

# Privacy Policy

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HB Private Wealth Pty Ltd

Company:	HB Private Wealth Pty Ltd
ACN:	687 825 065
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## VERSION CONTROL

Version Number	Date Updated	Notes
1	13/01/2026	Original document prepared and finalised.

## SECTION A – INTRODUCTION

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### 1. INTRODUCTION

- 1.1 As part of HB Private Wealth Pty Ltd's process to ensure that it continues to maintain the highest levels of professional integrity and ethical conduct, HB Private Wealth Pty Ltd has adopted this Privacy Policy ("**Policy**") to manage personal information in an open and transparent manner.
- 1.2 The provisions of this Policy assist HB Private Wealth Pty Ltd in complying with the requirements of the Privacy Act and the Australian Privacy Principles in protecting the personal information HB Private Wealth Pty Ltd holds about its clients.
- 1.3 This Policy applies to all Corporate Authorised Representatives, Authorised Representatives and Sub-Authorised Representatives of HB Private Wealth Pty Ltd

### 2. WHEN DOES THIS POLICY APPLY?

- 2.1 This Policy applies to all representatives and employees of HB Private Wealth Pty Ltd at all times and the requirements remain in force on an ongoing basis.

### 3. GLOSSARY

TERM	DEFINITION
AML/CTF Legislation	means: (a) <i>Anti-Money Laundering and Counter-Terrorism Financing Act 2006</i> ; and (b) <i>Anti-Money Laundering and Counter-Terrorism Financing Rules 2025</i> .
APP entity	means an agency or organisation as defined in section 6 of the Privacy Act.
Australian law	means (a) an Act of the Commonwealth or of a State or Territory; or (b) regulations, or any other instrument, made under such an Act; or (c) a Norfolk Island enactment; or (d) a rule of common law or equity.
Collects	HB Private Wealth Pty Ltd collects personal information only if HB Private Wealth Pty Ltd collects the personal information for inclusion in a record or generally available publication.
Court/tribunal order	means an order, direction or other instrument made by: (a) a court; or (b) a tribunal; or

	<p>(c) a judge (including a judge acting in a personal capacity) or a person acting as a judge; or</p> <p>(d) a magistrate (including a magistrate acting in a personal capacity) or a person acting as a magistrate; or</p> <p>(e) a member or an officer of a tribunal;</p> <p>and includes an order, direction or other instrument that is of an interim or interlocutory nature.</p>
Credit Reporting Body	<p>means:</p> <p>(a) an organisation; or</p> <p>(b) an agency prescribed by the Privacy Regulations;</p> <p>that carries on a credit reporting business.</p>
De-identified	<p>personal information is <i>de-identified</i> if the information is no longer about an identifiable individual or an individual who is reasonably identifiable.</p>
Eligible Data Breach	<p>An eligible data breach occurs:</p> <p>(a) when there has been unauthorised access or unauthorised disclosure of personal information, or a loss of personal information, that HB Private Wealth Pty Ltd holds; and</p> <p>(b) the unauthorised access or unauthorised disclosure is likely to result in serious harm to one or more clients; and</p> <p>(c) HB Private Wealth Pty Ltd is not able to prevent the likely risk of serious harm with remedial action.</p>
Holds	<p>HB Private Wealth Pty Ltd <i>holds</i> personal information if it has possession or control of a record that contains the personal information.</p>
Identifier of an individual	<p>means a number, letter or symbol, or a combination of any or all of those things, that is used to identify the individual or to verify the identity of the individual, but does not include:</p> <p>(a) the individual's name; or</p> <p>(b) the individual's ABN (within the meaning of the <i>A New Tax System (Australian Business Number) Act 1999</i>); or</p> <p>(c) anything else prescribed by the Privacy Regulations.</p>
HB Private Wealth Pty Ltd	<p>means [Insert full company name]</p>
Permitted general situation	<p>As defined in s16A of the Privacy Act</p>
Permitted health situation	<p>As defined in s16B of the Privacy Act</p>

