

Privacy Policy
Agriwealth Capital Limited

Sep 2018

Privacy Policy and Data Protection
Agriwealth Capital Limited
Date: September 2018
Version: 2.0

© Copyright 2018
The Corporate Compliance Group Pty Ltd
ABN 81 086 554 305

This policy is to be read with Agriwealth Capital Limited's (ACL) internal disputes procedures.

On 12 March 2014 the *Privacy Amendment (Enhancing Privacy Protection) Act 2012* (Cth) which amends the *Privacy Act (1988)* (Cth), became operational. Under the amended legislation new privacy principles apply to ACL in relation to the way that it deals with personal information of investors.

On 22 February 2018 the *Privacy Amendment (Notifiable Data Breaches) Act 2016* (Cth) which amends the *Privacy Act (1988)* (Cth) became operational. Under the amended legislation new data protection obligations apply to ACL requiring it to notify investors and the Australian Information Commissioner of data breaches.

Revision History

Creation Date: December 2007

Version: 1.0

Original Author(s)	Helen Fielder

Author(s)	Version	Date	Revision Notes
Helen Fielder	2.0	Sep 2018	Review

Introduction

In the course of ACL's business, there may be circumstances where ACL collects personal information and this Privacy Policy has been developed to ensure that this information is handled appropriately.

The Privacy Act incorporates the Australian Privacy Principles, and personal information held by ACL will be treated in accordance with those Principles.

This Policy sets out the broad controls which ACL has adopted to:

- govern the way it collects and uses personal information;
- the circumstances in which it might disclose personal information to third parties;
- how a person can access their personal information held by ACL; and
- what they can do if they are unhappy with ACL's treatment of their personal information.

Who is ACL?

In this Privacy Policy **ACL** refers to Agriwealth Capital Limited and each of its related bodies corporate, including Agriwealth Pty Ltd.

Who does the ACL Privacy Policy apply to?

This Policy applies to any individuals in respect of whom ACL currently holds, or may in the future collect, personal information.

What information does the ACL Privacy Policy apply to?

This Policy applies to personal information. **Personal information** is information or an opinion about an identified individual or an individual who is reasonably identifiable, whether true or not and whether recorded in a material form or not.

In this policy there are also references to **sensitive information** which is information or an opinion about a person's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, criminal record, or health, genetic or biometric information. Sensitive information is a subset of personal information.

What information is not personal information?

Information where ACL has removed any reference to a person, so that the person cannot be reasonably identifiable from the information, is not personal information.

ACL may use this information for its own purposes and commercial gain. For example, the fact that unidentified persons have accessed ACL's website is not personal information.

How and when does ACL collect personal information?

ACL collects personal information in a variety of ways in the course of conducting its businesses, including:

- providing goods and services and related information to investors;
- administering investor accounts;
- engaging suppliers, contractors and other personnel; and
- responding to questions regarding our products and our business;

The kinds of personal information collected and held by ACL include (depending on the circumstances) names, addresses and other contact details, details about a person's work experience and other qualifications, date of birth, driver's licence details and bank account details. Where reasonable and practicable, ACL will collect personal information directly from the person and inform the person that this is being done.

However in some circumstances, it is necessary for ACL to collect personal information from a source of publicly available information (e.g. a telephone book) or from an employer (e.g. where an investor allows ACL to obtain personal information about them).

At or soon after the time when ACL collects personal information, ACL will take reasonable steps to ensure that the person is aware:

- that ACL has undertaken the collection,

- of the purpose(s) of the collection,
- of the main consequences (if any) if the information is not collected,
- of the types of organisation (if any) to which the information may be disclosed (including those located overseas),
- of any law that requires the particular information to be collected, and
- of the fact that this Privacy Policy contains details on access, correction and complaints.

Personal information collected by ACL is held in a variety of formats, including hard copy format and on ACL's computer systems.

