

Privacy Policy

Privacy is important to Certainty Financial Pty Ltd. We are committed to respecting an individual's right to privacy and ensuring that personal information is protected.

Certainty Financial is bound by the National Privacy Principles set out in the Privacy Act 1988 (Commonwealth). We are committed to ensuring that all our business dealings comply with the National Privacy Principles and acknowledge the importance of keeping personal information confidential and secure.

Please note that if at any time Certainty Financial is required by law to release personal information, Certainty Financial must cooperate fully.

This policy explains how we manage personal information. It details the type of personal information we collect, how we may use that information, to whom we allow access and how we protect it.

1) Why and how we collect personal information

Personal information is information or an opinion relating to an individual, which can be used to identify that individual.

Certainty Financial collects personal information when an individual or business engages us, so that we may provide advice, recommendations and services relating to the following:

- **Financial Planning**
- **Risk Management**
- **Succession Planning**
- **Mortgages**
- **Retirement and Estate Planning**
- **Investment Advice**
- **Superannuation**

Certainty Financial also collects personal information:

- (a) to conduct our business, and manage the internal accounting and administration requirements of our business;
- (b) to ensure that our clients' needs are both acknowledged and met;
- (c) to comply with our legal obligations; and
- (d) to help us manage and enhance our services.

The personal information we collect may include name and contact details, age, financial details and other information that is relevant to the services we provide, or necessary to carry out an individual's instructions.

We collect personal information by gathering, acquiring or obtaining personal information from any source and by any means. In some instances, personal information may be provided to us by third parties (eg. employers) so that we may provide advice and services (eg. to individuals).

We will try to collect information from an individual directly wherever possible. Where we collect information from someone else (eg. past or present accountant or financial planner, bankers, insurers) we will, where possible, obtain this with the individual's consent.

An individual is under no obligation to give us personal information about the individual or anyone else. However, if the individual does not provide the information we request, it may affect our ability to provide and administer our services.

Website collection:

Certainty Financial may collect personal information from its website www.certainty.com.au through receiving subscription applications and emails. We may also use third parties to analyse traffic at the website, which may involve the use of cookies. Information collected through such analysis is anonymous.

Use and disclosure of personal information

When we refer to “use” of personal information, we mean use within Certainty Financial, for the purposes outlined above. When we refer to “disclose”, we mean providing the information to persons outside of Certainty Financial.

We use personal information for the primary purposes for which it is collected (as set out above), for reasonably expected secondary purposes which are related to the primary purposes, and in other circumstances authorised by the Privacy Act and the NPPs.

For example, we may use personal information to:

- provide an individual with a specific service (eg. we may use the information to give financial advice or complete applications for financial products on the individual's behalf);
- administer and manage the services we provide; or
- provide information about other services that may be of benefit to the individual.

Certainty Financial will not use or disclose to third parties any personal information obtained from an individual unless:

- it relates to the primary purpose of collection and where it would be expected of us;
- the individual has consented to the use or disclosure;
- we have reason to suspect unlawful activity;
- it is required or authorised by law;
- it is for the purpose of providing the individual with direct marketing material, such as articles that may be of interest, however, the individual may, by contacting us, request not to receive such information and we will give effect to that request;
- we propose to sell the Certainty Financial business, in which case we may disclose the individual's information to potential purchasers for the purpose of them conducting due diligence investigations. Any such disclosure will be made in confidence and it will be a condition of that disclosure that no personal information will be used or disclosed by them. In the event that a sale of our business is effected, we may transfer the individual's personal information to the purchaser of the business. The individual will be advised of any such transfer;
- as part of our regulatory or statutory obligations, it is required for government agencies, including the Australian Taxation Office, and other enforcement bodies;
- it is to our service providers (as is strictly necessary) to enable them to provide services to us, for example, auditors, legal and financial consultants; or
- it is to financial product providers, for example insurance companies and fund managers, in order to carry out the individual's instructions.

Our service providers also respect an individual's privacy.

“Sensitive information” includes information relating to an individual's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, sexual references and criminal record, and also includes health information about an individual.

Sensitive information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless you agree otherwise, or where certain other limited circumstances apply (eg. where required by law).

We do not disclose personal information we collect to others for the purpose of allowing them to direct market their products and services. We do not use or disclose sensitive information for direct marketing purposes.

2) Quality of personal information

We will take all reasonable steps to ensure that the personal information we collect, use or disclose is accurate, complete and current.

3) Protecting personal information

We will take all reasonable steps to protect personal information from misuse, loss, unauthorised access, modification or disclosure.

Personal information is stored securely whether in an electronic or physical form. The information is stored in secured premises and in electronic databases, which are password protected.

In the event that the individual ceases to be a client of Certainty Financial, any personal information that we hold will be held for a period of 7 years in order to comply with legislative and professional requirements. The information will then be disposed of securely.

4) Openness

We will maintain and review clearly expressed policies on our management of personal information and make this readily available.

We will take reasonable steps, on request, to let an individual know the sort of personal information we hold, its purpose, and how we collect, use, store, and disclose that information.

5) How to access and correct personal information

An individual has a right to ask us what sort of personal information we have about the individual and how we collect it, store it and use it.

We will provide the individual with access to personal information on request except where it:

- may have an unreasonable impact upon the privacy of others;
- would be unduly onerous for us;
- is frivolous or vexatious;
- relates to existing or anticipated legal proceedings with the person who is the subject of the information and would not be accessible through discovery;
- may reveal our intentions and prejudice negotiations with the individual;
- may prejudice investigation of any possible unlawful activity; or
- would be unlawful or denial of access is allowed by law.

We will, prior to providing access, require the individual to provide evidence of identity. Where we have declined to provide information on the above grounds and the individual is not satisfied, then the individual can use our complaints handling procedure, which is activated by the individual contacting our Compliance and Complaints Manager, Geoffrey Crewe, on 9890 0222. If the individual is unhappy with our response, the individual is entitled to contact the Office of the Privacy Commissioner.

No fee will be charged for an access request. The individual may be charged the reasonable expenses incurred in providing any information (such as search and photocopying costs).

We will take all reasonable steps to ensure that the information is correct, accurate and current.

We will correct personal information held if we discover, or the individual is able to show us, that it is incorrect. If we are asked to correct it and we do not agree that it is wrong, we will explain our refusal to correct. In these circumstances, we will keep a statement with a record of the information regarded as inaccurate or out-of-date.

6) Identifiers

We will not use identifiers assigned by the Government, such as a tax file number, medicare number or pension card number, for our own file recording purposes.

7) Anonymity

If we can (and if an individual wants to) we will deal with the individual anonymously. Where it is lawful and practicable, we will allow the individual to enter into transactions with us on an anonymous basis.

8) International transfer of personal information

We will not transfer personal information to someone in a foreign country, unless the individual has consented to the transfer.

9) Sensitive information

We will only collect sensitive information with an individual's consent unless the collection is required by law or to establish, exercise or defend a legal or equitable claim, or it is necessary to prevent or lessen a serious or imminent threat to the life or health of the person who is the subject of the information.

10) Updates to this Policy

This Policy will be reviewed from time to time to take account of new laws and technology, changes to our operations and practices and the changing business environment.

Contacting Certainty Financial

If an individual has any further questions about Certainty Financial's Privacy Policy, please contact us on (03) 9890 0222 or write to:

Certainty Financial Pty Ltd
PO Box 113
Canterbury VICTORIA 3126