

PRIVACY POLICY

Introduction

This policy applies to Australian Financial Services Licensee Ingenious Brokers Pty Ltd (“**Ingenious Brokers**”), and all our Authorised Representatives. Ingenious Brokers (“we”, “us”, “our”) is committed to protecting the privacy of personal information we collect and hold in the course of providing financial services. Our staff and financial advisers are trained to respect your privacy in accordance with our standards, policies and procedures.

This Privacy Policy explains how we manage personal information in accordance with the Privacy Act 1988 (Cth), the Australian Privacy Principles (APPs) and related laws, including the Privacy & Other Legislation Amendment Act 2024 (Cth).

What is personal information?

“Personal information” means information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information is true or not and whether recorded in a material form.

As a financial service provider, we are subject to certain legislative and regulatory requirements under the Corporations Act and the Anti-Money Laundering and Counter-Terrorism Financing Act 2006. These require us to obtain personal information about you.

In our financial services business, this may include:

- Names, contact details and identification information.
- Online identifiers and device information (where applicable).

Sensitive information

We may also need to collect sensitive information (such as health, racial and genetic information) if we organise insurance covers for you. Sensitive information is subject to additional protections and is only collected where permitted by law and reasonably necessary for us to perform our functions or activities in advising and dealing with you.

Unsolicited 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 practicable.

Collecting your personal information

We collect personal information:

- Directly from you (for example, via application forms, advice meetings, emails, phone calls, or online portals)
- From third parties with your consent (such as product issuers, platforms, referrers, or professional advisers)
- Where required or authorised by law (including under Corporations Act obligations)

Where reasonable and practicable, we collect personal information directly from you, consistent with Australian Privacy Principles.

Are You Obligated to Provide Us 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.

Why we collect, use and disclose personal information

We use your personal information for the primary purpose for which the information was obtained. As an AFS Licensee, that will typically mean for the purpose of:

- Providing financial services and general advice.
- Assessing suitability and appropriateness of financial products.
- Complying with our obligations as an AFSL under the Corporations Act 2001.
- Managing complaints and dispute resolution (including AFCA).
- Meeting legal, regulatory and risk management obligations.
- Improving our services and systems.

We may also use the information for the secondary purpose of attempting to identify other products and services that may be of interest to you. We may also disclose your personal information to external associates and service providers who assist us to market our products and services.

We only use or disclose personal information for the primary purpose of collection, or for a secondary purpose where permitted by law or with your consent, in accordance with Australian Privacy Principles.

If, at any time, you do not wish to receive this information, you may contact us with this request.

Disclosure of personal information

We may disclose personal information to:

- Product issuers, and service providers.
- Our representatives.
- Outsourced administration service providers.
- Professional advisers (such as accountants or lawyers) with your consent.
- Regulators, courts or government agencies where required or authorised by law.
- Technology and cloud service providers who support our systems.
- A potential purchaser/organisation involved in the proposed sale of our (or our representatives) business for the purpose of due diligence, corporate re-organisation and transfer of all or part of the assets of our business. Disclosure will be made in confidence, and it will be a condition that no personal information will be used or disclosed by them.

Where disclosures are made to service providers, we take reasonable steps to ensure they handle personal information in accordance with Australian Privacy Standards.

Government Related Identifiers

Although in certain circumstances we are required to collect government identifiers such as your tax file number, Medicare number or pension card number, we do not use or disclose this information other than when required, authorised by law or unless you have voluntarily consented to disclose this information to any third party.

Cross-Border Disclosure of Personal Information

We may transfer personal information to related bodies corporate or external service providers in locations outside Australia (including, but not limited to, the Philippines, and India) 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 take reasonable steps to ensure the overseas recipient does not breach the Australian Privacy Principles in relation to the information.

Data security, retention and destruction

We store information in different ways, including in paper and electronic form. The security of your personal information is important to us, and we take reasonable steps to protect it from misuse and loss and unauthorised access, modification or disclosure. This includes implementing technical and organisational security measures, as clarified by the 2024 amendments to the Australian Privacy Principles

Some of the ways we do this are:

- Confidentiality requirements for our employees, contractors and external service providers.
- Licensee Standards and business rules for document storage and systems access.

It is a legislative requirement that we keep all personal information and records for a period of 7 years. Should you cease to be a client of ours, we will maintain your personal information on or off site in a secure manner for 7 years. After this, the information will be destroyed.

We may use cloud storage to store personal information we hold about you. The cloud storage and the IT servers may be located outside Australia.

Automated decision-making

Where we use personal information in wholly or substantially automated decision-making processes that could reasonably be expected to significantly affect your rights or interests, we will disclose:

- The fact that automated decision-making is used.
- The types of personal information involved.

These transparency obligations reflect amendments introduced by the Privacy & Other Legislation Amendment Act 2024 (Cth), with staged commencement periods applying.

Access to Your Personal Information

You can gain access to your personal information. This is subject to some exceptions allowed by law. Should we refuse you access to your personal information, we will provide you with a written explanation for that refusal.

We ask that you provide your request for access in writing (for security reasons) and we will provide you with access to that personal information. (see Contacting us).

We will provide you access within 30 days if it is reasonable and practicable to do so, but in some circumstances, it may take longer (for example, if we need to contact other entities to properly investigate your request).

We do not usually charge you for access to your personal information. However, if the request is complex, we may charge you the marginal cost of providing the access, such as staff costs of locating and collating information or copying costs. If charges are applicable in providing access to you, we will disclose these charges to you prior to providing you with the information.