If ACL receives personal information that ACL has not requested (unsolicited information) and ACL determines that ACL could not have collected that information under the Australian Privacy Principles if ACL had requested it, then ACL will destroy or de-identify the information if it is lawful and reasonable to do so.

Collection of sensitive information

ACL will not collect sensitive information unless the person to whom it relates consents to the collection and the information is reasonably necessary for one or more of ACL's functions or activities, except where:

- the collection is required or authorised by law,
- is necessary to prevent or lessen a serious and imminent threat to the person's (or another person's) life or health;
- is necessary in relation to legal proceedings (current, anticipated or potential); or
- another permitted exception in the Privacy Act applies.

How does ACL use personal information?

The use to which we can put personal information depends on the reason for which it was collected.

ACL may use personal information for its primary purpose of collection (e.g. the delivery of goods or services to the person) or for any related secondary purpose that we could reasonably be expected to use the personal information for.

In certain circumstances, ACL may use personal information for promotional or direct marketing purposes. However, a person may at any time request ACL not to use their personal information for sending direct marketing material to that person. Such a request can be made by contacting ACL either in writing, by email or by telephone at the contact details below. There is no fee for making this type of request.

Disclosure of personal information

ACL respects the privacy of personal information and we will take reasonable steps to keep it strictly confidential.

ACL will disclose personal information to third parties if it is necessary for the primary purpose of collecting the information, or for a related secondary purpose, if the disclosure could be reasonably expected (e.g. disclosure to a delivery contractor for the purpose of delivering goods ordered from ACL). Where a disclosure is necessary, ACL will require that the third party undertake to treat the personal information in accordance with the Australian Privacy Principles.

Otherwise, ACL will only disclose personal information to third parties without the consent of the person to whom it relates if the disclosure is:

- (a) necessary to protect or enforce ACL's legal rights or interests or to defend any claims;
- (b) necessary to prevent or lessen a serious threat to a person's health or safety;
- (c) required or authorised by law; or
- (d) permitted by another exception in the Privacy Act.

Under no circumstances will ACL sell personal information without the consent of the person to whom it relates.

A related body corporate of ACL may disclose personal information to another related ACL company in Australia, subject to the provisions of the Privacy Act. In these circumstances, the related company will only use the personal information for the same purposes that the disclosing ACL company is authorised to use the personal information for.

In accordance with the principles set out in this Policy, as part of its normal operations ACL transfers personal information to related ACL companies.

Information Security

ACL will take all reasonable steps to ensure that all personal information held by ACL is secure from any unauthorised access or disclosure. However, ACL does not guarantee that personal information cannot be accessed by an unauthorised person (e.g. a hacker) or that unauthorised disclosures will not occur.

ACL will take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed for the purposes for which ACL is authorised to use it.

Accessing personal information

A person may request to access personal information about them held by ACL. Any request must be made in writing to the address below.

ACL will grant a person access to their personal information as soon as possible, subject to the circumstances of the request.

A request to access personal information will be rejected if:

- (a) the request is frivolous or vexatious;
- (b) providing access would have an unreasonable impact on the privacy of another person;
- (c) providing access would pose a serious and imminent threat to the life or health of any person;
- (d) providing access would prejudice ACL's legal rights; or
- (e) there are other legal grounds to deny the request.

ACL may charge a fee for reasonable costs incurred in giving access to an individual's personal information. The fee (if any) will be disclosed prior to it being levied.

Correcting or updating personal information

ACL will take reasonable steps to ensure the accuracy and completeness of the personal information we hold. However, if a person believes that any personal information that we hold about them is inaccurate or out of date, then they should contact ACL in writing at the address below.

Complaints

If a person wishes to complain about a breach by ACL of the ACL Privacy Policy, the Australian Privacy Principles, the Credit Reporting Privacy Code or any registered APP Code that may bind ACL, a complaint may be lodged in writing by post or by email to the address set out in **Contact ACL** below.

