

# Australian Financial Services Corporation Pty Ltd

## PRIVACY POLICY

## 1. INTRODUCTION

This policy applies to information collected by Australian Financial Services Corporation Pty Ltd (“AFSC” or “we”). It outlines how we collect and use personal information (including sensitive information) and the measures we take to safeguard that information.

This policy is regulated by the *Privacy Act 1988* (**Privacy Act**) and the Australian Privacy Principles (**APPs**).

## 2. PERSONAL INFORMATION COLLECTED

The types of personal information that we will collect from you and hold on file includes information used to identify you, understand your financial position and any other related information necessary to provide you with business services. This may include, but is not limited to, your:

- name;
- contact details;
- bank account information;
- tax file number;
- passport or drivers licence;
- nationality;
- business structures;
- employment information;
- source of wealth; and
- investment information.

We are also required to collect and hold personal information under the *Anti-Money Laundering and Counter Terrorism Financing Act 2006* (Cth) (**AML Act**) and the *Foreign Account Tax Compliance Act 2010* (USA) (**FATC Act**), which may include sensitive information in certain circumstances.

The personal information provided by you enables us to perform our functions and activities. Should you not provide any of the personal information that we have requested or do not consent to the use, holding or disclosure of this personal information in accordance with this Policy, AFSC may not be able to provide you with the products or services required.

## 3. HOW WE COLLECT PERSONAL INFORMATION

The ways in which AFSC will collect personal information provided by you include, but is not limited to, the following:

- the recording of telephone calls; and
- through our own website and systems.

In some circumstances, we may gather personal information about you from a third party or from publicly available information. The third parties from whom we may acquire personal information include, but are not limited to:

- information service providers;

AFSC Pty Ltd (CAR No. 001275455 ) is a corporate authorised representative of LeMessurier Securities Pty Ltd (AFSL No. 296877)

- credit agencies;
- financial advisers;
- fund managers; and/ or
- intermediaries and spouses.

Should a third party provide us with your personal information, it is assumed that you have provided consent for that third party to do so, unless we are otherwise notified.

#### 4. HOW WE USE PERSONAL INFORMATION

The purposes for which your personal information will be used will depend upon our relationship with you and the nature of the products and services you require from AFSC. We will use your information to:

- provide you with products and services in accordance with our Financial Services licence;
- administer and improve the products and services we provide to our clients;
- offer you further products and services (which may include using your information for marketing purposes, unless told otherwise); and
- comply with legal and regulatory obligations under the *Corporations Act 2001*, the *Proceeds of Crime Act 2002*, the AML Act, the FATC Act and the rules of relevant stock exchanges and ASIC.

AFSC may share client's personal information with:

- strategic partners for the purposes of meeting our obligations under anti-money laundering and counter terrorism financing laws; and
- other service providers which may include, but are not limited to, archival, auditing, accounting, customer contact, legal, business consulting, banking, payment, delivery, data processing, data analysis, information broking, mailing, marketing, research, investigation, insurance, identity verification, brokerage, maintenance, trustee, securitisation, website and technology services.

By using AFSC's services, you consent to AFSC using your personal information for any purpose which is related to the purpose for which it was originally provided.

#### 5. HOW WE STORE PERSONAL INFORMATION

Personal information will be held in a secure environment either in writing, electronically or both. Security measures are in place at AFSC which are intended to protect your personal information from misuse, interference and loss, and from unauthorised access, modification or disclosure. You are entitled to request details on the exact nature of where and how your personal information is held by contacting us through the channels set out in part 6: *How a client can access their Personal Information*.

The key methods of securing the storage of personal information include, but are not limited to:

- secure access to electronic and physical records containing personal information, via password protected access permissions to systems and security pass-protected access to filing cabinets and storage;
- access only to authorised AFSC representatives that need to access the personal information to perform their daily duties; and

- controls relating to how personal information is extracted from the secure environment and how it is used and distributed.

## 6. HOW A CLIENT CAN ACCESS THEIR PERSONAL INFORMATION

Should you wish to know what personal information we hold on you, you can request to view your personal information by contacting:

AFSC Pty Ltd  
6/88 Foveaux Street  
Surry Hills, NSW, 2010  
Email: [contact@oneofftrades.com.au](mailto:contact@oneofftrades.com.au)

AFSC will promptly investigate your privacy enquiry and provide appropriate answers where required or permitted. If you discover that your personal information is outdated, incorrect or incomplete, you may request to have your personal information corrected so we can update your records accordingly.

