

## **1 General**

Benjamin Hornigold Limited ACN 614 854 045 and its related entities (referred to in this document as **we, us or our**) recognise that your privacy is of utmost importance, and are committed to protecting the personal information we collect from you. The Privacy Act 1988 (Cth) (**Privacy Act**) and the Australian Privacy Principles (**APPs**) govern the way in which we must manage your personal information. This policy sets out how we collect, use, disclose and otherwise manage your personal information.

## **2 Collection**

### **2.1 Types of information collected**

We may collect and hold personal information about you (that is, information that can identify you) as is relevant to providing you with the products or services you are seeking. This can include your name, date of birth, contact details (including address, email address and phone number), financial information (such as credit card or bank account numbers) and information about how you use our products and services.

This is not an exhaustive list. We may need to collect additional information about you from time to time to provide products or services to you.

You might also need to provide us with personal information about other individuals (for example, your authorised representatives). If so, we rely on you to inform those individuals that you are providing their personal information to us and to advise them about this policy.

### **2.2 Purpose of collection**

The type of personal information that we collect and hold depends on your interaction with us. Generally, we will collect, use and hold your personal information for the purposes of:

- (a) providing products or services to you or someone you know;
- (b) issuing tax invoices for the products or services we may provide to you from time to time;
- (c) providing you with information about other products or services that we, our related entities and/or other organisations that we may have affiliations with, offer that may be of interest to you;
- (d) facilitating our internal business operations, including the fulfilment of any legal requirements; and
- (e) analysing our services and customer needs with a view to developing new or improved services.

### **2.3 Method of collection**

Personal information will generally be collected directly from you through the use of any of our standard forms (such as when you enter into an agreement with us, contact us with a query or request or submit your details through our website or by email). Where, however, this is unreasonable or impractical we may also collect information other than directly from you, for example:

- (a) from third parties such as our related entities, business partners or your representatives;
- (b) from publicly available sources of information;
- (c) from our records relating to your use of our products or services; or
- (d) from the third parties we list in the section of this policy with the heading "Use and disclosure".

Unless otherwise permitted by law, or unless it is obvious from the circumstances that you would know or expect the information to be collected, we will take reasonable steps to ensure that you are aware that we are collecting the information, the reason why the information is being collected and how the information will be used.

If you choose not to provide certain information, we may not be able to provide you with the products or services you require, or the level of service on which we pride ourselves.

If the personal information you provide to us is incomplete or inaccurate, we may be unable to provide you, or someone else you know, with the products or services you, or they, are seeking.

### **2.4 Internet users**

If you access our website, we may collect additional information about you in the form of your IP address and domain name. We may also collect information about your Internet browser, operating system, address of referring site, your internet protocol address and clickstream information.

Our website uses cookies. The main purpose of cookies is to identify users and to prepare customised web pages for them. Cookies do not identify you personally, but they may link back to a database record about you. We use cookies to monitor usage of our website and to create a personal record of when you visit our website and what pages you view so that we may serve you more effectively.

Our website may contain links to other websites. We are not responsible for the privacy practices of linked websites and linked websites are not subject to our privacy policies and procedures.

## **3 Use and disclosure**

Generally, we only use or disclose personal information about you for the purposes for which it was collected (as set out above). We may disclose personal information about you to:

- (a) third party product or service providers (including organisations that provide us with investment management services) who assist us in operating our business

(including to assist us in providing you with the products or services you have requested or expressed an interest in) and these product or service providers may not be required to comply with our privacy policy;

- (b) brokers or share traders responsible for buying and selling listed securities;
- (c) your financial adviser, your power of attorney or your appointed representative;
- (d) our related entities and other organisations with whom we have affiliations so that those organisations may provide you with information about products, services and various promotions;
- (e) government authorities as required or desirable in administering and conducting our business or in complying with relevant regulatory or legal requirements;
- (f) organisations undertaking reviews of the accuracy and completeness of our information; and
- (g) organisations undertaking identity verification services to verify information about you, including your identity.

We may also need to send your personal information overseas, for example if this is required to complete a transaction or where we outsource a function to an overseas contractor. We will take all reasonable steps to ensure that if your personal information is disclosed to third parties located overseas, they do not breach the APPs in relation to your personal information.

