

Privacy Policy

PRIVACY POLICY

Evans & Partners is committed to protecting your privacy and the confidentiality of personal information we already hold, or will collect and hold, about you.

Your Privacy, the Privacy Act, the Australian Privacy Principles and this Privacy Policy

Evans & Partners is subject to the *Privacy Act 1988 (Cth)* (the **Privacy Act**) and applicable Privacy Principles in the Act when handling personal information. Other laws and regulations also impose duties on us to keep your identity, your dealings and information about your affairs strictly confidential.

This Privacy Policy sets out how we manage personal information. It provides information on the sorts of information we collect and hold, and for what purpose. It also provides information on how we collect personal information, how we hold and use it internally, and whether we routinely disclose personal information to others externally. It provides information on how to make a complaint about the way in which we have handled your Personal Information (or if you feel we have breached the Privacy Act) as well as your rights to access and correct (if necessary) the information we hold about you.

We only collect personal information which is necessary for the purposes of providing to you (or the organisation or persons you represent) financial services and other related services that you require or are likely to require in future. We assume you (or the organisation or persons you represent) are likely to use all our services over time, some of which involve external product or service providers (e.g. other stockbrokers or portfolio reporting services). Disclosure of personal information to others external to **Evans & Partners** will only be for the purposes of the services you require or otherwise in accordance with regulatory requirements, your prior consent or where authorised or required by law or a court or tribunal order.

Evans & Partners has systems and procedures in place to protect your privacy whenever we collect, store, use or disclose your personal information. This Privacy Policy applies to all personal information we collect about you, whenever collected. By using Evans and Partners' services you consent to us collecting your information, whether it is sourced from you directly, or via a third party who provides services to you.

If you require more information about how we manage personal information or protect your privacy, please contact the Privacy Officer on the numbers or at the addresses listed in the last Section ('Other Important Matters') of this Privacy Policy.

Definitions

In this Privacy Policy, a reference to:

ASIC means the Australian Securities and Investments Commission.

ASX means ASX Limited or a financial market it operates, as the context requires.

Chi-X means Chi-X Australia Pty Ltd or the financial market it operates, as the context requires.

AUSTRAC means Australian Transaction Reports & Analysis Centre.

Evans & Partners, we, our, and us means Evans and Partners Pty Ltd ABN 85 125 338 785, the holder of Australian Financial Services (**AFS**) Licence No. 318075.

Financial Product means any financial product in relation to which our AFS Licence authorises us to provide financial services including shares, debentures, bonds, bank bills, convertible notes, units in managed investment schemes, any other equity or debt product, and their derivatives and deposit products, in each case whether market traded or not (i.e. listed or unlisted).

You and **your** refer to the individual whose information we collect and hold for the purposes of providing our services. Depending on the context, it may also refer to the organisation you represent.

When we collect personal information from you for the first time ...

At or before the time (or, if that is not practicable, as soon as practicable thereafter) we collect personal information from or about you for the first time (or at other times depending on the nature of the information we collect and the purpose for which we collect it), **Evans & Partners** must take reasonable steps to ensure that you are aware of:

- our identity and how to contact us;
- the fact that you are able to gain access to the information collected;
- the purposes for which the information is (and will, in future, be) collected;
- the organisations or types of organisations to which we usually disclose information of the kind collected;
- any law that requires the particular information to be collected; and
- the main consequences (if any) for you if all or part of the information is not provided.

This Privacy Policy addresses these matters and goes on to provide information on how we manage your personal information.

What if you are a corporation, association or partnership or if you act on behalf of any other person?

If you are a company, association or partnership or act on behalf of any other person, and have provided us with personal information about an officer, employee, partner of yours or other person on whose behalf you act in respect of your service arrangements account with us, please ensure you show this Privacy Policy to them.

PERSONAL INFORMATION COLLECTED

What sort of personal information do we usually collect and hold about you?

We only collect personal information about you to the extent necessary to provide the range of our financial services to you or the organisation you represent. We assume the full range of our services are likely to be used during the course of your client relationship with us. The extent of the information requested, how we use it and its disclosure are driven by our obligations and the obligations of entities that provide services to us and product issuers under the *Corporations Act 2001*, other Financial Services Laws, the Australian Taxation Legislation, Anti-Money Laundering and Counter-Terrorism Financing Legislation and the laws, regulations and rules that apply with respect to the execution, clearing and settlement of Financial Product transactions (for example, the ASIC Market Integrity Rules that apply to us as an ASX trading participant or the ASX Clear Operating Rules or ASX Settlement Operating Rules that may apply to trades that are cleared and settled through our arrangements with entities that provide clearing and settlement services to us with respect to ASX and Chi-X transactions). Some of these laws and regulations also require us to confirm your identity in certain circumstances including before services can be provided to you.

