

TYNAN MACKENZIE PRIVACY POLICY

1. Adoption of Privacy Principles

Tynan Mackenzie Pty Ltd abides by the National Privacy Principles established under the *Privacy Amendment (Private Sector) Act 2001*. A summary of the National Privacy Principles (hyperlink) is available on our website or by contacting our office.

2. Collection of Information

- (a) As a financial planning organisation, we are subject to certain legislative and regulatory requirements which necessitate us obtaining and holding detailed information which personally identifies you or contains information or an opinion about you ("personal information"). In addition, our ability to provide you with a comprehensive financial planning and advice service is dependent on us obtaining certain personal information about you, including:
 - (i) employment details and employment history;
 - (ii) details of your financial needs and objectives;
 - (iii) details of your current financial circumstances, including your assets and liabilities (both actual and potential), income, expenditure, insurance cover and superannuation;
 - (iv) details of your investment preferences and aversion or tolerance to risk;
 - (v) information about your employment history, employment circumstances, family commitments and social security eligibility; and
 - (vi) information about your family and your estate planning.
- (b) Failure to provide the personal information referred to above may expose you to higher risks in respect of the recommendations made to you and may affect the adequacy or appropriateness of advice we give to you.
- (c) We are required to collect sufficient information to ensure appropriate advice can be given in respect of recommendations made to our clients under the pursuant to the Corporations Act and Rules of Professional Conduct of the Financial Planning Association of Australia. If you choose not to provide us with the personal information referred to above, we may need to terminate our retainer with you if we believe we are unable to provide you which a complete service.
- (d) We will not collect any personal information about you except when you have knowingly provided that information to us or authorised a third party to provide that information to us.
- (e) Generally we will collect your personal information in face to face interviews, over the telephone or from third parties that you authorise us to contact on your behalf. From time to time additional or updated personal information may also be collected in this way.
- (f) We will only collect, maintain and use personal information about you if it is necessary for us to adequately provide to you the services you have requested including:
 - (i) the preparation of your financial plan;
 - (ii) the provision of financial planning advice to you;

- (iii) making securities and investment recommendations;
- (iv) reviewing your financial plan;
- (v) reviewing securities and investment recommendations;
- (vi) providing taxation advice; and
- (vii) providing estate planning advice.

3. Disclosure

- (a) We will not use or disclose personal information collected by us for any purpose other than:
 - (i) the purposes for which it was provided or secondary related purposes where we consider it necessary for the implementation of our service to you; or
 - (ii) where you have consented to such disclosure; or
 - (iii) where the National Privacy Principles authorise use or disclosure where required or authorised under law, in circumstances relating to public health and safety and in connection with certain operations by or on behalf of an enforcement body.
- (b) We are required under the Rules of Professional Conduct of the Financial Planning Association of Australia to make certain information available for inspection by the Association on request to ensure ongoing compliance with mandatory professional standards. This may involve the disclosure of your personal information. We are also obliged pursuant to the Corporation Act to maintain certain transaction records and make those records available for inspection by the Australian Securities and Investments Commission.
- (c) We may use the personal information collected from you for the purpose of providing you with direct marketing material such as articles that may be of interest to you, however you may, by contacting us by any of the methods detailed below, request not to receive such information and we will give effect to that request. Please allow 2 weeks for your request to be actioned.
- (d) We may disclose your Personal Information to superannuation fund trustees, insurance providers, and product issuers for the purpose of giving effect to your financial plan and the recommendations made by us.
- (e) We may disclose your personal information to external contractors or third parties where necessary for the provision of our service including where applicable, for the following purposes:
 - (i) Preparation of tax returns;
 - (ii) Obtaining legal advice; and
 - (iii) Preparation of wills.

We will take steps to ensure that where possible our external contractors adopt, and adhere to, this privacy policy. If you have any concerns in this regard, you should contact us by any of the methods detailed below.

- (f) If we propose to sell our business, we may disclose your personal information to potential purchasers for the purpose of them conducting due diligence investigations. Any such disclosure will be made in confidence and it will be a condition of that disclosure that no personal information will be used, recorded or disclosed by them. If a sale of our business is effected, we may transfer

your personal information to the purchaser of the business. As a client, you would be advised of any such transfer.

