

## **SMSF Paraplanners Pty Ltd Privacy Policy**

This policy sets out how SMSF Paraplanners Pty Ltd ACN 158 953 292 (We, Us) collects, uses, discloses, retains and manages your personal information and how we comply with our obligations under the Privacy Act 1988 (Cth) (Privacy Act). Unless you advise us otherwise, you acknowledge and consent to us using your personal information as set out in this Privacy Policy or as otherwise permitted under the Privacy Act 1988 (Cth) or other law.

### **1 What personal information do we collect?**

- (a) When we are contacted or we provide services, the personal information we collect may include (but is not limited to) a person's name, contact details, date of birth, financial details, insurance details, tax statements and other personal data. This may include sensitive information (as that term is used in the Privacy Act). This information is for our Client's Customers.

### **2 How do we collect the personal information?**

- (a) We collect personal information:
  - (i) from our clients when we provide services to them. This includes personal information about their customers. We do not contact our client's customers;
  - (ii) through various forms that our clients complete, or by recording the information that our clients provide via phone calls, interviews and other forms of communication such as email.
  - (iii) via a files sharing arrangement with a client and when a client provides access to their CRM and software systems and third party websites to enable us to provide the services;
  - (iv) when sent to us by email or other communication from third parties;
  - (v) from publicly available sources of information;
  - (vi) when we are required to do so by law; and
  - (vii) from our own records.
- (b) We are committed to ensuring the information we have is accurate and up to date. We update personal information when we are advised there has been a change and at other times as necessary.

### **3 Provision of personal information to us by our Clients**

If you provide us with the personal information of another person (including Your customers):

- (a) you must disclose to that person that you are providing personal information (including sensitive information) to us and that the information may be disclosed off-shore in accordance with clause 6; and
- (b) you represent and we accept it on the basis that you represent that Client and authorised to do so and that the relevant person has consented to the disclosure to us.

#### **4 How we use your personal information?**

- (a) Generally, we will collect, use and hold personal information to:
  - (i) provide our services, including services involving your customers;
  - (ii) facilitate our internal business operations, including the fulfilment of any legal requirements;
  - (iii) advise you of additional services or information which may be of interest;
  - (iv) provide your contact details to our partners who have agreed to provide you with any services;
  - (v) analyse our services and customer needs with a view to developing existing and new products and services;
- (b) If we do not collect the personal information we will not be able to provide the services or provide any assistance requested.
- (c) If the personal information provided to us is incomplete or inaccurate, we may be unable to provide our services or our services may be adversely affected.

#### **5 Disclosing your information**

We can disclose personal information we have about you to third parties in certain circumstances including:

- (a) if you agree to the disclosure;
- (b) to employees, contractors and service providers, who assist us in operating our business and providing our services and those service providers of yours that you require us to work with;
- (c) using it for the purposes we collected for which it was (e.g. to provide our services or respond to a query);
- (d) where disclosure is required or permitted by law;
- (e) to our related entities;
- (f) if disclosure will prevent or lessen a serious and imminent threat to someone's life or health; or

- (g) where it is reasonably necessary for the enforcement of the criminal law, a law imposing a pecuniary penalty or for the protection of public revenue.

## **6 Disclosure of personal information off-shore**

- (a) We provide services to you and your customers under our Client Services Agreement. Some of these services may be performed by a related party in the Philippines.
- (b) The services include:
  - (i) administration support including (but not limited to) the preparation of insurance quotes, Product Comparison Checklists (PCCs);
  - (ii) inputting client data into financial planning software including (but not limited to) Xplan and Coin;
  - (iii) preparation of Statement of Advice documents;
  - (iv) preparation of Record of Advice documents;
  - (v) preparation of Investment Portfolio Review Statement of Advice documents;
  - (vi) preparation of Strategy Discussion Statement of Advice documents;
- (c) To provide our services we receive personal information from you about your customers. This may include sensitive information.

