

Privacy Policy

AgriWealth Capital Limited

March 2014

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.

Introduction

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

The Privacy Act incorporates the Australian Privacy Principles. 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;
- determine the circumstances in which it might disclose personal information to third parties;
- determine how a person can access their personal information held by ACL; and
- determine 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 (ACN 126 768 090) and each of its related bodies corporate.

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;
- it is necessary to prevent or lessen a serious and imminent threat to the person's (or another person's) life or health;
- it 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 for which we could reasonably be expected to use the personal information.

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 for which the disclosing company is authorised to use the personal information.

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 access to 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 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 the 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 concerning 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.

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 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:

ACL 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**