Personal information means	means information or an opinion about an identified individual, or an individual who is reasonably identifiable: (a) whether the information or opinion is true or not; and (b) whether the information or opinion is recorded in a material form or not.
Privacy Act	means the <i>Privacy Act 1988</i> (Cth)
Privacy Regulations	means the <i>Privacy Regulations 2013</i>
Sensitive information	means (a) information or an opinion about an individual's: (i) racial or ethnic origin; or (ii) political opinions; or (iii) membership of a political association; or (iv) religious beliefs or affiliations; or (v) philosophical beliefs; or (vi) membership of a professional or trade association; or (vii) membership of a trade union; or (viii) sexual orientation or practices; or (ix) criminal record; that is also personal information; or (b) health information about an individual; or (c) genetic information about an individual that is not otherwise health information. (d) biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or (e) biometric templates.

## SECTION B – CONSIDERATION OF PERSONAL INFORMATION PRIVACY

### 4. PRIVACY STATEMENT

- 4.1 HB Private Wealth Pty Ltd's Directors ensure that at all times the provisions of this Policy are implemented in the day to day running of HB Private Wealth Pty Ltd.
- 4.2 The Directors ensure that at all times this Policy:
- (a) is current and reflects the latest applicable Australian laws; and
  - (b) contains the following information:
    - (i) the kinds of personal information that HB Private Wealth Pty Ltd collects and holds;

- (ii) how HB Private Wealth Pty Ltd collects and holds personal information;
  - (iii) the purposes for which HB Private Wealth Pty Ltd collects, holds, uses and discloses personal information;
  - (iv) how an individual may complain about a breach of the Australian Privacy Principles, or other relevant legislation that binds HB Private Wealth Pty Ltd, and how HB Private Wealth Pty Ltd deals with such a complaint;
  - (v) whether HB Private Wealth Pty Ltd is likely to disclose personal information to overseas recipients; and
  - (vi) if HB Private Wealth Pty Ltd is likely to disclose personal information to overseas recipients, the countries in which such recipients are likely to be located if it is practicable to specify those countries in this policy.
- 4.3 HB Private Wealth Pty Ltd ensures that the HB Private Wealth Pty Ltd Privacy Statement is available free of charge and in such form as appropriate. HB Private Wealth Pty Ltd makes the Privacy Statement available on its website.
- 4.4 If the Privacy Statement is requested in a particular form, HB Private Wealth Pty Ltd will take such steps as are reasonable to provide the Privacy Statement in the form requested.

## **SECTION C – COLLECTION OF PERSONAL INFORMATION (SOLICITED PERSONAL INFORMATION)**

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### **5. PERSONAL INFORMATION (OTHER THAN SENSITIVE INFORMATION)**

- 5.1 This Section C applies to the collection of personal information that is solicited by HB Private Wealth Pty Ltd.
- 5.2 HB Private Wealth Pty Ltd does not collect personal information (other than sensitive information) unless the information is reasonably necessary for one or more of HB Private Wealth Pty Ltd's functions or activities.
- 5.3 HB Private Wealth Pty Ltd's functions or activities include:
- a) Financial Advisory and Wealth Management Services
  - b) Portfolio Management and Investment Support
  - c) Client onboarding and ongoing client management
  - d) Regulatory, Compliance and risk management
  - e) Administration and Operational Activities
  - f) Reporting and Communications
  - g) Technology and Data Management
  - h) Engaging with third parties
  - i) Business Development and Relationship Management



## **6. SENSITIVE INFORMATION**

6.1 HB Private Wealth Pty Ltd does not collect sensitive information about an individual unless:

- (a) the individual consents to the collection of the information and the information is reasonably necessary for one or more of HB Private Wealth Pty Ltd's functions or activities (as described in section 5.3); or
- (b) the collection of the information is required or authorised by or under an Australian law or a Court/Tribunal order; or
- (c) a permitted general situation exists in relation to the collection of the information by HB Private Wealth Pty Ltd; or
- (d) a permitted health situation exists in relation to the collection of the information by HB Private Wealth Pty Ltd.

