

# **Privacy Policy**

**Eclipse Financial Advisers Pty Ltd (AFSL)**

**Australian Financial Services Licence No. 322800**

# Privacy Policy

## Respecting your privacy

We respect your personal information, and this Privacy Policy explains how we handle it.

This Policy includes information related to the Australian Financial Services Licence, that is, it covers additional information on how we manage your personal information collected in connection with a financial service and/or financial product.

## What personal information do we collect and hold?

### General information

The types of information that we collect and hold about you could include:

- ID information such as your name, postal or email address, telephone numbers, and date of birth;
- other contact details such as social media handles;
- financial details such as your tax file number; and
- other information we think is necessary.

### When the law authorises or requires us to collect information

We may collect information about you because we are required or authorised by law to collect it. There are laws that which require us to collect personal information. For example, we require personal information to verify your identity under Australian Anti-Money Laundering law.

### What do we collect via your website activity?

We also know that some customers like to engage with us through social media channels. We may collect information about you when you interact with us through these channels. However, for all confidential matters, we'll ensure we interact with you via a secure forum.

To improve our services and products, we sometimes collect de-identified information from web users. That information could include geographical information to ensure your use of our web applications is secure.

## How do we collect your personal information?

### How we collect and hold your information

Unless it's unreasonable or impracticable, we will try to collect personal information directly from you (referred to as '**solicited information**'). For this reason, it's important that you help us to do this and keep your contact details up-to-date.

There are a number of ways in which we may seek information from you. We might collect your information when you fill out a form with us (e.g. a fact find document), when you've given us a call or used our website. We also find using electronic means, such as email or SMS, a convenient way to communicate with you and to verify your details<sup>1</sup>.

### **How we collect your information from other sources**

Sometimes, we will collect information about you from other sources as the Privacy Act 1988 permits. We will do this only if it's reasonably necessary to do so, for example, where:

- we collect information from third parties about a financial product made available to you arising out of the services we provide you;
- we can't get hold of you and we rely on public information to update your contact details; or
- we exchange information with your legal or accounting or other representatives.

### **What if you don't want to provide us with your personal information?**

If you don't provide your information to us, it may not be possible:

- for us to give you the financial service/product assistance you seek from us;
- to assist in finding a financial product relevant to your circumstances;
- verify your identity or protect against fraud; or
- to let you know about other products or services that might be suitable for your financial needs.

### **How we collect and hold your information**

We will collect your information in the course of you answering the enquiries we make of you relating to the financial service advice you seek from us. In addition to what we say above about collecting information from other sources, other main sources for collecting credit information are:

- your employer, accountant, or other referees;
- your agents and other representatives, for example the person who referred your business to us, your solicitors;
- bodies that issue identification documents to help us check your identity; and
- our service providers involved in helping us to provide financial product advice or process any application you make for a financial product through us.

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<sup>1</sup> However we'll never ask you for your security details in this way – if you are ever unsure, just contact us.

## **What do we do when we get information we didn't ask for?**

Sometimes, people share information with us we haven't sought out (referred to as '**unsolicited information**'). Where we receive unsolicited personal information about you, we will check whether that information is reasonably necessary for our functions or activities. If it is, we'll handle this information the same way we do with other information we seek from you. If not, we'll ensure we do the right thing and destroy or de-identify it.

## **When will we notify you that we have received your information?**

When we receive personal information from you directly, we'll take reasonable steps to notify you how and why we collected your information, who we may disclose it to and outline how you can access it, seek correction of it or make a complaint.

Sometimes we collect your personal information from third parties. You may not be aware that we have done so. If we collect information that can be used to identify you, we will take reasonable steps to notify you of that collection.

## **How do we take care of your personal information?**

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, interference and loss, and from unauthorised access, modification or disclosure. Some of the ways we do this are:

- document storage security policies;
- security measures for access to our systems; and
- only giving access to personal information to a person who is verified to be able to receive that information

We may store personal information physically or electronically with third party data storage providers. Where we do this, we use contractual arrangements to ensure those providers take appropriate measures to protect that information and restrict the uses to which they can put that information.

## **What happens when we no longer need your information?**

We'll only keep your information for as long as we require it for our purposes. We may be required to keep some of your information for certain periods of time under law. When we no longer require your information, we'll ensure that your information is destroyed or de-identified.