Dealing with Us Anonymously

You can deal with us anonymously, or using a pseudonym, where it is lawful and practicable to do so. For example, if you inquire about representatives who operate near to your location.

Access and correction

You may request access to personal information we hold about you and request corrections if you believe it is inaccurate, out-of-date or incomplete. Requests can be made using the (Contacting us) details below. We will respond within a reasonable timeframe, consistent with the Australian Privacy Principles.

Our website

We take care to ensure that the personal information you give us on our websites is protected. Our websites have electronic security systems in place. Data submitted to our websites are encrypted with communication between the user and websites are protected by a firewall. User identifiers, multifactor authentication, passwords or other access codes may also be used to control access to your personal information.

Cookies

We use cookies on our website. Cookies are small data files that are downloaded from our website and stored on your computer when you visit our website. Cookies are used to allow us to see which pages and what information is of most interest to visitors to our website, which in turn enables us to improve our offerings to our customers. Your computer's web browser will allow you to configure your computer to refuse to accept cookies. You can also delete cookies from your computer's hard drive at any time. However, please note that doing so may negatively impact your experience on our website.

Links to Other Sites

Our website has links to other websites that are not owned or controlled by us. We are not responsible for these sites or the consequences of you going on to those sites, except as required by law. Use of link to third party websites is entirely at your own risk. You will need to contact or review those websites directly to ascertain their privacy standards, policies and procedures.

Other Technology

We may use technology such as beacons, tags, scripts and tracking pixels to collect, store and use data anonymously about how you use our website / mobile technology. This includes your IP address, the date and time of your visit, the pages and links accessed, the type of browser used and other information about your browsing activities. This data is used to increase functionality and can also enable us to display information and content that is tailored to our understanding of your interests. This information alone cannot be used to discover your identity.

Our Security Procedures

We will take reasonable steps in the circumstances to protect any personal information you provide to us from misuse, interference or loss and unauthorised access, modification, and disclosure. We will also de-identify and destroy the personal information we hold about you once our legal obligations cease. Our security procedures are reviewed from time to time, and we update them when relevant.

However, please be aware that the transmission of data over the Internet is never guaranteed to be completely secure. It is possible that third parties not under our control may be able to access or intercept transmissions or private communications without our permission or knowledge. We take all reasonable steps, in the circumstances, to protect your personal information. However, we cannot ensure or warrant the security of any information you transmit to us. Such transmissions are done at your own risk.

Data Breach Notification

Under the Privacy Amendment (Notifiable Data Breaches) Act 2017 (Cth), we are required to give notice to the Australian Information Commissioner (**OAIC**) and affected individuals of an "eligible data breach". This means that if we hold personal information about you, and there is unauthorised access to or disclosure of your personal information, and if you, as the "affected individual" would be likely to suffer serious harm from this access or disclosure, we must notify both you and the OAIC.

"Serious harm" could include identity theft, threats to physical safety, economic and financial harm, harm to reputation, embarrassment, discrimination, or harassment. The test is whether a "reasonable person" would expect you to suffer serious harm.

If you are likely to suffer serious harm from a data breach, we will notify you of:

- the nature of the eligible data breach (i.e., how the information was accessed or disclosed).
- the type of information that was accessed or disclosed.
- the steps that we have taken to control or reduce the harm, and those that we plan to take.
- any assistance we can offer you, such as arranging for credit monitoring.
- anything that we can suggest you can do to assist yourself or mitigate the harm.
- whether the breach has also been notified to the OAIC.
- how you can contact us for information or to complain; and
- how to make a complaint with the OAIC.

We will notify you using the same method that we usually use to communicate with you. If it is not practicable for us to notify you personally, we will email the notification.

There are some circumstances in which we do not have to notify you of a data breach. These include:

- where we have taken remedial action before any serious harm has been caused by the breach.
- if you have been notified of a breach by another entity.
- if notification would be inconsistent with Commonwealth secrecy laws; or
- where the Commissioner declares that notification does not have to be given.

Depending on the nature of the breach and the harm, we will also consider informing other third parties such as the police or other regulators or professional bodies.

Resolving your privacy concerns

If you have any issues you wish to raise with us or would like to discuss any issues about our Privacy Policy, please contact our Privacy Officer. Our Privacy Officer will investigate the issue and determine the steps we will undertake to resolve your complaint. We will contact you if we require any additional information from you and will notify you in writing within 30 days of the determination of our Privacy Officer. If you are not satisfied with the outcome of your complaint, you are entitled to contact the Office of the Australian Information Commissioner:

Office of the Australian Information Commissioner

Online: www.oaic.gov.au

Email: enquiries@oaic.gov.au

Phone: 1300 363 992

Mail: Director of Complaints, Office of the Australian Information Commissioner GPO Box 5288, Sydney NSW 2001

OR

You may also lodge a complaint with the Australian Financial Complaints Authority:

Online: www.afc.org.au

Email: info@afc.org.au

Phone: 1800 931 678

Mail: Australian Financial Complaints Authority GPO Box 3 Melbourne VIC 3001

Contacting us

Privacy Officer

Ingenious Brokers Pty Ltd

Email: info@ingeniousbrokers.com.au

Phone: 1300 599 512

Address: PO Box 1333, South Melbourne VIC. 3205

Changes to this Privacy Policy

This information relates to our current Privacy Policy. From time to time, we may vary this policy for any reason. We will email any changes to you. By continuing to provide us with your information, you confirm your acceptance of these changes.

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