4. Document storage and security policies and practices.
 - (a) Your personal information is generally held in your client file and on our computer database.
 - (b) We will try to ensure that the personal information collected and held by us is protected from misuse, loss, unauthorised access, modifications or disclosure. At all times your personal information is treated as confidential and any sensitive information is treated as highly confidential. All paper files are stored in lockable cabinets which are locked out of hours. Access to our premises is controlled by allowing only personnel with security cards and keys to access the premises out of normal business hours.
 - (c) If you cease to be a client, any personal information which we hold about you will be maintained in a secure off site storage facility for a period of 7 years to comply with legislative and professional requirements, following which time the information will be destroyed.

5. Access to your personal information.
 - (a) You can ask for access to your personal information by any of the methods set out below. We will (subject to the following exception) provide you with access to that information either by providing you with copies of the information requested, allowing you to inspect the information requested or providing you with an accurate summary of the information held. You will need to provide evidence of your identity.
 - (b) We will not provide you access to personal information which would reveal any confidential formulae of the detail of any in house evaluative decision making process, but may instead provide you with the result of the formulae of process or an explanation of that result.
 - (c) We will not provide you with access to your personal information if:
 - (i) providing access would pose a serious threat to the life or health;
 - (ii) providing access would have an unreasonable impact on the privacy of others;
 - (iii) the request for access is frivolous or vexatious;
 - (iv) the information related to existing or anticipated legal proceedings between us and would not be discoverable in those proceedings;
 - (v) providing access would reveal our intentions in relation to negotiations with you in such a way as to prejudice those negotiations;
 - (vi) providing access would be unlawful;
 - (vii) denying access is required or authorised by or under law; or
 - (viii) providing access would be likely to prejudice certain operations by or on behalf of an enforcement body or an enforcement body requests that access not be provided on the grounds of national security.
 - (d) If we refuse you access to your personal information, we will provide you with an explanation for that refusal.
 - (e) We will endeavour to respond to any request for access within 14-30 days depending on the complexity of the information and the request. If your request is urgent, please let us know.

6. Updating your personal information

- (a) We will try to ensure that the personal information about you which we hold is up to date and accurate. If you believe that any personal information which we hold about you is inaccurate, incomplete or outdated, you may contact us by any of the methods detailed below and give us evidence of the information to be corrected. If we agree that the information requires correcting, we will take all reasonable steps to correct the information.
- (b) If we do not agree that your personal information requires correcting, we must, if you request, take reasonable steps to ensure that whenever your personal information is accessed or handled in the future, it is apparent that you are not satisfied as to the accuracy or completeness of that information.

7. Complaints

If you wish to complain about any breach or potential breach of this privacy policy or the National Privacy Principles, you should contact us by any methods detailed below and request that your complaint be directed to the Privacy Officer. Your complaint will be considered within 7 days and responded to. It is our intention to use our best endeavours to resolve any complaint to your satisfaction, however, if you are unhappy with our response, you are entitled to contact the Office of the Privacy Commissioner who may investigate your complaint further.

You can contact us in relation to your personal information by any of the following means:

Call Paul Robertson, Chief Executive Officer on 02 8274 1900 or 1800 250 444 or

Write or send a fax to the Privacy Officer at your local Tynan Mackenzie office at the address or number set out below.

Sydney: Tynan Mackenzie
PO Box R219
ROYAL EXCHANGE NSW 1225
Fax: (02) 9251 5755

Brisbane: Tynan Mackenzie
GPO Box 3108
BRISBANE QLD 4001
Fax: (07) 3223 9302

Melbourne: Tynan Mackenzie
PO Box 305
FLINDERS LANE VIC 8009
Fax: (03) 9628 2902

Wollongong: Tynan Mackenzie
PO Box 402
WARRAWONG NSW 2502
Fax: (02) 4274 9561

Adelaide: Tynan Mackenzie
Level1
135 Fullarton Road
ROSE PARK SA 5067
Fax: (08) 8332 6394

Toowoomba: Tynan Mackenzie
108 Herries Street
TOOWOOMBA QLD 4350