## How we use your personal information

### What are the main reasons we collect, hold and use your information?

Collecting your personal information allows us to provide you with the appropriate financial services you've asked for. This means we can use your information to:

- provide financial product advice
- deal (arrange) in financial products on your behalf
- administer services we provide, for example, in relation to self-managed superannuation funds

### Can we use your information for marketing our products and services?

We may use or disclose your personal information to let you know about other products or services we or a third party make available and that may be of interest to you.

We will always let you know that you can opt out from receiving marketing offers.

With your consent, we may disclose your personal information to third parties for the purpose of connecting you with other businesses or customers. You can ask us not to do this at any time. We won't sell your personal information to any organisation.

### Yes, You Can Opt-Out

You can let us know at any time if you no longer wish to receive direct marketing offers from us. We will process your request as soon as practicable.

### What are the other ways we use your information?

We've just told you some of the main reasons why we collect your information, so here's some more insight into the ways we use your personal information including:

- identifying you;
- telling you about other products or services we make available and that may be of interest to you, unless you tell us not to;
- allowing us to run our business efficiently and perform general administrative tasks;
- preventing any fraud or crime or any suspected fraud or crime;
- as required by law, regulation or codes binding us; and
- any purpose to which you have consented.

## Who do we share your personal information with?

**To make sure we can meet your specific needs and for the purposes described in ‘How we use your personal information’, we sometimes need to share your personal information with others.**

We may share your information with other organisations for any purposes for which we use your information. For example the preparation of a share portfolio through a contracted third party.

### Sharing Your Information

We may use and share your information with other organisations for any purpose described above.

#### Sharing with your representatives and referees

We may share your information with:

- your representative or any person acting on your behalf (for example, lawyers, settlement agents, accountants or real estate agents); and
- your referees, like your employer, to confirm details about you.

#### Sharing with third parties

We may share your information with third parties in relation to services we provide to you. Those third parties may include:

- referrers that referred your business to us;
- organisations, like fraud reporting agencies, that may identify, investigate and/or prevent fraud, suspected fraud, crimes, suspected crimes, or other misconduct;
- Government or regulatory bodies (including ASIC and the Australian Tax Office) as required or authorised by law. In some instances, these bodies may share the information with relevant foreign authorities;
- service providers, agents, contractors and advisers that assist us to conduct our business;
- any organisation that wishes to take an interest in our business or assets; and
- any third party to which you consent to us sharing your information.

#### Sharing outside of Australia

We are not likely to disclose your information to organisations overseas. However, we may store your information in cloud or other types of networked or electronic storage. As electronic or networked storage can be accessed from various countries via an internet connection, it's not always practicable to know in which country your information may be held.

## How do you access your personal information?

### How you can generally access your information

We'll always give you access to your personal information unless there are certain legal reasons why we can't. You can ask us in writing to access your personal information that we hold. In some cases we may be able to deal with your request over the phone.

We will give you access to your information in the form you want it where it's reasonable and practical. We may charge you a small fee to cover our costs when giving you access, but we'll always check with you first.

We're not always required to give you access to your personal information. Some of the situations where we don't have to give you access include when:

- we believe there is a threat to life or public safety;
- there is an unreasonable impact on other individuals;
- the request is frivolous;
- the information wouldn't be ordinarily accessible because of legal proceedings;
- it would prejudice negotiations with you;
- it would be unlawful;
- it would jeopardise taking action against serious misconduct by you;
- it would be likely to harm the activities of an enforcement body (e.g. the police); or
- it would harm the confidentiality of our commercial information.

If we can't provide your information in the way you've requested, we will tell you why in writing. If you have concerns, you can complain. See 'Contact Us'.

## How do you correct your personal information?

### How we correct your information

Contact us if you think there is something wrong with the information we hold about you and we'll try to correct it if it's:

- inaccurate;
- out-of-date;
- incomplete;
- irrelevant; or
- misleading.

If you are worried that we have given incorrect information to others, you can ask us to tell them about the correction. We'll try and help where we can - if we can't, then we'll let you know in writing.

