Policy to include any new products or services that we may provide from time to time.

This Privacy Policy came into operation on 1<sup>st</sup> February 2021.