ACL deals with complaints via our internal disputes procedures, under which ACL complaints officer will be allocated to assess your complaint and respond to you within a reasonable timeframe. ACL takes all complaints seriously and any further action after our initial response to you will vary depending on the nature of your complaint.

Additional information regarding Credit Information

This Privacy Policy also applies in relation to ACL's collection and use of credit information of individuals, in connection with commercial credit provided by ACL.

The types of credit information that ACL collects and uses for the purpose of assessing an application for commercial credit and administering a commercial account include:

- names, addresses and other contact details of accountholders and guarantors (both prospective and current);
- bank account details;
- driver's licence details;
- financial information; and
- information on the assets held by an individual.

This information is collected from the relevant individual and from credit reporting bodies, as well as from publicly available information. ACL uses the information collected to create an internal credit assessment report.

ACL does not disclose credit information to credit reporting bodies, except for an individual's identity in order to obtain a credit report from the credit reporting body.

7. Direct marketing

We will use your personal details to provide you with information about products and services, which may be of interest to you. If at any time you do not wish to receive such marketing information you have the option to ask us not to send any further information to you, and you may do so by contacting us by email at info@agriwealth.com.au or by telephone on 02 9904 1788.

8. Identifiers

ACL will not adopt, as its own identifier, an identifier that has been previously assigned by a government agency or by an agent of, or a contractor to, a government agency or contract service provider for a Commonwealth contract. We will only use and disclose such identifiers for purposes required by law.

9. Disputes

If you believe that the privacy of your Personal Information is not being adequately protected, you should contact us by letter for the attention of the Privacy Officer, ACL at info@agriwealth.com.au. We will make every effort to resolve your complaint internally.

If we do not resolve your complaint to your satisfaction, you may apply to the Federal Privacy Commissioner to have your complaint investigated. For more information, please contact the Commissioner's hot line service on 02 9904 1788.

10. Unauthorised access to your Personal Information

We are required to take reasonable steps to protect Personal Information that we hold from misuse, interference and loss as well as unauthorised access or disclosure.

Interference of Personal Information occurs when there is an attack on Personal Information that we hold but may not necessarily modify its content. Interference includes an attack on a computer system that, for example, leads to exposure of Personal Information.

Loss of Personal Information includes the accidental or inadvertent loss of Personal Information held by us, for example, by failing to keep adequate backups of Personal Information if there is a systems failure. Loss may also occur as a result of theft following unauthorised access to Personal Information.

Unauthorised access of Personal Information occurs when the Personal Information that we hold is accessed by someone who is not permitted to do so. This includes unauthorised access by an employee or one of our external service providers, as well as unauthorised access by a third party (such as hacking).

Unauthorised disclosure occurs when we make the Personal Information accessible or visible to third parties or we release the Personal Information from our effective control in a way that is not permitted by the Privacy Act.

11. Data Breach Notification

Where we believe there may have been unauthorised access to or disclosure of your Personal Information or your Personal Information may have been lost, we have notification obligations under

the Notifiable Data Breaches Scheme under Part 111C of the Privacy Act where the data breach is likely to result in serious harm to you (described as an eligible data breach).

Under the law we are required to notify the Office of the Australian Information Commissioner (OAIC) and all of our affected clients about eligible data breaches as soon as practicable. Notification occurs when:

- we prepare a statement (see attachment A for example) containing our contact details, a description of the data breach, the kinds of information concerned and the steps we recommend you take to mitigate any harm that may arise from the breach;
- provide a copy of the statement to the OAIC; and
- take reasonable steps based on the circumstances to notify you of the contents of the statement.

12. Changes to this Privacy Guide

This Privacy Guide may change from time to time. Our current Privacy Guide will be published on our website: www.agriwealth.com.au. We advise you to check it periodically for any changes.

