

Samuel Terry Asset Management Pty Limited

Privacy Policy

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Privacy policy

1. What is this policy about?

Samuel Terry Asset Management Pty Ltd (**STAM**) recognises the importance of ensuring that its clients have confidence in the way that STAM handles personal information about you.

This document sets out STAM's policy for handling your personal information and has been prepared to provide you with information about what STAM can do with your personal information.

Directors and employees of STAM may also use this document to understand what they can do with personal information collected from you.

STAM is bound by and committed to the terms of the *Privacy Act 1988* (Cth) (**Privacy Act**) and the Australian Privacy Principles which form part of the Privacy Act.

2. What is Personal Information?

Personal Information is any information about you that identifies you or by which your identity can reasonably be ascertained (**Personal Information**).

Some information about you, such as your religion, ethnicity, health or biometrics, is considered sensitive information and is subject to more stringent protections by the Privacy Act. STAM does not currently collect sensitive information.

3. What kinds of Personal Information do we collect and hold about you?

STAM is subject to certain legislative and regulatory requirements that require us to obtain and hold detailed information that personally identifies you and/or contains information or an opinion about you.

STAM only collects Personal Information that is reasonably necessary for one or more of its functions or activities.

In order to provide you with comprehensive services, STAM (or any of its external service providers who perform functions on behalf of STAM) may (where it is relevant) require certain Personal Information about you, including:

- ▶ name and/or names used;
- ▶ permanent address and postal address if different;
- ▶ email address;
- ▶ phone numbers;
- ▶ employment details;
- ▶ date of birth;
- ▶ Tax residency and Tax File Number (or Exemption). While it is optional for you to provide a Tax File Number or Exemption, failure to do so will oblige STAM to deduct income tax from distributions made to you;
- ▶ details of your current financial circumstances, including your income, assets and liabilities (to confirm that you are classified as a wholesale client). This information is, generally speaking, not required where your investment in the Samuel Terry Absolute Return Group (**STAR**) is \$500,000 or more;
- ▶ source of funds to be invested;
- ▶ bank account details;
- ▶ if investing through a trust, details of the beneficial owners and trustee and copy of trust deed;
- ▶ if investing through a corporate entity, details of shareholders and directors;
- ▶ information concerning the application of FATCA and CRS to you;
- ▶ information contained in identification documents such as passports, drivers' licences, birth certificates and photo identity documents;

- ▶ Details published in Politically Exposed Person (PEP) lists, criminal watch lists, United Nations Sanctions lists and the Australian Department of Foreign Affairs and Trade lists or EU lists of a similar nature (for Anti-Money Laundering Counter-Terrorism Financing and Autonomous Sanctions purposes).

STAM may also collect personal information from individuals seeking employment with STAM as well as employees and contractors of STAM.

4.How is Personal Information collected?

Most information that we hold about you is collected directly from you. Typically, this will be from the initial contact (which may be undertaken face-to-face, via the telephone or email) and from the Application Form that you fill out and return to us. Information may be collected over the phone or via the internet during the course of your relationship with us and through your provision of identity documents such as a driver's licence, passport, utility bills etc for the purpose of verifying your identity.

From time to time, additional and/or updated Personal Information may be collected through one or more of the above methods.

Regardless of how it is collected, all Personal Information collected by STAM is handled in accordance with this Privacy Policy.

5.What do we use your information for and who do we share it with?

STAM uses the Personal Information it holds in order to provide you with the services that you have requested. STAM will not use or disclose Personal Information collected by us for any purpose other than:

- ▶ The purposes for which it was provided, or secondary related purposes in circumstances where you would reasonably expect such use or disclosure; or
- ▶ Where you have consented to such disclosure; or
- ▶ Where the Australian 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.

We will only collect, maintain and use Personal Information about you if it is necessary for us to adequately provide you with the services you have requested. These services may include:

- ▶ Facilitating your investments in the STAR Group;
- ▶ Facilitating compliance with the Anti-Money Laundering and Counter-Terrorism Financing Laws;
- ▶ Facilitating compliance with the Corporations Act (including in respect of licensing);
- ▶ All things necessary or incidental to the above.