## **7 Considerations when you send information to us**

- (a) While we do all we can to protect your privacy and the privacy of Your customers, including investing in specialist security software, no data transfer over the Internet is 100% secure.
- (b) If you provide personal information to us electronically, there are ways you can help maintain the security of the information. These include:
  - (i) always close your browser when you have finished your user session;
  - (ii) do not provide personal information by using a public computer;
  - (iii) never disclosing your user name and password to another person; and
- (c) You are responsible for all actions taken using your username, email or password. If at any time you believe your username or password have been compromised, change your password and contact us immediately.

## **8 How your information is stored**

- (a) We take reasonable steps to securely store personal details and information. This includes electronic and physical security measures.

- (b) We may be legally required to maintain some of your records for a significant period of time. When the personal information that we collect is no longer required, we destroy or delete it in a secure manner.

## **9 How you can update, correct, or delete your personal information**

- (a) You and your customers have a right to request access to personal information which we hold about you and your customers and to ask us to correct it if you believe it is inaccurate or out of date.
- (b) You or Your customers may request access to your personal information or correct any inaccurate or out of date information by contacting our Privacy Officer whose details are outlined below.
- (c) If there is a reason under the Privacy Act or other law for us not to provide you or your customers with information, we will give you or your customers a written notice of refusal setting out:
  - (i) the reasons for the refusal except to the extent it would be unreasonable to do so; and
  - (ii) the mechanisms available to you to complain about the refusal.
- (e) You or your customers should also contact us immediately if:
  - (i) someone has gained access to you or your Client's personal information;
  - (ii) we have breached our privacy obligations or your or your Client's privacy rights in any way; or
  - (iii) you or your customers would like to discuss any issues about our privacy policy.

## **10 Your authority and opting out**

- (a) By using our services and providing us with personal information, you consent to us maintaining, using and disclosing your personal information in the way described in this Privacy Policy.
- (b) We do not use personal information of your customers for marketing purposes.
- (c) If at any time you no longer wish to receive any additional marketing material from us or do not want your information disclosed for direct marketing purposes, email **jo@smsfparaplanners.com.au** and we will remove your details from our marketing database.
- (d) If you close your account or opt out, we will remove or de-identify personal information as soon as reasonably possible. We may, however, retain personal information for as long as is necessary to comply with any applicable law, for the

prevention of fraud, for insurance and governance purposes, in our IT back-up, for the collection of any monies owed and to resolve disputes.

## **11 Limitation of liability**

- (a) To the extent permissible by law and subject to our obligations under the Privacy Act, we will not be liable to you or to any third party for any loss or damage (including but not limited to consequential loss or loss of profits) or claim arising from our collection, disclosure, management and use of personal information in accordance with this policy.
- (b) Where liability is not able to be excluded by law, to the extent allowed by law and without limiting your rights under Australian Consumer Law, our liability to you in any circumstances will be limited to re-performance of any services we have provided to you.
- (c) Links on our website or websites we set up for you may take you outside our network. These links are provided in good faith. However, we are not responsible for third party sites and accept no responsibility for the content, accuracy, security or function of third party sites.

## **12 Changes to our Privacy Policy**

- (a) This document sets out our current Privacy Policy.
- (b) Our Privacy Policy will be updated from time to time. You should review our Privacy Policy each time you visit our website or provide us with personal information.
- (c) If you would like further information on our Privacy Policy or if you have any concerns over the protection of the information you have given to us or that we have collected from others, please contact us by
  - (i) Telephone- 0402 242 797
  - (ii) Email - [jo@smsfparaplanners.com.au](mailto:jo@smsfparaplanners.com.au)
  - (iii) In writing- PO Box 723, Mooloolaba, QLD 4557
- (d) More information about your rights and our obligations in respect to privacy and information on making a privacy complaint are available from the Office of the Australian Information Commissioner by:
  - (i) website - [www.oaic.gov.au](http://www.oaic.gov.au);
  - (ii) mail - GPO Box 5218 Sydney NSW 2001
  - (iii) email - [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)