

## Introduction

Smith Coffey Financial Management Pty Ltd (A.B.N. 28 754 975 431), Smith Coffey Pty Ltd (A.B.N. 72 940 948 949) and Smith Coffey Securities Pty Ltd (A.B.N. 19 008 812 208) (referred to in this document collectively as “**Smith Coffey**”, or “**we**” or “**us**”) are committed to protecting your privacy and the confidentiality of your personal information. As an entity that collects and maintains personal information about its clients Smith Coffey is subject to the *Privacy Act 1988 (Cth)* (Privacy Act) and associated regulations, including the Australian Privacy Principles. To ensure you are appropriately informed in respect of how Smith Coffey will manage and handle your personal information Smith Coffey makes available this Privacy Policy.

This policy explains how we manage your personal information. It details the type of personal information we collect, how we may use that information, to whom we allow access and how we protect it.

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## Why we collect personal information

Smith Coffey collects personal information from you when you engage us so that we may provide you with advice, recommendations and services. If you do not provide the information that we ask for, we may not be able to provide the products or services you have requested. Most of this information we are required to obtain in order to satisfy legal or regulatory requirements. For instance, we are required to confirm your identity for the purposes of the Anti-Money Laundering and Counter Terrorism Financing Act.

We may use the information for the purpose of:

- Establishing details of existing products that you have;
- Liaising with product providers;
- Liaising with Government Bodies such as the ATO and ASIC;
- Preparing Tax Returns;
- Attempting to identify and bring to your attention products and services that may be appropriate for you, or of interest to you;
- Completing application forms;
- Assessing, processing and managing your application to work with us;
- Maintaining records and complying with our legal obligations;
- Conducting any professional quality control review program;
- Managing our business operations such as maintaining secure IT systems;
- Providing, maintaining and improving our website and services;
- Obtaining analytical data;
- Carrying out reasonably related secondary purposes;
- Carrying out any other activity that you authorised us to do; and/or
- Carrying out any other activity for which the information was collected

## What information is collected

When we provide you with financial services or credit services, we may be required by the Corporations Act 2001, National Consumer Credit Protection Act 2009 and regulatory requirements to seek to obtain certain personal information about you, including, but not limited to, your:

- Name, date of birth, contact details;
- Government-issues identification such as tax file numbers, Medicare number or pension

card number (We only disclose this information for the purposes required by law and as instructed by you.);

- Employment details and employment history;
- Financial details;
- Details of your investment preferences and attitude or tolerance to investment and financial risk;
- Information about your financial needs and objectives; and
- any other information that we may consider necessary.

## Sensitive information

We may also need to collect sensitive information if we organise insurance covers for you. Sensitive information includes health information, racial information, genetic information, etc.

We will only collect and use sensitive information that is reasonably necessary for us to provide our services to you or to identify and bring to your attention products and services that may be appropriate for you, or of interest to you.

## How information is collected

Generally, we collect your personal information from you directly, for example, when we deal with you in person or over the phone, when you send us correspondence (including via email), when you complete a questionnaire, form or survey or when you subscribe to our publications.

Smith Coffey may from time to time collect personal information from alternative sources. Some examples of these alternative collection events are:

- concerning an associate of a client or a prospective client (e.g. a spouse or a child) where it is considered unreasonable or impracticable to seek this same information directly from the associate;
- when we collect personal information about you from third parties;
- personal information collected from your business card;
- when we collected personal information about you from a referee provided by you on an application made with us;
- when we collect information from you in order to provide you with services, a quote

for services or our invoices in relation to services rendered;

- when we collect personal information about you when you register to attend or attend an event; or
- when we collect personal information about you from publicly available sources including but not limited to, court judgments, directorship and bankruptcy searches, Australia Post, White Pages directory, and social media platforms (such as LinkedIn, Facebook, Twitter, Google, Instagram etc.).

## Obligation to provide us with personal information

You are not required to provide us the information that we request, or to allow us to collect information from third parties. However, where you choose not to provide us with the information we request, we may not be able to provide you with services that you have requested from us, and we may elect to terminate our arrangement with you. Importantly, if you provide either inaccurate or incomplete information to us you risk obtaining products or services that may not be appropriate or suitable for your needs and you may risk suffering a financial detriment or financial loss.

## Use and disclosure of Personal information

Where we receive unsolicited personal information about you, we will consider if we could have collected the information if we had solicited the information. Where we determine that we could have collected the personal information from you, we will treat your personal information in the same manner as if we have solicited the information directly from you. Where we determine that we could not have collected the personal information, we will destroy the information or ensure that the information is de-identified as soon as possible.

## Tax File Numbers

When you provide us with personal information, the information may contain your Tax File Number. Use and disclosure of TFN is strictly regulated under the Privacy Act and tax laws. We will maintain the confidentiality and security of your TFN in accordance with these rules.

