

PINNACLE

SECURITIES

Document Name: **Privacy Statement**
ACN: 608 667 778
AFSL: 485760
Date Updated: March 2018

SECTION A – INTRODUCTION

1. Our Commitment

Pinnacle Securities Pty Ltd ABN 61 608 667 778 and its affiliates (collectively known as "Pinnacle Securities" or "Pinnacle" and referred to in this Policy as "**us**," "**we**" and "**our**") seeks to provide the best possible services to its customers by providing a range of financial products and services. We understand how important it is to protect your personal information. This document sets out our Privacy Policy commitment in respect of personal information that you may provide to us. We recognise that any personal information we collect about you will only be used for the purposes indicated in our policy, where we have your consent to do so, or as otherwise required or authorised by law. It is important to us that you are confident any personal information we collect from you or that is received by us will be treated with the appropriate respect ensuring protection of your personal information. Our commitment in respect of personal information is to abide by the Privacy Act 1988 (Cth), the Australian Privacy Principles and any other relevant law.

2. Personal Information

- 2.1 When we refer to personal information we mean information or an opinion about you, from which you are, or may reasonably be, identified. This information may include (but is not limited to) your name, date of birth, driver's licence number, marital status, phone number, email address, address, nationality, employment history, income, assets and liabilities.
- 2.2 It is not common practice for us to collect other sensitive information about you (such as information about your religion, trade union membership, political opinion, sexual preference or criminal record). We will only collect sensitive information about you with your consent.
- 2.3 We collect personal and/or sensitive information to provide you with the products and services you request as well as information on other products and services offered by or through us. The law requires us to collect personal and/or sensitive information.
- 2.4 Your personal and/or sensitive information may be used by us to administer our products and services, for prudential and risk management purposes and, unless you tell us otherwise, to provide you with related marketing information. We also use the information we hold to help detect and prevent illegal activity. We cooperate with police and other enforcement bodies as required or allowed by law.

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- 2.5 We disclose relevant personal information to external organisations that help us provide services. These organisations are bound by confidentiality arrangements. They may include overseas organisations.
- 2.6 You can seek access to the personal information we hold about you. If the information we hold about you is inaccurate, incomplete, or outdated, please inform us so that we can correct it. If we deny access to your personal information, we will let you know why. For example, we may give an explanation of a commercially sensitive decision, or give you access to the information through a mutually agreed intermediary, rather than direct access to evaluative information connected with it.

SECTION B – COLLECTION OF PERSONAL INFORMATION

3. Why we collect your information?

- 3.1 We collect and receive personal information about you in order to conduct our business, including assessing and obtaining approval for Pinnacle Securities including equities, Exchange Traded Options, CFDs and other financial products. From time to time we may offer other products and services.
- 3.2 We collect personal information when it is reasonably necessary for one or more of our functions or activities. These include:
- (a) providing customers with the products and services they request and, unless they tell us otherwise, to provide information on products and services offered by us and external product and service providers for whom we act as agent. (If you have provided us with your email or mobile phone details, we may provide information to you electronically with respect to those products and services);
 - (b) complying with our legal obligations;
 - (c) monitoring and evaluating products and services;
 - (d) gathering and aggregating information for statistical, prudential, actuarial and research purposes;
 - (e) assisting customers with queries; and
 - (f) taking measures to detect and prevent frauds.

4. Information we may collect

- 4.1 The personal and sensitive information we collect generally consists of name, address, date of birth, gender, marital status, occupation, account details, contact details (including telephone, facsimile and e-mail) and financial information.