## **7. MEANS OF COLLECTION**

7.1 HB Private Wealth Pty Ltd only collects personal information by lawful and fair means.

7.2 HB Private Wealth Pty Ltd only collects personal information about an individual from the individual (rather than someone else), unless it is unreasonable or impracticable to do so or the individual has instructed HB Private Wealth Pty Ltd to liaise with someone else.

7.3 HB Private Wealth Pty Ltd collects personal information from an individual when:

- (a) HB Private Wealth Pty Ltd's Engagement Letter is completed;
- (b) a Client provides the information to HB Private Wealth Pty Ltd's representatives over the telephone, in-person or via email;

## **8. INFORMATION COLLECTED BY HB Private Wealth Pty Ltd**

8.1 The information HB Private Wealth Pty Ltd collects may include the following:

- (a) name;
- (b) date of birth;
- (c) postal or email address; or
- (d) phone numbers;
- (e) other information HB Private Wealth Pty Ltd considers necessary to their functions and activities.

## **9. PURPOSE OF COLLECTION**

- 9.1 If an individual is acquiring or has acquired a product or service from HB Private Wealth Pty Ltd, the individual's personal information will be collected and held for the purposes of:
- (a) checking whether an individual is eligible for HB Private Wealth Pty Ltd's product or service;
  - (b) providing the individual with HB Private Wealth Pty Ltd's product or service;
  - (c) managing and administering HB Private Wealth Pty Ltd's product or service;
  - (d) protecting against fraud, crime or other activity which may cause harm in relation to HB Private Wealth Pty Ltd's products or services;
  - (e) complying with legislative and regulatory requirements in any jurisdiction;
  - (f) to assist HB Private Wealth Pty Ltd in the running of its business;
- 9.2 HB Private Wealth Pty Ltd may also collect personal information for the purposes of letting an individual know about products or services that might better serve their needs or other opportunities in which they may be interested. Please refer to Section G for further information.

## **SECTION D – COLLECTION OF PERSONAL INFORMATION (UNSOLICITED PERSONAL INFORMATION)**

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### **10. DEALING WITH UNSOLICITED PERSONAL INFORMATION**

10.1 If HB Private Wealth Pty Ltd:

- (a) receives personal information about an individual; and
- (b) the information is not solicited by HB Private Wealth Pty Ltd

HB Private Wealth Pty Ltd must, within a reasonable period after receiving the information, determine whether or not it was permitted to collect the information under Section C above.

10.2 HB Private Wealth Pty Ltd may use or disclose the personal information for the purposes of making the determination under paragraph 10.1.

10.3 If HB Private Wealth Pty Ltd:

- (a) determines that it could not have collected the personal information; and
- (b) the information is not contained in a Commonwealth record,

HB Private Wealth Pty Ltd must as soon as practicable, destroy the information or ensure that the information is de-identified, only if it is lawful and reasonable to do so.

## **SECTION E – NOTIFICATION OF THE COLLECTION OF PERSONAL INFORMATION**

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### **11. NOTIFICATION OF COLLECTION**

11.1 This section 11 applies to:

- (a) solicited information; and
- (b) unsolicited information to which section 10 does not apply.

11.2 HB Private Wealth Pty Ltd must notify the individual of the following matters in the Privacy Statement:

- (a) HB Private Wealth Pty Ltd's identity and contact details;
- (b) if HB Private Wealth Pty Ltd collects the personal information from a third party or the individual is not aware that HB Private Wealth Pty Ltd has collected the personal information, the fact that HB Private Wealth Pty Ltd so collects, or has collected the information and the circumstances of that collection;
- (c) if the collection of the personal information is required or authorised by or under an Australian law or a Court/Tribunal order, the fact that the collection is so required or authorised (including the details of the law or court);
- (d) the purposes for which HB Private Wealth Pty Ltd collects the personal information;
- (e) the main consequences (if any) for the individual if the information is not collected by HB Private Wealth Pty Ltd;
- (f) any other entities to which HB Private Wealth Pty Ltd usually discloses personal information of the kind collected by HB Private Wealth Pty Ltd;
- (g) that HB Private Wealth Pty Ltd's Privacy Statement and this Privacy Policy contains information about how the individual may access the personal information about the individual that is held by HB Private Wealth Pty Ltd and seek correction of such information;
- (h) that HB Private Wealth Pty Ltd's Privacy Statement contains information about how the individual may complain about a breach of the Australian Privacy Principles and how HB Private Wealth Pty Ltd will deal with such a complaint;
- (i) whether HB Private Wealth Pty Ltd discloses the personal information to overseas recipients; and
- (j) if HB Private Wealth Pty Ltd discloses the personal information to overseas recipients – the countries in which such recipients are located if it is practicable to specify those countries in the notification or to otherwise make the individual aware of them.