Data Breach Notification (example statement to be emailed to client and OAIC)

Unauthorised access to your Personal Information

ACL has been notified about a recent security incident involving [eg one of our service providers that provides us with software services used as part of our administration]/[one of our service providers that backs up information about our clients].

[One of our service providers] recently notified us that its IT systems may have been accessed by an unauthorised party and that the data of its clients, including us, stored on its platform may have been compromised.

ACL took immediate action to suspend our portal. [name of service provider] state that it has now secured its systems and is conducting an investigation into what information may have been accessed. This may include contact details such as name, email address, physical address and telephone number.

[name of service provider] is still investigating this incident at this point in time and it has not confirmed whether the data described above has been affected. However as there is a risk that this may have occurred we thought it is important to inform you of this incident as you have opened an account with us.

ACL takes this matter seriously and we have taken all recommended action to minimise further risks. ACL's IT service provider is in contact with [name][law enforcement cyber security experts at OAIC] regarding the investigation so that we are kept informed of any new details of the investigation as they arise.

If you have any questions

If you have any questions about how this incident relates to you or you would like further assistance you can contact [IT Systems] on [telephone no.] or visit their website at [insert details].

If you have any other questions please contact us by email at info@agriwealth.com.au.

Sincerely

Wayne C Jones
Chief Executive Officer
Agriwealth Capital Limited

Cookies policy

We use the term “cookies” to refer to cookies and other similar technologies covered by the EU Directive on privacy in electronic communications.

- **What is a cookie?**

Cookies are small data files that your browser places on your computer or device. Cookies help your browser navigate a website and the cookies themselves cannot collect any information stored on your computer or your files.

When a server uses a web browser to read cookies they can help a website deliver a more user-friendly service. To protect your privacy, your browser only gives a website access to the cookies it has already sent to you.

- **Why do we use cookies?**

We use cookies to learn more about the way you interact with our content and help us to improve your experience when visiting our website.

Cookies remember the type of browser you use and which additional browser software you have installed. They also remember your preferences, such as language and region, which remain as your default settings when you revisit the website. Cookies also allow you to rate pages and fill in comment forms.

Some of the cookies we use are session cookies and only last until you close your browser, others are persistent cookies which are stored on your computer for longer. For further details on the various types of cookies that we use, please read our [cookie policy](#).

- **How are third party cookies used?**

For some of the functions within our websites we use third party suppliers, for example, when you visit a page with videos embedded from or links to YouTube. These videos or links (and any other content from third party suppliers) may contain third party cookies and you may wish to consult the policies of these third party websites for information regarding their use of cookies. For further details on the third party cookies that we use, please click read our page on [cookie types](#).

- **How do I reject and delete cookies?**

We will not use cookies to collect personally identifiable information about you. However, should you wish to do so, you can choose to reject or block the cookies set by ACL or the websites of any third party suppliers by changing your browser settings – see the Help function within your browser for further details. Please note that most browsers automatically accept cookies so if you do not wish cookies to be used you may need to actively delete or block the cookies.

You can also visit www.allaboutcookies.org for details on how to delete or reject cookies and for further information on cookies generally. For information on the use of cookies in mobile phone browsers and for details on how to reject or delete such cookies, please refer to your handset manual.

Note, however, that if you reject the use of cookies you will still be able to visit our websites but some of the functions may not work correctly.

Contact ACL

If there are any questions regarding the ACL Privacy Policy or the way that ACL manages personal information or if there are any concerns about ACL’s treatment of personal information, then ACL may be contacted by post, telephone or email:

Agriwealth Privacy Officer
Level 1, 20 Young Street, Neutral Bay NSW 2089
Telephone: 02 9904 178

www.agriwealth.com.au

info@agriwealth.com.au

- **Contact ACL with your privacy enquiry**

Privacy Policy and Data Protection Agriwealth Capital Limited Date: September 2018 Version: 2.0	© Copyright 2018 The Corporate Compliance Group Pty Ltd ABN 81 086 554 305
--	--