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- 4.2 We are required by law to identify you if you are opening a new account or adding a new signatory to an existing account. Anti-money laundering laws require us to sight and record details of certain documents (i.e. photographic and non-photographic documents) in order to meet the standards set under those laws.
- 4.3 Where it is necessary to do so, we also collect information on individuals such as:
- (a) trustees;
 - (b) partners;
 - (c) company directors and officers;
 - (d) officers of co-operatives and associations;
 - (e) customer's agents;
 - (f) beneficial owners of a client; and
 - (g) persons dealing with us on a "one-off" basis.
- 4.4 We may take steps to verify the information we collect; for example, a birth certificate provided as identification may be verified with records held by the Registry of Births, Deaths and Marriages to protect against impersonation, or we may verify with an employer that employment and remuneration information provided in an application for credit is accurate.
- 5. How do we collect your information?**
- 5.1 Personal information may be collected by us in a number of circumstances, including when an individual:
- (a) makes an enquiry with us via email or telephone;
 - (b) lodges an enquiry or requests a quote through our website
 - (c) applies to invest in a financial product offered by us
 - (d) attends an event hosted by us; or
 - (e) applies to work with us.
- 5.2 Where reasonable and practical we will collect your personal information only directly from you. However, we will also collect information about you from third parties such as contractors who supply services to us, authorised representatives of Pinnacle, referrers (such as financial advisers), from a publicly maintained record or from other individuals or companies as authorised by you. From time to time we may also purchase lists containing personal information about individuals from organisations offering such lists for marketing purposes.

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- 5.3 If you do not provide the personal information requested by us, we may not be able to provide you with our services.
- 5.4 If you provide personal information to us about someone else, you must ensure you are entitled to disclose the information to us and that, without us taking any further steps required by privacy laws, we may collect, use and disclose such information for the purposes described in this Privacy Policy. For example, you should take reasonable steps to ensure the individual concerned is aware of the various matters detailed in this Privacy Policy. The individual must also provide the consents set out in this Privacy Policy in respect of how we will deal with their personal information.

6. Dealing with unsolicited personal information

- 6.1 If we receive personal information that is not solicited by us, we will only retain it, if we determine that it is reasonably necessary for one or more of our functions or activities and that you have consented to the information being collected or given the absence of your consent that it was impracticable or unreasonable for us to obtain it under the circumstances.
- 6.2 If these conditions are not met, we will destroy or de-identify the information.
- 6.3 If such unsolicited information is sensitive information we will obtain your consent to retain it regardless of what the circumstances are.

SECTION C – INTEGRITY OF YOUR PERSONAL INFORMATION

7. Quality of personal information

- 7.1 We ensure that the personal information we collect and use or disclose is accurate, up to date, complete and relevant.
- 7.2 Please contact us if any of the details you have provided to us change or if you believe that the information we have about you is not accurate or up to date.
- 7.3 We may also take steps to update personal information we hold, for example, an address, by collecting personal information from publicly available sources such as telephone directories or electoral rolls.

8. Security of personal information

- 8.1 We are committed to ensure that we protect any personal information we hold from misuse, interference, loss, unauthorised access, modification and disclosure.
- 8.2 For this purpose we have a range of practices and policies in place to provide a robust security environment. We ensure the on-going adequacy of these measures by regularly reviewing them.
- 8.3 Our security measures include, but are not limited to:

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- (a) educating our staff as to their obligations with regard to your personal information;
- (b) requiring our staff to use passwords when accessing our systems;
- (c) encrypting data sent from your computer to our systems during Internet transactions and customer access codes transmitted across networks;
- (d) employing firewalls, intrusion detection systems and virus scanning tools to protect against unauthorised persons and viruses from entering our systems;
- (e) using dedicated secure networks or encryption when we transmit electronic data for purposes of outsourcing;
- (f) providing secure storage for physical records; and
- (g) employing physical and electronic means such as alarms, cameras and guards (as required) to protect against unauthorised access to buildings.

8.4 Where information we hold is identified as no longer needed for any purpose we ensure it is effectively and securely destroyed, for example, by shredding or pulping in the case of paper records or by degaussing (demagnetism of the medium using alternating electric currents) and other means in the case of electronic records and equipment.

SECTION D – USE OR DISCLOSURE OF PERSONAL INFORMATION

9. How do we use your personal information?

9.1 We use your personal information for the purpose for which it has been provided, for reasonably related secondary purposes, any other purpose you have consented to and any other purpose permitted under the Privacy Act. This may include using your personal information for the following purposes:

- (a) to provide you with the products or services you have requested;
- (b) to verify your identity;
- (c) to assess, process and manage your application to be a client, including to verify your details and assess our risk;
- (d) to assess, process and manage your application to work with us; or
- (e) for complaints handling or data analytics purposes.