STAM provides funds management services. Activities undertaken as part of these services include: administering your investment, providing support to you, responding to enquiries and requests for product information, and meeting regulatory requirements. STAM may disclose your Personal Information to brokers and clearers for the purpose of giving effect to your instructions and the recommendations made by us in the course of providing these services.

STAM obtains some services from other organisations. Where necessary (and where the law permits) Personal Information will be provided to those organisations. The kinds of services obtained externally by us include information technology support, financial advice, accounting advice, custodial and administrative services, legal advice, auditing of the Fund and compliance advice. External service providers are only authorised to use Personal Information for the purpose for which we supplied it. Those organisations are not authorised to use that Personal Information for their own purposes.

STAM may disclose your Personal Information to external service providers or contractors for the following purposes:

- ▶ Execution, clearing and settlement of financial product transactions;
- ▶ Registration and/or changes to unitholder details;
- ▶ Accounting for financial products transactions;
- ▶ Causing statutory audits to be conducted as required by law;
- ▶ Maintenance and service of our information technology systems;
- ▶ In the course of obtaining legal advice from lawyers external to STAM; or
- ▶ In the course of reviews by external consultants.

Where external service providers used by us are based in Australia, they may also need to comply with the Australian Privacy Principles. If you have any concerns in respect of disclosure of Personal Information to external service providers or contractors, you should contact us by any of the methods detailed below (see “How to contact us” below).

STAM will share your Personal Information with anyone who we or our service providers are required or authorised by law to disclose your Personal Information (for example, law enforcement agencies, and national and international government and regulatory authorities including but not limited to the Australian Taxation Office, AUSTRAC and the Australian Securities and Investments Commission).

Where you nominate someone to act on your behalf, STAM may provide information to that person. This may be, for example, your accountant or financial adviser.

Sometimes, information about you is collected by us from other people or organisations. For example, information about a director of a corporate client may be obtained from a public record relating to the company. STAM may also collect Personal Information from its suppliers in order to complete business transactions and purchase products and services.

If STAM is unable to collect Personal Information from or about you, we may not be able to do business with you.

6. Direct marketing

STAM may also use the Personal Information collected from you for the purpose of providing you with direct marketing material, such as research that may be of interest to you or to inform you about any new products and services from time to time.

You may request not to receive such information by contacting us (see “How to contact us” below). Please allow up to two weeks for your request to be actioned by us.

7. Storage and security of Personal Information

We will at all times seek to ensure that the Personal Information collected and held by us is protected from misuse, loss, unauthorised access, modification or disclosure. Your Personal Information is treated as confidential and stored securely.

Your Personal Information is generally held in a computer database, but may also be held in hard copy in your client file. We will take reasonable steps to ensure that all Personal Information we collect or use is:

- ▶ Accurate, complete and up-to-date;
- ▶ Stored in a secure environment; and
- ▶ Accessed only by authorised personnel for permitted purposes.

All electronic information is protected by measures put in place by IT specialists, including multi-factor authentication and virus protection.

Please note that we do not provide any assurance regarding the security of transmission of information you communicate to us online or guarantee the information you supply to us will not be intercepted while being transmitted over the internet.

In the event you cease to be a client, any Personal Information which we hold about you will be maintained for a period of 7 years, or any other time so required in order to comply with legislative and regulatory requirements, following which time the information will be destroyed, deleted or de-identified.

8. Access to your Personal Information

You may at any time request access to your Personal Information by contacting us (see “How to contact us” below). We will respond to your request for access to your Personal Information within a reasonable period after the request is made.

STAM will (subject to the following exceptions) 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.

We may require you to provide evidence of your identity, before providing you with access in accordance with this policy.

STAM will **not** provide you with access to your Personal Information if:

- ▶ Providing access would pose a serious threat to the life or health of a person;
- ▶ Providing access would have an unreasonable impact on the privacy of others;
- ▶ The request for access is frivolous or vexatious;
- ▶ The information relates to existing or anticipated legal proceedings between us and would not be discoverable in those proceedings;
- ▶ Providing access would reveal our intentions in relation to negotiations with you in such a way as to prejudice those negotiations;
- ▶ Providing access would be unlawful;
- ▶ Denying access is required or authorised by or under law; or
- ▶ 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.