## Website collection of personal information

We may record your IP address and details of your access to our sites, we may place cookies on your computer to enable your web browser to search and find us efficiently. We use cookies to monitor the traffic to the various pages on our website, for statistical and website improvement purposes only. This information is anonymous and will not enable you to be identified. You are able to disable cookies and applets via your computers web browser however this may restrict access to some webpages and services within our website.

## Disclosure of your personal information

We may disclose your personal information to:

- Our representatives;
- The issuers of products and services that you have elected to acquire, vary or dispose of using our assistance;
- Parties who we think are necessary or convenient to provide services to you;
- Our external service providers [e.g. IT providers, professional advisers and contractors];
- Prospective entities interested in acquiring all or part of our business.

For example, information may be disclosed to the following parties:

- Product issuers and credit providers for the purpose of giving effect to the recommendations made by us, and other organisations who support the products and services we offer;
- Other parties involved in the administration of your financial/credit products or insurance cover (e.g. custodians, brokers, credit reporting bodies, actuaries, call centres, mail houses, product registries, any persons who propose to guarantee (or have guaranteed) repayment of any credit provided to you, mortgage insurers, claims assessors etc);
- Our external service providers (e.g. IT providers, professional advisers and contractors);
- Government and regulatory authorities and other organisations, as required or authorised by law;
- Any person considering acquiring, or acquiring an interest in our business;

- Suppliers and third parties that perform services for us in connection with our website and in connection with the sale and provision of our services, including third parties who provide marketing services.

## Cross-border

We may transfer personal information to related bodies corporate or external service providers in locations outside Australia, in the course of storing that information and when using or disclosing it for one of the purposes referred to above. When transferring personal information to foreign jurisdictions, we will only permit the transfer of information once we have satisfied one of the criteria below:

- taking reasonable steps to seek to ensure the overseas recipient does not breach the APP in relation to the information; or
- forming a reasonable belief that the overseas recipient is subject to a law, or binding scheme, that has the effect of protecting the information in a way that, overall, is at least substantially similar to the way in which the APP protects your information and where there are mechanisms that you can access to take action to enforce those protections under the law or binding scheme; or
- we obtain your informed consent prior to disclosing your personal information overseas.

## Storage and security of personal information

Once we collect your personal information, we will either hold it securely and store it on infrastructure owned or controlled by us or with a third party service provider who have taken reasonable steps to ensure they comply with the Privacy Act.

Smith Coffey will take all reasonable steps to protect against the loss, misuse and/or alteration of the information under its control, and that the information it holds is accurate, complete and up to date including through appropriate physical and electronic security strategies.

Only authorised Smith Coffey personnel are provided access to personal information, and these employees are required to treat this information as confidential. We may need to maintain records for a significant period of time.

However, when we consider information is no longer needed, we will destroy or permanently de-identify these records.

## Notifiable data breaches

We are required to notify you and the Office of the Australian Information Commissioner ("OAIC") of an eligible data breach. An eligible data breach happens if:

- there is unauthorised access to, unauthorised disclosure of, or loss of personal information held by us; and
- the access, disclosure or loss is likely to result in serious harm to you.

If you receive a statement of an eligible data breach from us, you should read and implement the recommendations about the steps you should take in response to the eligible data breach.

## Access and correction of information

You may request access to the personal information we hold about you, and we will respond within a reasonable period after the request is made. Where we provide you access to such information, we may charge a reasonable fee to cover our costs. We will disclose the amount of such costs to you prior to providing you with the information.

We will take reasonable steps to ensure that the personal information that we collect, use or disclose is accurate, up-to-date, complete and relevant. In the event that you become aware, or believe, that any personal information which we hold about you is inaccurate or incomplete, you may contact us and request that we correct the information.

If we disagree about the correction you have supplied, and refuse to correct the personal information, or if we believe that we are unable to comply with your request to access the personal information that you have provided us, we will give you a written notice to that effect. You have a right to make a complaint if you disagree with our decisions in relation to these matters (see below).

## Complaints

If you believe that we have breached the APP or disagree with a decision that we have made in relation to our Privacy Policy, you may lodge a complaint with us. To enable us to understand

and deal with your complaint in a timely fashion you should set out a brief description of, the reason for your complaint and what action or remedy you are seeking from us. Please address your complaint to:

**Legal and Compliance Manager  
Smith Coffey  
20 Nicholson Rd, Subiaco, WA 6008**

### Need more help?

If you still feel your issue hasn't been resolved to your satisfaction, then you can raise your concern with the Office of the Australian Information Commissioner:

Online: [www.oaic.gov.au/privacy](http://www.oaic.gov.au/privacy)

Phone: 1300 363 992

Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

Fax: +61 2 9284 9666

Mail: GPO Box 5218 Sydney NSW 2001 or GPO Box 2999 Canberra ACT 2601

## Changes to the privacy policy

This Policy may change. We will let you know of any changes to this Policy by posting a notification on our website at <https://www.smithcoffey.com.au/>