We may also disclose your personal information to third parties other than those listed above if:

- (a) you consent to the disclosure;
- (b) you would reasonably expect us to disclose information of that kind to those third parties; or
- (c) if we are authorised or required to do so by law or if disclosure is necessary to assist with law enforcement. For example, a regulator (such as the Australian Taxation Office or the Australian Securities and Investments Commission), a Court or the police can compel us to disclose your personal information to them.

Please note that we will not use your tax file number or Medicare number or any other government identifier as an account number; however, we may ask you for your driver's licence number or passport number in order to prove your identity when dealing with us.

#### **4 How we use your information for direct marketing**

We may use or disclose your personal information so that we, our related entities, dealers and/or other business partners can promote and market products, services and special offers that we think will be of interest to you (which may include products, services and offers provided by a third party). This marketing may be carried out in a variety of ways (including by email, SMS/MMS, or social media) and may continue after you cease acquiring any products or services from us until you opt out by contacting us.

#### **5 Data Quality and Security**

We store your personal information in different ways, including in paper and in electronic

form. Any bank or credit card details you provide and that we store will be encrypted, and any tax invoices that we may issue to you, will not display your full bank or credit card details, for your added protection. The security of your personal information is of paramount importance to us. We take all reasonable measures to ensure that your personal information is stored safely to protect it from misuse, loss, unauthorised access, modification or disclosure.

We have in place a range of security measures designed to prevent unauthorised access to your personal information, including physical security as well as up to date computer and network security systems.

We will take all reasonable steps to ensure that the data that is collected and/or stored is accurate, as complete as possible and up to date. When collected information is no longer required, all reasonable steps will be taken to destroy or delete it. This obligation is subject to any legal requirement or Court order to retain the information.

Please advise us if you believe that the information we hold about you is inaccurate, incomplete or not up to date.

## **6 Access to your personal information**

You may access the personal information we hold about you, upon making a written request.

If, upon receiving access to your personal information or at any other time, you believe that the personal information we hold about you is inaccurate, incomplete or out of date, please notify us immediately. We will take reasonable steps to correct the information so that it is accurate, complete and up to date.

If you wish to access any of your personal information that we hold or would like to correct any errors in that information, please contact us using the contact details set out in the "Contact" section of this policy, so that we can consider and respond to your request. We may apply an administrative charge for providing access to your personal information in response to a request. We will endeavor to respond within 14 days of your request. However, where the request is more complex or time consuming, we will respond within 28 days of your request.

Please note that in certain circumstances we do have the right to refuse access to the personal information which we hold, being as follows:

- (a) Providing access would pose a serious and imminent threat to the health or life of an individual;
- (b) Providing access would have an unreasonable impact upon the privacy of other individuals;
- (c) The request for access is frivolous or vexatious;
- (d) Providing access would be contrary to law;
- (e) Providing access would be likely to prejudice civil or criminal proceedings between us and another entity;
- (f) Providing access would permit you to take steps to avoid orders or judgements imposed or likely to be imposed by a Court or Tribunal;
- (g) Providing access could in any way prejudice law enforcement or security;

- (h) Providing access could prejudice the prevention, detection or investigation of seriously improper conduct, either within or external to our operations.

## **7 Complaints**

You may also use the contact details set out in the "Contact" section of this policy to notify us of any privacy complaint you have against us, including if you feel that we have failed to comply with the APPs or any binding APP code that has been registered under the Privacy Act.

We are committed to acknowledging your complaint in a prompt manner and will give you an estimated timeframe for when we will respond to your complaint. We may seek further information from you in order to provide a full and complete response.

You may also be entitled to pursue any privacy complaint you have against us with the Office of the Australian Information Commissioner.

## **8 Transborder Data Flows**

We will not transfer data internationally unless:

- (a) We believe that the recipient is governed by laws or rules that would uphold the privacy principles similar to the privacy guidelines in the Privacy Act 1988 (Cth);
- (b) We have taken reasonable steps to ensure that the information transferred will not be collected, held, used or disclosed inconsistently with the Privacy Act 1988 (Cth); and
- (c) The transfer is necessary to disclose information for the purpose for which it was obtained and for any reasonable secondary purpose arising out of the primary purpose.

## **9 Contact**

If you have any queries or concerns about our privacy policy or the way we handle your personal information, please contact us via the details set out in our website: [www.bhdlimited.com.au](http://www.bhdlimited.com.au)

## **10 More Information**

For more information about privacy in general, you can visit the Office of the Australian Information Commissioner website at [www.oaic.gov.au](http://www.oaic.gov.au).