In general, the nature of personal information collected and maintained, as a minimum, includes your name, residential and postal address, contact details

(including phone numbers, fax and e-mail addresses) and banking details. We may also collect the following information:

- your date of birth;
- your occupation;
- your Tax File Number, but only if you provide it to us;
- your employer's name and address;
- the names and addresses of your dependants or beneficiaries;
- your family and business relationships;
- your financial circumstances (i.e. your objectives, financial situation and needs), including your salary, other sources of income, levels of cashflow and debt and expenses, and your investments, investable funds, trading experience and your attitude to investment risk;
- Holder Identification Numbers (HINs) or Securityholder Reference Numbers (SRNs) identifying your financial product holdings;
- your creditworthiness;
- your capacity to carry or access or guarantee debt; and
- other matters which you tell us about or that is included in information you give us.

There may be occasions when we receive or need to source personal information about you from third parties such as:

- credit reporting agencies (for example, when we obtain a credit report);
- banks (for example, opinions about your creditworthiness);
- publicly available sources of information (for example, telephone directories and financial product registries);
- our business alliance partners;
- your representative or agent;
- your financial adviser, accountant, margin lender, investment banker or mortgage broker; or
- Government agencies.

Access to, and correction of, personal information.

We will provide you with access to your personal information that we hold (and in the manner that you have requested) within a reasonable period of time unless an exception as set out in the Privacy Act applies. If you believe that the personal information that Evans and Partners holds about you is no longer up to date, wrong, or otherwise incorrect, we will amend it. If we disagree with you about the accuracy, completeness or currency of our records, then you can request that we make a note of our disagreement in our records.

What if you don't provide the personal information requested or don't consent to us using it as described?

If you do not consent to your personal information being used as described in this Privacy Policy or if you do not provide the personal information requested, it may prevent us from providing or arranging for you to be provided with some or all of the advisory or transactional services you may require. The regulations governing the services we provide require your identity to be made known to and verified by us. Without that information, we cannot provide our services. You don't have the option of providing 'anonymous' personal information or using a pseudonym.

Obscuring your identity may be reportable by us to regulatory authorities.

How do we collect personal information?

Personal information about you will usually be collected from you or your duly authorised representative(s), during face to face interviews and meetings, during telephone discussions or other communications with you (for example, by email), during negotiation of service arrangements or requirements with us or by means of our client account application or mandate negotiation process (which may be submitted electronically).

We may also collect personal information from your agent or other person providing services to you where they have introduced you to us or have arranged for **Evans & Partners** to provide certain services to you.

USES OF YOUR PERSONAL INFORMATION

How do we use your personal information?

Your personal information will primarily be used to provide you with financial services or access to a financial product(s). We may use the information to:

- check whether you are eligible for the product or service;
- provide you with advice about the product or service;

- review and provide advice about your investment holdings or portfolio;
- arrange an application or redemption of an unlisted product, or to buy or sell a market- traded product for you, using the service infrastructure of the relevant specialists (for example, persons who provide clearing and settlement services or other brokers who can trade in markets where we are not authorised to trade directly);
- provide you with advice about business planning and financial structuring, and issuing financial products;
- assist us to manage or administer a product or service for you; and/or
- identify you in relation to all your dealings with us.

In support of the services you require or are likely to require, we may also use personal information for related purposes you would reasonably expect, including:

- facilitating authorised direct credit/debit payment arrangements with your bank or other financial institution or product provider;
- telling you about products or services we believe may interest you (for example, mail- outs of newsletters or direct marketing material), but you can contact us at any time to request that we not do this;
- instructing couriers, delivery companies and mail houses to make deliveries of documents and other material to you;
- running and improving our business (for example, training our staff, preventing fraud, record keeping, accounting, enhancing our services, statistical analysis of our client activities and services); and/or
- inviting you to attend, or following up your attendance at a seminar or forum we have arranged, sponsored or presented at.

Evans & Partners may also use your personal information for other secondary purposes if we have your consent or if permitted under the Privacy Act or under any other applicable law.

Do we use your TFN or other government related identifier?

We do not use your Tax File Number as an account number or as an 'identifier'. We only use your TFN for the purpose required by law, as permitted by the Privacy Act and TFN Guidelines and as instructed by you. We do not retain a record of your TFN.

Marketing and Privacy - Do you want to hear about new or current services?