9.2 If we hold personal information about you that was collected for a particular purpose (“**the primary purpose**”), we will not use or disclose the information for another purpose (“**the secondary purpose**”) unless:

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- (a) We have obtained your consent to use or disclose the information; or
- (b) you would reasonably expect us to use or disclose the information for the secondary purpose and the secondary purpose is:
 - (i) if the information is sensitive – directly related to the primary purpose; or
 - (ii) if the information is not sensitive – related to the primary purpose;
- (c) the use or disclosure of the information is required or authorised by or under an Australian law or a court/tribunal order; or
- (d) a permitted general situation exists in relation to the use or disclosure of the information by us; or
- (e) a permitted health situation exists in relation to the use or disclosure of the information by us, in which case we will de-identify the information before disclosing it; or
- (f) we reasonably believe that the use or disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or

9.3 Where we use or disclose personal information in accordance with section 13(1)(e) we will keep a copy of this disclosure (e.g.: the email or letter used to do so).

10. To whom will we disclose your personal information to?

10.1 To enable us to maintain a successful business relationship with you, we may disclose your personal information to:

- (a) organisations that provide products or services used or marketed by us, including intermediaries (such as financial advisers), custodians and trustee companies, financial institutions, and execution and clearing providers;
- (b) your employer/s or referees, your professional advisers, your bank and any other organisation that may have or is considering having an interest in your investment, or in our business;
- (c) companies and contractors who we retain to provide services for us, such as IT contractors, call centres, stationery printing houses, mail houses, storage facilities, risk and compliance providers, lawyers, accountants and auditors, who will need to have access to your personal information to provide those services;
- (d) people considering acquiring an interest in our business or assets; and other individuals or companies authorised by you.

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- 10.2 By providing us with your personal information, you consent to us disclosing your information to such entities without obtaining your consent on a case by case basis. Sometimes we are required or authorised by law to disclose your personal information. Circumstances in which we may disclose your personal information would be to a Court, Tribunal or law enforcement agency in response to a request or in response to a subpoena or to the Australian Taxation Office.
- 10.3 We may from time to time transfer personal information outside Australia in accordance with the Privacy Act to countries whose privacy laws do not provide the same level of protection as Australia's privacy laws. For example, we may transfer your personal information to the Asia-Pacific, European Union or the United States of America.
- 10.4 We may also use cloud storage and IT servers that are located offshore. By providing us with your personal information, you consent to us disclosing your information to entities located outside of Australia and, when permitted by law to do so, on the basis that we are not required to take such steps as are reasonable in the circumstances to ensure that any overseas recipient complies with Australian privacy laws in relation to your information.

11. Outsourcing

- 11.1 We disclose personal information when we outsource certain functions, including bulk mailing, card and cheque book production, market research, direct marketing, statement production, debt recovery and information technology support. We also seek expert help from time to time to help us improve our systems, products and services.
- 11.2 We use banking agents, for example, local businesses, to help provide you with face-to-face banking services. These agents collect personal information on our behalf.
- 11.3 In all circumstances where personal information may become known to our contractors, agents and outsourced service providers, there are confidentiality arrangements in place. Contractors, agents and outsourced service providers are not able to use or disclose personal information for any purposes other than our own.
- 11.4 We take our obligations to protect customer information very seriously we make every effort to deal only with parties who share and demonstrate the same attitude.

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12. Disclosure required by law

12.1 We may be required to disclose customer information by law e.g. under Court Orders or Statutory Notices pursuant to taxation or social security laws or under laws relating to sanctions, anti-money laundering or counter terrorism financing.

13. Direct marketing

13.1 From time to time we may use your personal information to provide you with current information about our products or special offers you may find of interest, changes to our organisation, or new products or services being offered by us or any company we are associated with. By providing us with your personal information, you consent to us using your information to contact you on an ongoing basis for this purpose, including by mail, email, SMS, social media and telephone. If you do not wish to receive marketing information, you may at any time decline to receive such information by contacting our Compliance team using the contact details below. We will not charge you for giving effect to your request and will take all reasonable steps to meet your request at the earliest possible opportunity.