## 7. DISCLOSURE OF PERSONAL INFORMATION

When you provide us with your personal information, you acknowledge and agree that your personal information may be disclosed to any of the following third parties:

- any person for the purposes described in any of our agreements with you, including any of our strategic partners;
- the issuer or seller of a financial product or its registry provider (or to both), if you have instructed us to acquire the financial product and its terms require us to provide client personal information;
- any regulatory, governmental organisation or industry or legal body which governs the conduct of any part of our business or as required by law or regulation. Whilst not exhaustive, we may need to disclose personal information to regulatory bodies such as ASIC and relevant stock exchanges;
- any financial market, clearing house, settlement facility, lender, credit provider, custodian, share registry or software provider;
- our related bodies corporate including to their officers, employees and professional advisers;
- a third party who is supplying a service to us. We may provide personal information to third parties including identity verification providers, information technology maintenance companies, software providers and share registries;
- any person who acts on behalf of you, as applicable, including your financial intermediary, authorised persons, solicitor, settlement agent, accountant, executor, administrator, trustee, guardian or attorney;
- a prospective purchaser of, or investor in (including an agent or third parties providing services relating to the purchase or investment), AFSC or one of our related bodies, corporate or a business operated by the same, on a confidential basis;
- any person as necessary to enable us, or our related bodies corporate, to enforce our, or its, rights in, or in relation to any defence from, an actual or potential claim;

- any other person to whom you authorise us or our related bodies corporate to release personal information;
- any other third party provided that we obtain your prior written consent; and
- as otherwise permitted by law.

## **8. AFSC WEBSITE AND USE OF “COOKIES”**

AFSC’s website utilises "cookies". A cookie is an electronic mechanism which can trace access and use of personal information contained within websites. By using our website, you consent to the use of cookies. Any personal information obtained through the use of cookies may be used to enhance the products and services that we provide.

## **9. SENSITIVE INFORMATION**

AFSC may be required to collect sensitive information about clients in order to provide advice, products or services. We will only collect sensitive information from you with your consent or as otherwise permitted by law.

Sensitive information includes, but is not limited, information about your:

- health;
- political affiliations;
- union associations;
- race;
- ethnic obligations;
- criminal record; and
- religious or philosophical beliefs.

## **10. GOVERNMENT RELATED IDENTIFIERS**

AFSC may be required to collect Government Related Identifiers of a client in order to provide a product or service. In particular, we may collect Government Related Identifiers to verify your identity in accordance with the AML Act.

A ‘Government Related Identifier’ of an individual is an identifier that has been assigned by:

- an agency
- a State or Territory authority
- an agent of an agency, or a State or Territory authority, acting in its capacity as agent, or
- a contracted service provider for a Commonwealth contract, or a State contract, acting in its capacity as contracted service provider for that contract.

The following are examples of Government Related Identifiers:

- Medicare numbers
- Centrelink Reference numbers
- driver licence numbers issued by State and Territory authorities

- Australian passport numbers.

## 11. NOTIFIABLE DATA BREACHES SCHEME

AFSC’s management of retained data is regulated by the Notifiable Data Breaches Scheme (**NDB Scheme**) that was set up by the *Privacy Amendment (Notifiable Data Breaches) Act 2017*. This scheme will apply where the breach involves personal information that is likely to result in serious harm to the individual affected.

## 12. COMPLAINTS

Clients are able to contact us should they have any questions regarding the business’ compliance with the Privacy Act and/or the APPs or if they wish to make a complaint. Such complaints should first be made in writing to AFSC, as required by the Privacy Act. We will endeavour to respond to a complaint within 7 calendar days. If you are not satisfied with our response to a complaint, you have the right to complain to:

Australian Financial Complaints Authority  
GPO Box 3  
Melbourne VIC 3001  
Telephone: 1800 931 678  
Facsimile: +61 3 9613 6399  
Website: [www.afca.org.au](http://www.afca.org.au)  
Email: [info@afca.org.au](mailto:info@afca.org.au)

If you still remain dissatisfied with the outcome of the complaint following its determination by the Australian Financial Complaints Authority, you may lodge a complaint with the Office of the Australian Information Commissioner using their Privacy Complaint form on their website ([www.oaic.gov.au](http://www.oaic.gov.au)).

## 13. CHANGES TO THIS POLICY

This

Version #	Date	Author	Details
0.1	30/07/2019	AFSC	V0.1

Policy will be reviewed from time to time or whenever a material change occurs and updated accordingly to ensure that the Policy remains in line with all relevant regulations, industry updates and notifications.