

Escala Partners Privacy Policy

March 2017

Escala Partners Limited (ABN 74 155 884 236) (**Escala, use, we, our**) is committed to protecting the privacy of the individuals with which it interacts (**you, your**) and maintains a policy of confidence concerning your personal information (**Policy**).

This Policy addresses how we deal with your personal information and has been developed in accordance with the Australian Privacy Principles (**APPs**) contained in the *Privacy Act 1988* (Cth) (the **Privacy Act**).

By accessing the Escala website www.escalapartners.com.au (**Website**) or otherwise dealing with us you accept the terms of this Policy.

1. HOW WE COLLECT YOUR PERSONAL INFORMATION

In order to provide financial services to you, we need to collect and retain some personal information. Personal information is understood to be any information or an opinion that reasonably identifies an individual.

Wherever practicable, Escala will collect your personal information directly from you. We generally collect your personal information when we provide you with advice and dealing services, complete an application form for a financial product or submit your details to the Website. We may also collect personal information directly from you on the phone or via electronic means such as an email.

However, it may be necessary at times to collect personal information about you from other external sources, such as:

- your authorised representatives, such as executors or administrators;
- identity verification service providers; and
- your accountant.

If we receive unsolicited personal information about you, we will assess whether we could have otherwise collected such information under the APPs and if we could not, we will securely destroy, delete or de-identify such information.

2. WHAT KIND OF INFORMATION WILL WE COLLECT?

In order to establish and administer your account, and to comply with relevant legislation, we may collect all or some of the following:

- your full name, date of birth, gender and contact details including telephone, address, email and fax;
- copy of your driver's licence and /or passport for the purpose of verifying your identity and to ensure compliance with the *Anti-Money Laundering and Counter-Terrorism Financing Act*;
- your tax file number and bank account details for the purpose of administering your accounts;

- details about authorised signatories;
- copies of any relevant trust deeds, partnership agreements, constitutions or articles of association, which may be relevant to comply with the *Anti-Money Laundering and Counter-Terrorism Financing Act*; and
- details of services you are interested in and about your investment needs, for the purpose of gathering demographic information.

Only where it is necessary to do so, we may collect personal information about you that is sensitive. (e.g. health information). Unless we are required or permitted by law to collect that information, we will obtain your consent.

If we do not receive the information requested, we may not be able to process or accept applications from you and may not be able to fulfil our obligations to you. However, in certain instances you will be able to deal with us anonymously.

3. THE PURPOSES FOR WHICH PERSONAL INFORMATION IS COLLECTED, HELD, USED AND DISCLOSED.

Generally, we only use and disclose information about you for the purpose for which it was disclosed to us or related purposes which you would reasonably expect. The core purposes for dealing with your personal information in the context of the Escala business include:

- to establish and administer your investment accounts and your relationship with us;
- to communicate with you;
- to enable us to inform you about new and existing products and services that will enhance our relationship with you. However, we do respect your right to ask us not to do this;
- to comply with our reporting and tax obligations;
- where relevant and applicable, to provide you with financial services and advice;
- to process any applications made by you;
- to handle any relevant enquiries or complaints and;
- as required or authorised by law, including under the APPs.

4. HOW WE STORE YOUR PERSONAL INFORMATION

We store your personal information in a variety of ways which includes both electronic and paper form. The security of your personal information is paramount and we take reasonable steps to protect it from misuse, interference, loss, unauthorised access, modification or disclosure. We do this in a number of ways including:

- document security policies;
- confidentiality requirements of our employees and contractors;
- security measures for access to our systems;

- restricting access to personal information only to persons who require access to carry out their responsibilities;
- secured access to our offices; and
- electronic security systems such as firewalls and data encryption on our websites and servers.

5. DISCLOSURE OF YOUR INFORMATION

There are circumstances under relevant legislation where we are required to disclose certain information. For instance, we may be required to provide details to:

- Australian Government regulators such as the Australian Securities and Investments Commission (ASIC), the Australian Tax Office (ATO), the Australian Transaction Reports and Analysis Centre (AUSTRAC), and to other regulatory or government entities;
- Financial Ombudsman Service (FOS);
- as required by a court order; and
- your spouse in accordance with the Family Law Act requirements.