SECTION E – ADOPTION, USE OR DISCLOSURE OF GOVERNMENT IDENTIFIERS

14. Adoption of government related identifiers

14.1 We will not adopt a government related identifier of an individual as our own identifier unless required or authorised to do so by or under an Australian law, regulation or court/tribunal order.

15. Use or disclosure of government related identifiers

15.1 Before using or disclosing a government related identifier of an individual, we will ensure that such use or disclosure is:

- (a) reasonably necessary for us to verify your identity for the purposes of the our activities or functions; or
- (b) reasonably necessary for us to fulfil its obligations to a government agency or a State or Territory authority; or
- (c) required or authorised by or under an Australian law, regulation or a court/tribunal order; or
- (d) within a permitted general situation (other than the situation referred to in item 4 or 5 of the table in subsection 16A(1) Privacy Act); or
- (e) reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

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SECTION F – ACCESS TO AND COLLECTION OF PERSONAL INFORMATION

16. Updating your personal information

- 16.1 It is important to our relationship that the personal information we hold about you is accurate and up to date. During our relationship we will ask you to inform us if any of your personal information has changed. If you consider that any information we hold about you is incorrect, you should contact us to have it updated. We will generally rely on you to assist us in informing us if the information we hold about you is inaccurate or incomplete.
- 16.2 If we correct your personal information that we previously disclosed to another APP entity you can request us to notify the other APP entity of the correction. Following such a request, we will give that notification unless it is impracticable or unlawful to do so.
- 16.3 If we refuse to correct the personal information as requested by you, we will give you a written notice setting out the reasons for the refusal, the mechanisms available to complain and any other relevant matter.
- 16.4 If we refuse to correct the personal information as requested by you, you can request us to associate with the information a statement that the information is inaccurate, out of date, incomplete, irrelevant or misleading. We will then associate the statement in such a way that will make the statement apparent to users of the information.

17. Access to your personal information

- 17.1 We will provide you with access to the personal information we hold about you, subject to limited exceptions in the Privacy Act as outlined below. You may request access to any of the personal information we hold about you, at any time. To access personal information that we hold about you, use the contact details specified below. We may charge a fee for our reasonable costs in retrieving and supplying the information to you.
- 17.2 We will respond to your request as soon as possible and in the manner requested by you. We will endeavour to comply with your request within 14 days of its receipt but, if that deadline cannot be met owing to exceptional circumstances, your request will be dealt with within 30 days. It will help us provide access if you can tell us what you are looking for.
- 17.3 Your identity will be confirmed before access is provided.

18. Denied access to your personal information

- 18.1 There may be situations where we are not required to provide you with access to your personal information. For example, such a situation would be information relating to an existing or anticipated legal proceeding with you, or if your request is vexatious. An explanation will be provided to you if we deny you access to your personal information we hold.

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18.2 In particular circumstances we are permitted by law to deny your request for access, or limit the access we provide. We will let you know why your request is denied or limited if this is the case. For example, we may give an explanation of a commercially sensitive decision rather than direct access to evaluative information connected with it.

19. How safe and secure is your personal information?

19.1 We will take reasonable steps to protect your personal information, including your credit-related personal information, by storing it in a secure environment, and when the information is no longer needed for any purpose for which the information may be used or disclosed, it will be destroyed or permanently de-identified. We will also take reasonable steps to protect any personal information from misuse, loss and unauthorised access, modification or disclosure.

20. Further information and complaints

20.1 You may request further information about the way we manage your personal information or lodge a complaint by contacting our Privacy Officer on the contact details below.

21. Contact details

21.1 You can contact us by calling us on 1800 88 61 03 or by writing to: The Compliance Officer, Pinnacle Securities Pty Ltd, PO Box 8227, Gold Coast QLD 9726.

22. Change in our Privacy Policy

22.1 We are constantly reviewing all our policies and attempt to keep up to date with market expectations. Technology is constantly changing, as is the law and market practices. Consequently, we may change this Privacy Policy from time to time or as the need arises. This Privacy Policy was last updated in March 2018.