In the event STAM refuses you access to your Personal Information, we will provide you with a written notice which sets out the reasons for our refusal and how you can complain about the refusal (see “Complaints about your privacy”).

There is no charge for making a request to access your Personal Information. However, in some cases there may be a charge to cover the time spent locating, compiling and explaining the information you request.

9. Disclosure of Personal Information to overseas recipients

Sometimes, we may send your Personal Information overseas, including to:

- ▶ Service providers or third parties who store data (such as cloud storage) or operate outside of Australia;
- ▶ Complete a transaction, such as a transfer in specie of an offshore security; or
- ▶ Comply with laws and assist government or law enforcement agencies.

If we do this, we take reasonable steps to ensure there are arrangements in place to protect the confidentiality of your information.

Our custodian and fund administrator is Link Fund Solutions Pty Ltd (“Link”). They are obliged to comply with the Privacy Act and the Australian Privacy Principles which form part of the Privacy Act. Their Privacy Policy can be found at [Link Group Privacy Policy.pdf](#). As at the date of this policy, Link may use or store personal information received from us in the following countries: China (Hong Kong), France, Germany, India, Luxembourg, New Zealand, Papua New Guinea, South Africa, the Philippines, the United Kingdom, the United States of America and the United Arab Emirates.

10. Accuracy of Personal Information

STAM will take all reasonable steps to ensure that, at all times, the Personal Information that we hold about you is up to date and accurate. If your details change, we ask that you advise us of the change as soon as possible so that we may maintain accurate records.

In the event that you become aware, or believe, that any Personal Information that we hold about you is inaccurate, incomplete or outdated, you may contact us and provide us with evidence of the inaccuracy or incompleteness. STAM will, if we agree that the information requires correcting, take all reasonable steps to correct the information.

If we do not agree that your Personal Information requires correcting, STAM must give you a written notice explaining the reasons for our refusal to correct your Personal Information and how you may complain. If you request, STAM must take reasonable steps to ensure that whenever your Personal Information is accessed or handled in the future, it is apparent that you are satisfied as to the accuracy or completeness of that information.

We will endeavour to respond to any request for access within two weeks, depending on the complexity of the information and/or the request. If your request is urgent, please indicate this clearly.

11. Your privacy and the internet

We will collect some information from you when you visit our website. Some of this information will not be Personal Information because it will not identify you. The only Personal Information which we collect about you when you use our website is what you tell us about yourself, for example, by completing an online form or by sending us an email. We will record your email address if you send us an email.

We use third party web analytics providers to collect information on how people use our website. These providers may use “cookies” to collect information to make your experience more relevant and effective, however you may choose if and how a “cookie” will be accepted by changing the preferences in your own web browser.

When you use our website, you may be identified by your IP address in web server statistics and by third party web analytics providers, for example Google. Your IP address is not directly connected to your personal details but is connected to your geographic location.

Any third-party external websites that our website links to will have their own privacy statements and we recommend you review these. Please be aware that third party websites are not covered by this policy.

12. Complaints about your privacy

If you believe that the privacy of your Personal Information has been compromised, you are entitled to complain to STAM’s Privacy Officer, who will respond to your complaint as soon as possible. STAM will use its best endeavours to resolve any complaint to your satisfaction. However, if you are unhappy with the response, you are entitled to contact the Office of the Privacy Commissioner (see “How to contact the Office of the Privacy Commissioner” below) who may investigate your complaint further.

13. How to contact us

To:	Privacy Officer
Address:	Samuel Terry Asset Management Pty Limited 120B Underwood Street Paddington NSW 2021 Sydney, NSW 2000
Telephone:	(61) 402 013 303
Email	therese@samuelterry.com.au

Additional information

If you would like more information about our approach to privacy, you are encouraged to contact the Privacy Officer using the abovementioned details.

14.How to contact the Office of the Privacy Commissioner

Telephone:	1300 363 992 (cost of a local call) operates between the hours of 10.00am – 4.00pm (AEST/AEDT) Monday to Friday
TTY:	1800 363 992 (this number is dedicated for the hearing impaired only, no voice calls)
Address:	GPO Box 5218 Sydney, NSW 2001
Fax:	(612) 2 9284 9666
Email	enquiries@oaic.gov.au