## SECTION F – USE OR DISCLOSURE OF PERSONAL INFORMATION

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### 12. USE OR DISCLOSURE

12.1 Where HB Private Wealth Pty Ltd holds personal information about an individual that was collected for a particular purpose (“**the primary purpose**”), HB Private Wealth Pty Ltd must not use or disclose the information for another purpose (“**the secondary purpose**”) unless:

- (a) the individual has consented to the use or disclosure of the information; or
- (b) the individual would reasonably expect HB Private Wealth Pty Ltd to use or disclose the information for the secondary purpose and the secondary purpose is:
  - (i) directly related to the primary purpose (if the information is sensitive information); or
  - (ii) related to the primary purpose (if the information is *not* sensitive information);
- (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 HB Private Wealth Pty Ltd; or
- (e) HB Private Wealth Pty Ltd reasonably believes 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.

12.2 Where HB Private Wealth Pty Ltd uses or discloses personal information in accordance with section 12.1(e), HB Private Wealth Pty Ltd keeps a copy of this disclosure (e.g.: the email or letter used to do so).

12.3 This section 12 does not apply to:

- (a) personal information for the purposes of direct marketing; or
- (b) government related identifiers.

12.4 If HB Private Wealth Pty Ltd collects personal information from a related body corporate, this section 12 applies as if HB Private Wealth Pty Ltd’s primary purpose for the collection was the primary purpose for which the related body corporate collected the information.

### 13. WHO DOES HB Private Wealth Pty Ltd DISCLOSE PERSONAL INFORMATION TO?

13.1 HB Private Wealth Pty Ltd may disclose personal information collected from clients and prospective clients to the following:

- (a) organisations involved in providing, managing or administering HB Private Wealth Pty Ltd’s product or service such as third-party suppliers, e.g. printers, posting services, and our advisers;

- (b) organisations involved in maintaining, reviewing and developing HB Private Wealth Pty Ltd's business systems, procedures and infrastructure, including testing or upgrading HB Private Wealth Pty Ltd's computer systems;
- (c) organisations involved in a corporate re-organisation;
- (d) organisations involved in the payments system, including financial institutions, merchants and payment organisations;
- (e) organisations involved in product planning and development;
- (f) other organisations, who jointly with HB Private Wealth Pty Ltd's, provide its products or services;
- (g) authorised representatives who provide HB Private Wealth Pty Ltd's products or services on its behalf;
- (h) the individual's representatives, including legal advisers;
- (i) debt collectors;
- (j) HB Private Wealth Pty Ltd's financial advisers, legal advisers or auditors;
- (k) fraud bureaus or other organisations to identify, investigate or prevent fraud or other misconduct;
- (l) external dispute resolution schemes;
- (m) regulatory bodies, government agencies and law enforcement bodies in any jurisdiction; or
- (n) Credit Reporting Bodies.

## **SECTION G – DIRECT MARKETING**

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### **14. DIRECT MARKETING**

- 14.1 HB Private Wealth Pty Ltd must not use or disclose the personal information it holds about an individual for the purpose of direct marketing.