We may contact you from time to time to tell you about new or existing services or products that we believe would be of interest to you (because you have asked us to or you would reasonably expect us to use or disclose your personal information for direct marketing purposes, or we have collected your information from someone else and it is impractical to obtain your consent). We will always include an opt-out mechanism in each communication.

Opt-Out

You can contact our Privacy Officer at any time to advise that you do not wish to be contacted or receive any or certain types of marketing material. We will process these requests as soon as practicable.

Storage and security of information

Evans and Partners holds your personal information in both electronic and hard copy form. We will take reasonable steps to ensure your personal information is kept secure and protected from loss and unauthorised access, modification or disclosure.

Dealing with unsolicited personal information

If we receive any personal information about you which we have not requested, we will determine within a reasonable period whether we could have collected that information in accordance with this Privacy Policy. If we determine that we could not collect that information, we will, as soon as practicable, and if lawful and reasonable, ensure that the information is de-identified.

DISCLOSURE OF PERSONAL INFORMATION

Your consent for us to use and disclose to others is important

Subject to what is stated below, personal information is only used or disclosed in accordance with your prior consent. Your consent can be express (whether verbal or written) or implied.

You imply consent when we can reasonably conclude that you have given consent by taking some action or by not taking some action to restrict or modify the way we provide our services. Your consent can also be implied if we believe you would reasonably expect **Evans & Partners** to use or disclose your information a certain way. If you use our services without raising any concern in relation to how and why we collect, and the way we use, store or disclose your personal information as described in this Privacy Policy, we will assume you have consented to us doing all these things.

Do we usually disclose information to other organisations or people?

Your personal information may be capable of being accessed by all representatives of **Evans & Partners**, in order for us to provide you with the products and services we offer efficiently and effectively.

Evans & Partners will also use the personal information we have collected from you for the purpose of opening and maintaining an account with third party service providers we use to enable execution and/or timely clearing and settlement of market transactions entered into on your behalf, and for the purpose of completing applications to issuers for Initial Public Offerings (**IPOs**) or other new issues of Financial Products (**New Issues**).

With respect to ASX and Chi-X transactions, information may also be provided to the Clearing House Electronic Sub-Register System (CHESS) and other entities within the ASX group of companies (such as those involved in clearing, settlement and market surveillance), share registries, financial institutions, other service providers (such as software providers) of any such entities, and, where applicable, margin lenders.

We may provide personal information about you to other organisations outside **Evans & Partners**, including:

- underwriters, corporate advisers or issue managers where you are applying for financial products in an IPO or New Issue;
- Related bodies corporate who assist in providing, managing or administering your product or service;

- credit reporting agencies and credit information services, and credit reference and debt collection agencies where you fail to meet your contractual obligations;
- if ever relevant, your executor, administrator, trustee, guardian or attorney;
- businesses we use for printing and dispatch of reports, newsletters and other services we despatch to you;
- your bank or other financial institution(s) to arrange or make direct credits/debits or other payments;
- your agents, including your legal or financial advisers, or those who have referred you to us;
- event organisers to ensure you are invited to seminars and forums we believe would be of interest to you;
- stockbrokers and custodians for the purposes of completing transactions in foreign financial products;
- complaints and dispute resolution schemes or arbitration schemes which have jurisdiction over us;
- our auditors, external advisers, consultants and other contractors to whom certain functions and activities are contracted and/or outsourced (including portfolio administration and reporting services)

Where relevant, confidentiality arrangements will apply to prohibit these organisations from using or accessing your personal information except for the specific purpose for which it needs to be accessed or supplied to them.

We will only disclose personal information to other third parties with your consent or if we are permitted or authorised to do so by law.

Disclosure to regulatory authorities

We will be obliged to provide personal information about you when:

- required by law or other regulations (for example, to ASIC, AUSTRAC, the courts or the Australian Taxation Office, all of whom have the power to order us to disclose information about you and your dealings with us); or
- otherwise authorised by law (for example, in order to protect our interests or where we have a duty to the public to disclose).

Cross-border disclosure of personal information

If you require us to buy or sell foreign financial products we will need to disclose your personal information to the stockbrokers, custodians or funds that we use in

locations outside of Australia (including, but not limited to, the United States and the United Kingdom) in order to perform the services you require. These overseas entities may be located in countries that do not have binding privacy laws that are substantially similar to the Australian Privacy Principles, and which may not have local mechanisms you can access to take action against these entities and/or enforce your privacy protection. You nevertheless consent to us disclosing your personal information overseas for this purpose.