## **What additional things do we have to do to correct your information?**

If you ask us to correct information, we will help you with this in the following way.

### Helping you manage corrections

Whether we made the mistake or someone else made it, we are required to help you ask for the information to be corrected. So we can do this, we might need to talk to others. However, the most efficient way for you to make a correction request is to send it to the organisation which made the mistake.

### Where we correct information

If we're able to correct the information, we'll let you know within five business days of deciding to do this. We'll also let the relevant third parties know as well as any others you tell us about. If there are any instances where we can't do this, then we'll let you know in writing.

### Where we can't correct information

If we're unable to correct your information, we'll explain why in writing within five business days of making this decision. If you have any concerns, you can access our external dispute resolution scheme or make a complaint to the Office of the Australian Information Commissioner.

### Time frame for correcting information

If we agree to correct your information, we'll do so within 30 days from when you asked us, or a longer period that's been agreed by you.

If we can't make corrections within a 30 day time frame or the agreed time frame, we must:

- let you know about the delay, the reasons for it and when we expect to resolve the matter;
- ask you to agree in writing to give us more time; and
- let you know you can complain to our external dispute resolution scheme or the Office of the Australian Information Commissioner.

## **How do you make a complaint?**

### **How do you generally make a complaint?**

If you have a complaint about how we handle your personal information, we want to hear from you. You are always welcome to contact us.

You can contact us by using the details below:

- **Phone:** 02 9458 2221
- **Email:** yianni@investastute.com.au
- **Mail:** Eclipse Financial Advisers Pty Ltd  
PO Box 474, North Sydney, NSW 2059

We are committed to resolving your complaint and doing the right thing by our customers. Most complaints are resolved quickly, and you should hear from us within five business days.

### **Need more help?**

If you still feel your issue hasn't been resolved to your satisfaction, then you can raise your concern with the Office of the Australian Information Commissioner:

- **Online:** [www.oaic.gov.au/privacy](http://www.oaic.gov.au/privacy)
- **Phone:** 1300 363 992
- **Email:** enquiries@oaic.gov.au
- **Fax:** 02 9284 9666
- **Mail:** GPO Box 5218, Sydney NSW 2001 or GPO Box 2999, Canberra ACT 2601

### **What additional things do we have to do to manage your complaints about information?**

#### If your complaint relates to how we handled your access and correction requests

You may take your complaint directly to our external dispute resolution scheme or the Office of the Australian Information Commissioner. You are not required to let us try to fix it first.

#### For all other complaints relating to credit information

If you make a complaint about things (other than an access request or correction request) in relation to your credit information, we will let you know how we will deal with it within seven days.

#### Ask for more time if we can't fix things in 30 days

If we can't fix things within 30 days, we'll let you know why and how long we think it will take. We will also ask you for an extension of time to fix the matter. If you have any concerns, you may complain to our external dispute resolution scheme or the Office of the Australian Information Commissioner.

#### Letting you know about our decision

We'll let you know about our decision within 30 days or any longer agreed time frame. If you have any concerns, you may complain to our external dispute resolution scheme or the Office of the Australian Information Commissioner.

## Contact Us

We care about your privacy. Please contact us if you have any questions or comments about our privacy policies and procedures. We welcome your feedback.

You can contact us by using the details below:

- **Phone:** 02 9458 2221
- **Email:** yianni@investastute.com.au
- **Mail:** Eclipse Financial Advisers Pty Ltd  
PO Box 474, North Sydney, NSW 2059

### **What if you want to interact with us anonymously or use a pseudonym?**

If you have general enquiry type questions, you can choose to do this anonymously or use a pseudonym. We might not always be able to interact with you this way, however, as we are often governed by regulations that require us to know who we're dealing with. In general, we won't be able to deal with you anonymously or where you are using a pseudonym when:

- it is impracticable; or
- we are required or authorised by law or a court/tribunal order to deal with you personally.

### **What do we do with government-related identifiers?**

In certain circumstances we may be required to collect government-related identifiers such as your tax file number. We will not use or disclose this information unless we are authorised by law.

### **Changes to this Privacy Policy**

This Policy may change. We will let you know of any changes to this Policy by posting a notification on our website, correspondence via post or e-mail or you may contact us for a copy of the most up to date policy at any time.