### **15. EXCEPTION – PERSONAL INFORMATION OTHER THAN SENSITIVE INFORMATION**

- 15.1 HB Private Wealth Pty Ltd may use or disclose personal information (other than sensitive information) about an individual for the purposes of direct marketing if:
- (a) HB Private Wealth Pty Ltd collected the information from the individual; and the individual would reasonably expect HB Private Wealth Pty Ltd to use or disclose the information for that purpose; or
  - (b) HB Private Wealth Pty Ltd has collected the information from a third party; and either:
    - (i) HB Private Wealth Pty Ltd has obtained the individual's consent to the use or disclose the information for the purpose of direct marketing; or

- (ii) it is impracticable for HB Private Wealth Pty Ltd to obtain the individual's consent; and
- (c) HB Private Wealth Pty Ltd provides a simple way for the individual to opt out of receiving direct marketing communications from HB Private Wealth Pty Ltd;
- (d) in each direct marketing communication with the individual HB Private Wealth Pty Ltd:
  - (i) includes a prominent statement that the individual may opt out of receiving direct marketing; or
  - (ii) directs the individual's attention to the fact that the individual may opt out of receiving direct marketing; and
- (e) the individual has not made a request to opt out of receiving direct marketing.

## **16. EXCEPTION – SENSITIVE INFORMATION**

- 16.1 HB Private Wealth Pty Ltd may use or disclose sensitive information about an individual for the purpose of direct marketing if the individual has consented to the use or disclosure of the information for that purpose.

## **17. REQUESTS TO STOP DIRECT MARKETING**

- 17.1 Where HB Private Wealth Pty Ltd uses or discloses personal information about an individual for the purposes of direct marketing by HB Private Wealth Pty Ltd or facilitating direct marketing by another organisation, the individual may request:

- (a) that HB Private Wealth Pty Ltd no longer provide them with direct marketing communications;
- (b) that HB Private Wealth Pty Ltd does not use or disclose the individual's personal information for the purpose of facilitating direct marketing by another organisation;
- (c) that HB Private Wealth Pty Ltd provides the source of the personal information.

- 17.2 Where HB Private Wealth Pty Ltd receives a request from an individual under section 17.1, HB Private Wealth Pty Ltd:

- (a) gives effect to the request under section 17.1(a) or 17.1(b) within a reasonable period after the request is made and free of charge; and
- (b) notifies the individual of the source of the information, if the individual requests it, unless it is impracticable or unreasonable to do so.

- 17.3 This Section G does not apply to the extent that the following laws apply:

- (a) the Do Not Call Register Act 2006;
- (b) the Spam Act 2003; or
- (c) any other Act of the Commonwealth of Australia.

## **SECTION H – CROSS BORDER DISCLOSURE OF PERSONAL INFORMATION**

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### **18. DISCLOSING PERSONAL INFORMATION TO CROSS BORDER RECIPIENTS**

18.1 Where HB Private Wealth Pty Ltd discloses personal information about an individual to a recipient who is not in Australia and who is not HB Private Wealth Pty Ltd or the individual, HB Private Wealth Pty Ltd must ensure that the overseas recipient does not breach the Australian Privacy Principles (with the exception of APP1).

18.2 The countries we may disclose an individual's personal information to include:

- (a) Australia

18.3 Section 18.1 does not apply where:

- (a) HB Private Wealth Pty Ltd reasonably believes that:
  - (i) information is subject to a law or binding scheme that has the effect of protecting the information in a way that is at least substantially similar to the way in which the Australian Privacy Principles protect the information; and
  - (ii) there are mechanisms that the individual can access to take action to enforce that protection of the law or binding scheme; or
- (b) both of the following apply:
  - (i) HB Private Wealth Pty Ltd has informed the individual that if they consent to the disclosure of information HB Private Wealth Pty Ltd will take reasonable steps to ensure the overseas recipient does not breach the Australian Privacy Principles; and
  - (ii) after being so informed, the individual consents to disclosure;
- (c) the 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 (other than the situation referred to in item 4 or 5 of the table in subsection 16A(1) of the Privacy Act) exists in relation to the disclosure of the information by HB Private Wealth Pty Ltd.

## **SECTION I – ADOPTION, USE OR DISCLOSURE OF GOVERNMENT IDENTIFIERS**

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### **19. ADOPTION OF GOVERNMENT RELATED IDENTIFIERS**

19.1 HB Private Wealth Pty Ltd must not adopt a government related identifier of an individual as its own identifier unless:

- (a) HB Private Wealth Pty Ltd is required or authorised by or under an Australian law or a Court/Tribunal order to do so; or
- (b) the identifier, HB Private Wealth Pty Ltd and the circumstances of the adoption are prescribed by Privacy Regulations.