Other than as contemplated in the previous paragraph, we will not transfer your personal information outside Australia without:

- obtaining your express consent; or
- otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

Do we disclose your TFN?

We only disclose your TFN for the purposes required by law and as instructed by you.

We do not sell our mailing or contact lists. We do not disclose names and addresses to third parties for the purposes of allowing them to market their products and services to you.

Other circumstances

In all other instances, we will only disclose your personal information to others if you have given prior consent to **Evans & Partners** to make the disclosure.

PERSONAL INFORMATION SECURITY

How do we hold personal information about you?

Your personal information is stored within our secure premises or on our computer system, which is protected by logins and passwords, and which can only be

accessed by authorised personnel. Access to our office premises is protected by security systems and locks. We use up- to-date processes to protect personal information from:

- unauthorised access, modification and disclosure; and
- misuse, interference and loss,

and (subject to record retention regulations) we will destroy or permanently de-identify personal information we no longer need, unless it is controlled in a Commonwealth Government record or we are required by law to retain the personal information.

Please note that even if we are no longer providing services to you, we are obliged by regulatory requirements to retain your personal information in a form which does identify you for a period of up to 7 years.

ACCESS TO YOUR PERSONAL INFORMATION

Accessing personal information we hold about you

You can request access to personal information we hold about you (see the last section of this Privacy Policy). If you are entitled to access the information, the lead time we require before giving you the information or access will depend on the type of information requested. If we can, we will answer your question immediately. We will also try to answer you in the same manner as your request. For example, if you telephone to ask for the information, we will (if practicable) give you that information over the telephone. In general, we will respond to a written request in writing.

Sometimes, we will ask you to put your request in writing, for example, when it is necessary for us to retain a record of your request or where you want copies of material or access to older information or files which are not current. We may ask you to identify yourself to our satisfaction.

Fees

We may charge a fee for giving you access, which will vary but will be based on our costs (internal and external) in locating the information and arranging the form of

access you require. If we propose to charge a fee for giving access, we will give you an estimate of the fee and an opportunity to confirm you still want access to the information. Our fee (if any) will not be excessive. **We do not impose any charge for requesting access.**

Access may be refused or restricted

Depending on the particular circumstances, the Privacy Act or other laws may permit us or oblige us to refuse to give you access. If this is the case, we will tell you and where reasonable, provide reasons for the refusal or restricted access (for example, where access would infringe the privacy or personal security of others, the information relates to anticipated legal proceedings, the law prevents us from doing so, we believe the request to be frivolous and vexatious, or some of the information is commercially sensitive) and we will provide you with information about the mechanisms available to you to complain about the refusal.

What if some of the information we hold is incorrect and/or no longer up to date?

Please tell us. Unless we disagree with you about the accuracy or completeness of the information we already have recorded, we will take reasonable steps to correct the information to ensure that our records are accurate, up-to-date, complete, relevant and not misleading. If we disagree with you about the accuracy of your personal information, we will, where reasonable, give you our reasons and provide you with mechanisms available to complain. In the end, if we disagree, you may request that we include with, or link to, the information a statement from you claiming that the information in question is not accurate, complete or up-to-date (and that statement may include the 'corrected' information).

OTHER IMPORTANT MATTERS

How do you contact us to make further enquiries about the management of your

personal information or to complain about a breach of your privacy?

If you require more information about the way we manage personal information or you wish to make a complaint about a breach of your privacy, please speak to our Privacy Officer.

Call or fax us

The Privacy Officer

Evans and Partners Pty Ltd Telephone: +61 3 9631 9888

Fax: +61 3 8610 1608

Email us info@evansandpartners.com.au

Write to us

The Privacy Officer

Evans and Partners Pty Ltd Mayfair Building, 171 Collins St Melbourne Vic 3000

We will investigate your concerns and provide you with a written response as soon as practicable, and no later than 30 days from the date on which we received your complaint. If we are unable to satisfactorily resolve your concerns about the privacy or handling of your personal information, you can contact the Office of the Australian Information Commissioner (**OAIC**). To make a query concerning your privacy rights, or to lodge a complaint with the OAIC about how we have handled your personal information, contact the Commissioner's hotline on 1300 363 992 or by emailing enquiries@oaic.gov.au. The OAIC has the power to investigate the matter and make a determination.

Changes to this Privacy Policy

We reserve the right to review and amend this Privacy Policy from time to time and to notify you by posting an updated version on our [website](#).

Additional Privacy Information

Further information on Australian privacy requirements may be obtained from the website of the Office of the Australian Information Commissioner at www.oaic.gov.au

This Privacy Policy is current as April 2017.