In order to meet your needs and provide some investor and financial services, such as administering your accounts, it may be necessary to release information or provide access to external service providers, for instance:

- any organisations involved in providing, managing or administering our products or services such as administrators, third party clearers, mail houses and software providers;
- contractors we have engaged to assist us in managing your accounts;
- auditors, consultants and other professional advisers;
- your financial adviser;
- any fund (administrator or trustee) to which your investment balance is to be transferred;
- your legal personal representative, attorney or any other person who may be entitled to receive your account balance following your death and any person contacted to assist us in that process;
- other financial institutions (such as banks) who hold an account in your name, for example, where amounts have been transferred to or from that account;
- authorities investigating (or who could potentially investigate) alleged fraudulent or suspicious transactions in relation to your account.

We may also provide some information to market research companies for the purpose of analysing our client base. We may provide our clients' contact details to market research companies to undertake research on behalf of Escala. For example, we may run investor satisfaction surveys, or run focus groups on proposed products or services. These agencies must return all records of this information to Escala. You can contact us at any time if you no longer wish us to use your personal information for marketing purposes.

6. OVERSEAS DISCLOSURE

We may need to share some of your information (including credit information) with organisations outside Australia. In this regard, Escala has arrangements with parties in the United States of America and India. We will take reasonable steps to ensure that the overseas recipient does not breach the APPs in relation to the information, however you consent to the disclosure on the understanding that if the overseas recipient does handle your personal information in breach of the APPs, we will not be liable under the Privacy Act and nor will you be able to seek redress under the Privacy Act.

You further understand that overseas organisations may be required to disclose information we share with them under a foreign law. In those instances, we will not be responsible for that disclosure.

7. DATA QUALITY – KEEPING YOUR PERSONAL INFORMATION UP TO DATE

Escala relies on the accuracy of the personal information provided by its clients. We aim to ensure that it is accurate, up-to-date and complete. We will endeavour to prompt you to update your information when we have contact with you or by other means, however, if any of your details change, or you have any concerns regarding its accuracy you should contact us.

8. HOW YOU MAY ACCESS YOUR PERSONAL INFORMATION AND SEEK ITS CORRECTION

At your request, we will take reasonable steps to let you know, generally, what sort of personal information we hold. Where you make such a request, a reasonable fee may be charged for the provision of this information if the request will create costs for us outside our day-to-day business costs. This charge will not be excessive and will not be charged merely to lodge a request.

Our decision to grant you the requested access is subject to some exceptions allowed by law, for example:

- if access to information would pose a serious threat to the life or health of an individual;
- if access to information would have an unreasonable impact on the privacy of others;
- if the request is frivolous or vexatious;
- if the information relates to a commercially sensitive decision-making process;
- if providing access would be unlawful;
- if access would prejudice enforcement activities relating to criminal activities or a security function;
- if providing access would reveal the intentions of in relation to negotiations with you in such a way to prejudice those negotiations;
- denying access is required or authorised by or under law.

If access is denied we will provide you with the reason why.

To contact us about access to and correction of your personal information, please contact us using the contact details provided in this policy.

9. COMPLAINTS

If you are not happy with our handling of your financial affairs from a privacy perspective, you can seek to have the issues addressed.

You should initially contact Escala in writing with the details of your complaint, together with the rectification you are seeking.

If you are not satisfied with our response after 45 business days, you may in some circumstances, take your complaint to;

Financial Ombudsman Service Limited
GPO Box 3
Melbourne VIC 3001
(Australia)

Finally, if you are also not happy with the outcome of the hearing from the Financial Ombudsman Service Limited, you may take your complaint to the Office of the Australian Information Commissioner;

Enquiries telephone: 1300 363 992
Enquiries email: enquiries@oaic.gov.au
Sydney Office
GPO Box 5218 Sydney NSW 2001
Canberra Office
GPO Box 2999 Canberra ACT 2601

10. CONTACTING ESCALA

If you have any questions relating to this privacy statement, wish to opt out of marketing communications, or access or correct your personal information, or if you have any concerns about the way in which we have handled your personal information, please do not hesitate to contact us;

The Privacy Officer
Escala Partners Limited
PO Box 16071
Collins Street West VIC 8007
Tel: 61-3-8681 4600
email: compliance@escalapartners.com.au