## **20. USE OR DISCLOSURE OF GOVERNMENT RELATED IDENTIFIERS**

20.1 Before using or disclosing a government related identifier of an individual, HB Private Wealth Pty Ltd must ensure that such use or disclosure is:

- (a) reasonably necessary for HB Private Wealth Pty Ltd to verify the identity of the individual for the purposes of the organisation's activities or functions; or
- (b) reasonably necessary for the organisation to fulfil its obligations to an agency or a State or Territory authority; or
- (c) required or authorised by or under an Australian law 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) of the Privacy Act; or
- (e) reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or
- (f) the identifier, HB Private Wealth Pty Ltd and the circumstances of the adoption are prescribed by Privacy Regulations.

## **SECTION J – INTEGRITY OF PERSONAL INFORMATION**

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### **21. QUALITY OF PERSONAL INFORMATION**

21.1 HB Private Wealth Pty Ltd ensures that the personal information it collects and the personal information it uses or discloses is, having regard to the purpose of the use or disclosure, accurate, up to date, complete and relevant.

### **22. SECURITY OF PERSONAL INFORMATION**

22.1 HB Private Wealth Pty Ltd ensures that it protects any personal information it holds from misuse, interference, loss, unauthorised access, modification and disclosure.

22.2 HB Private Wealth Pty Ltd takes reasonable steps to destroy or de-identify any personal information it holds where:

- (a) HB Private Wealth Pty Ltd no longer needs the personal information for any purpose for which the information may be used or disclosed by HB Private Wealth Pty Ltd;
- (b) the information is not contained in a Commonwealth record;
- (c) HB Private Wealth Pty Ltd is not required to retain that information under an Australian law, or a Court/Tribunal order.

### **23. STORAGE OF PERSONAL INFORMATION**

23.1 HB Private Wealth Pty Ltd stores personal information in different ways, including:

- (a) hard copy on site at HB Private Wealth Pty Ltd's head office;



- (b) electronically secure data centres which are located in Australia and owned by either HB Private Wealth Pty Ltd or external service providers;
- 23.2 In order to ensure HB Private Wealth Pty Ltd protects any personal information it holds from misuse, interference, loss, unauthorised access, modification and disclosure, HB Private Wealth Pty Ltd implements the following procedure/system:
- (a) access to information systems is controlled through identity and access management;
  - (b) employees are bound by internal information securities policies and are required to keep information secure;
  - (c) all employees are required to complete training about information security;
  - (d) HB Private Wealth Pty Ltd regularly monitors and reviews its compliance with internal policies and industry best practice; and

## **SECTION K – ACCESS TO, AND CORRECTION OF, PERSONAL INFORMATION**

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### **24. ACCESS**

- 24.1 HB Private Wealth Pty Ltd must give an individual access to the personal information it holds about the individual if so requested by the individual.
- 24.2 HB Private Wealth Pty Ltd must respond to any request for access to personal information within a reasonable period after the request is made.
- 24.3 HB Private Wealth Pty Ltd must give access to the information in the manner requested by the individual, if it is reasonable and practicable to do so and must take such steps as are reasonable in the circumstances to give access in a way that meets the needs of HB Private Wealth Pty Ltd and the individual.
- 24.4 HB Private Wealth Pty Ltd must not charge an individual for making a request and does not impose excessive charges for the individual to access their personal information.

### **25. EXCEPTIONS**

- 25.1 HB Private Wealth Pty Ltd is not required to give an individual access to their personal information if:
- (a) HB Private Wealth Pty Ltd reasonably believes that giving access would pose a serious threat to the life, health or safety of any individual, or to public health or public safety; or
  - (b) giving access would have an unreasonable impact on the privacy of other individuals; or
  - (c) the request for access is frivolous or vexatious; or
  - (d) the information relates to existing or anticipated legal proceedings between HB Private Wealth Pty Ltd and the individual, and would not be accessible by the process of discovery in those proceedings; or

- (e) giving access would reveal intentions of HB Private Wealth Pty Ltd in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
- (f) giving access would be unlawful; or
- (g) denying access is required or authorised by or under an Australian law or a Court/Tribunal order; or
- (h) HB Private Wealth Pty Ltd has reason to believe that unlawful activity, or misconduct of a serious nature, that relates to our functions or activities has been, or may be engaged in and giving access would be likely to prejudice the taking of appropriate action in relation to the matter; or
- (i) giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or
- (j) giving access would reveal evaluative information generated within HB Private Wealth Pty Ltd in connection with a commercially sensitive decision-making process.

