

# Privacy Policy

## Fleming Funds Management Pty Ltd

This policy applies to Fleming Funds Management Pty Ltd, our related bodies corporate and all our representatives. It explains our policy in relation to the collection and management of personal information we collect from individuals. The Privacy Act 1988 requires us to handle personal information in accordance with the Australian Privacy Principles.

### Collection of information – What is collected and why we collect it

Personal information means information, or an opinion about, an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion. We are an Australian Financial Services Licensee (“**AFSL**”). When we provide you with financial services, we may be required by Corporations Act 2001, Anti-Money Laundering and Counter-Terrorism Financing Act 2006 and regulatory requirements to seek to obtain certain personal information about you, including, but not limited to, your:

- Full name, date of birth and contact details.
- Employment details and employment history.
- Financial details to ascertain your shareholding and to confirm your status as a sophisticated investor.

### Sensitive information

We do not collect sensitive information from you. Sensitive information includes health information, racial information, genetic information, etc.

### Anonymity and pseudonymity

You may choose to deal with us anonymously, or using a pseudonym where it is lawful and practicable to do so.

### How is information collected?

We collect personal information in a number of ways, including:

- Directly from you such as when you provide the information at meetings, by phone, email, in data collection forms and when you visit our websites.
- Our website may use "cookies". 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 hinder your access to valuable areas of information within our site.
- Directly from other sources once authorisation has been provided by you.

### Are you obliged 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. 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.

### **What happens if we obtain information about you which we have not solicited?**

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.

### **Use of 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 to you.
- Arranging for financial products to be issued in your name.

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.

### **Do we disclose personal information for marketing?**

We may use your personal information to offer you products and services that we believe may interest you. We may also disclose your personal information to external associates and service providers who assist us to market our products and services.

If you do not want to receive marketing offers from us please inform us by sending an email to contact details included below.

### **Disclosure of information**

We may disclose your personal information to:

- Our representatives.
- The entities that you have elected to use to acquire, vary or dispose of financial products.
- Our external service providers.

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

- Product issuers 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 products (e.g. custodians, mail houses, share registries, 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.

## **Government related identifiers**

We do not collect government related identifiers from you (e.g. tax file numbers, Medicare number).

## **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, Botswana, Cayman Island, United States, Singapore and Canada) 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 seek your consent prior to disclosing your personal information overseas.

## **Storage and security of information**

We store personal information in our computer database and hard copy files. We take reasonable steps to ensure the personal information collected and held by us is protected from misuse, interference, loss, unauthorised access, modification or disclosure.

In the event you cease to be a client of ours, any personal information which we hold about you will be maintained for a period of not less than 7 years in order to comply with legislative and professional requirements.

## **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 to 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 Australian Privacy Principles, 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 your privacy problem, the reason for your complaint and what action or remedy you are seeking from us. Please address your complaint to our Privacy Officer. Contact details could be found at the end of this policy.

Your complaint will be investigated and responded to within 30 days. If you are not satisfied with the outcome of your complaint, you are entitled to contact the Office of the Australian Information Commissioner.

## **Policy updates**

This policy is subject to change from time to time. The most current version of our Privacy Policy can be obtained from our website ([www.flemingaustralia.com.au](http://www.flemingaustralia.com.au)) or by contacting us.

### **Contact Details**

Privacy Officer: **JOSH PUCKRIDGE**  
Address: **Level 9**  
**105 St Georges Tce PERTH WA 6000**  
Telephone : **(08) 9226 0326**  
Facsimile: **(08) 9226 0327**  
E-mail: **[jp@flemingsg.com.au](mailto:jp@flemingsg.com.au)**