## **26. REFUSAL TO GIVE ACCESS**

26.1 If HB Private Wealth Pty Ltd refuses to give access in accordance with section 24 or to give access in the manner requested by the individual, HB Private Wealth Pty Ltd will give the individual a written notice that sets out:

- (a) the reasons for the refusal except to the extent that, having regard to the grounds for the refusal, it would be unreasonable to do so; and
- (b) the mechanisms available to complain about the refusal; and
- (c) any other matter prescribed by the Privacy Regulations.

26.2 Where HB Private Wealth Pty Ltd refuses to give access under section 25.1(j) HB Private Wealth Pty Ltd may include an explanation of the commercially sensitive decision in its written notice of the reasons for denial.

## **SECTION L – CORRECTION OF PERSONAL INFORMATION**

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### **27. CORRECTION OF INFORMATION**

27.1 HB Private Wealth Pty Ltd must take reasonable steps to correct all personal information, having regard to the purpose for which the information is held where:

- (a) HB Private Wealth Pty Ltd is satisfied the information is inaccurate, out of date, incomplete, irrelevant or misleading; or
- (b) the individual requests HB Private Wealth Pty Ltd corrects the information.

27.2 Where HB Private Wealth Pty Ltd corrects personal information about an individual that HB Private Wealth Pty Ltd previously disclosed to another APP entity and the individual requests HB Private Wealth Pty Ltd to notify the other APP entity of the correction, HB Private Wealth

Pty Ltd must take reasonable steps to give that notification, unless it is impracticable or unlawful to do so.

## **28. REFUSAL TO CORRECT INFORMATION**

28.1 If HB Private Wealth Pty Ltd refuses to correct personal information as requested by the individual, HB Private Wealth Pty Ltd will give the individual a written notice that sets out:

- (a) the reasons for the refusal except to the extent that it would be unreasonable to do so; and
- (b) the mechanisms available to complain about the refusal; and
- (c) any other matter prescribed by the Privacy Regulations.

## **29. REQUEST FROM A CLIENT TO ASSOCIATE A STATEMENT WITH THEIR INFORMATION**

29.1 If:

- (a) HB Private Wealth Pty Ltd refuses to correct personal information as requested by the individual; and
- (b) the individual requests that HB Private Wealth Pty Ltd associate a statement noting that the information is inaccurate, out of date, incomplete, irrelevant or misleading, with the individual's information,

HB Private Wealth Pty Ltd must take such steps as are reasonable in the circumstances to associate the statement (as described in section 29.1(b)) with the individual's personal information. The statement is associated with the information in such a way that will make the statement apparent to users of the information.

## **30. DEALING WITH REQUESTS**

30.1 HB Private Wealth Pty Ltd:

- (a) responds to requests under this Section L within a reasonable period after the request is made; and
- (b) does not charge the individual for the making of the request, for correcting the personal information or for associating the statement with the personal information.

## SECTION M – MAKING A PRIVACY COMPLAINT

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### 31. COMPLAINTS

31.1 HB Private Wealth Pty Ltd offers a free internal complaint resolution scheme to all customers. Should a client have a privacy complaint, they are to contact HB Private Wealth Pty Ltd to discuss their concerns using the following contact details:

- (a) Email: [admin@harrisbazzan.com](mailto:admin@harrisbazzan.com)
- (b) Phone: 02 8226 8877
- (c) Post: PO Box R1073 Royal Exchange 1225

31.2 To assist HB Private Wealth Pty Ltd in helping customers, HB Private Wealth Pty Ltd asks customers to follow a simple three-step process:

- (a) gather all supporting documents relating to the complaint;
- (b) contact HB Private Wealth Pty Ltd to review your situation and if possible, resolve your complaint immediately; and
- (c) if the matter is not resolved to the customer's satisfaction, customers are encouraged to contact HB Private Wealth Pty Ltd's Complaints Officer on [insert number] or put their complaint in writing and send it to [insert address].

31.3 HB Private Wealth Pty Ltd will rectify any breach if the complaint is justified and takes necessary steps to resolve the issue.

31.4 In certain situations, to deal with a complaint it may be necessary to consult with third parties. However, any disclosure of Personal Information to third parties will be provided with the customer's authority and consent.

31.5 After a complaint has been received, HB Private Wealth Pty Ltd sends the customer a written notice of acknowledgement setting out the process. The complaint is investigated, and the decision sent to the customer within thirty (30) days unless the customer has agreed to a longer time. If a complaint cannot be resolved within the agreed time frame or a decision could not be made within thirty (30) days of receipt, a notification will be sent to the customer setting out the reasons and specifying a new date when the customer can expect a decision or resolution.

31.6 If the customer is not satisfied with HB Private Wealth Pty Ltd's internal privacy practices or the outcome in respect to complaint, the customer may approach the OAIC with their complaint:

Office of the Australian Information Commissioner

**Address:** GPO Box 5218, Sydney NSW 2001

**Phone:** 1300 363 992

**Email:** [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

**Website:** [oaic.gov.au](http://oaic.gov.au)

## SECTION N – MISCELLANEOUS

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### 32. NOTIFIABLE DATA BREACHES SCHEME

- 32.1 Under the *Privacy Amendment (Notifiable Data Breaches) Act 2017* (“**Privacy Amendment Act**”) HB Private Wealth Pty Ltd is required to notify the Office of the Australian Information Commissioner (“**OAIC**”) in relation to all eligible data breaches.
- 32.2 HB Private Wealth Pty Ltd notifies the OAIC by lodging a Notifiable Data Breach Form soon as practicable. The Notifiable Data Breach Form is available at the following link: <https://webform.oaic.gov.au/prod?entitytype=DBN&layoutcode=DataBreachWF>.
- 32.3 Under the Privacy Amendment Act, HB Private Wealth Pty Ltd also promptly informs clients whose personal information has been compromised by the eligible data breach that a breach of their personal information has occurred.
- 32.4 HB Private Wealth Pty Ltd has also developed a Data Breach Response Plan in accordance with the OAIC’s guidelines to ensure the timely notification of all clients affected by any eligible data breach.

### 33. POLICY BREACHES

- 33.1 Breaches of this Policy may lead to disciplinary action being taken against the relevant party, including dismissal in serious cases and may also result in prosecution under the law where that act is illegal. This may include re-assessment of bonus qualification, termination of employment and/or fines (in accordance with the Privacy Act).
- 33.2 Staff are trained internally on compliance and their regulatory obligation to HB Private Wealth Pty Ltd. They are encouraged to respond appropriately to and report all breaches of the law and other incidents of non-compliance, including HB Private Wealth Pty Ltd’s policies, and seek guidance if they are unsure.
- 33.3 Staff must report breaches of this Policy directly to the Directors.

### 34. RETENTION OF NOTIFIABLE DATA BREACH FORMS

- 34.1 The Compliance Officer retains the completed Notifiable Data Breach Forms for seven (7) years in accordance with HB Private Wealth Pty Ltd’s Document Retention Policy. The completed forms are retained for future reference and review.
- 34.2 As part of their training, all staff are made aware of the need to practice thorough and up to date record keeping, not only as a way of meeting HB Private Wealth Pty Ltd’s compliance obligations, but as a way of minimising risk.

### 35. POLICY REVIEW

- 35.1 HB Private Wealth Pty Ltd’s Privacy Policy is reviewed on at least an annual basis by the Compliance Officer of HB Private Wealth Pty Ltd, having regard to the changing circumstances of HB Private Wealth Pty Ltd. The Compliance Officer then reports to the Director on compliance with this Policy.