

FIDUCIAN SUPERANNUATION FUND

Privacy Policy

May 2025

The Trustee of the Fiducian Superannuation Fund is Fiducian Portfolio Services Limited
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Control Sheet

Policy	FPSL – Privacy Policy
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Entity	Fiducian Portfolio Services Limited
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Review Requirement	Biennial Review

Amendment History

The following history and amendments have been made to this document:

Version	Date of Modification	Brief Description of Modification	Approved By
Version 1.0	10/12/15	Creation of new policy based on old Group policy	Trustee Board 18 December 2015
Version 2	November 2016	Modifications recommended from Internal Audit Review	Trustee Board December 2016
Version 3	November 2017	Modifications arising from the implementation of mandatory data breach notification regime	Trustee Board November 2017
Version 4	November 2019	Biennial Review	Trustee Board November 2019
Version 5	May 2021	Modifications recommended from Internal Audit Review	Trustee Board May 2021
Version 6	May 2023	Biennial Review	Trustee Board May 2023
Version 7	May 2025	Biennial Review	Trustee Board May 2025

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1. Introduction

Fiducian Portfolio Services Limited (the Trustee) respects your right to privacy and protecting your personal information. We are bound by the Australian Privacy Principles (APPs) in the Privacy Act 1988 (Commonwealth). Our staff and service providers are trained to respect your privacy in accordance with our standards, policies and procedures.

This Policy is in respect of Fiducian Portfolio Services Limited (ABN 13 073 845 931), the Trustee of the Fiducian Superannuation Fund, which includes the following sub-funds: Fiducian Superannuation Service, Pearl Superannuation , Auxilium Superannuation Service, AMFG Superannuation, Loyalty Wealth Superannuation, I AM Superannuation and any other sub-fund established under Division 1 of the Trust Deed of the Fiducian Superannuation Fund (FSF, Fund). It includes all our activities, and those of our material service providers, such as trustee of a superannuation fund, investment services, administration services, insurance services, audit services and financial data processing.

This Privacy Policy outlines how we manage your personal information.

It also describes generally the sorts of personal information and sensitive information held and for what purposes, and how that information is collected, held, used and disclosed

2. Roles and Responsibilities

The Trustee has assigned the responsibility for acting in the role as the Privacy Officer to the Fund to the General Counsel of Fiducian Services Pty Limited (FSL).

All privacy concerns or complaints that are identified or received will be recorded in the internal FSL issues and complaints mechanism, which will then be reviewed and handled in accordance with the procedures by the FSL Incident Review Team.

3. The Information We Collect

Personal information is information or an opinion that can be used to identify you, whether true or not and whether the information or opinion is recorded in a material form or not. The types of personal information we collect can be found in the questions we ask and in the forms we provide for you to complete.

We collect personal information on your contact details, date of birth, details about your occupation, employer, your Tax File Number and financial situation. We may also collect sensitive information, for example, your medical and lifestyle information for risk insurance protection. We do not use or share that information for any purpose other than that for which the information is collected or approved by you, unless otherwise disclosed to you when the information is collected.

We do not collect information about your political or religious beliefs, or ethnic background unless it is required for a purpose specifically disclosed to you at the time of collection.

4. How We Collect Information

We collect most personal information direct from you or through your financial planner. For example when you fill in an application form, notify a change of address, deal with us or your financial planner over the telephone, send us or your financial planner a letter, visit our web site or meet with your financial planner.

In certain cases we collect your personal information from other sources. For example, personal information may be given by your employer in relation to membership of a corporate superannuation fund or from a family member who nominates you as a beneficiary to their assets. We will take reasonable steps to let you know that we have the information. This may include asking the person who gave us your information to let you know that we have it.

5. If You Provide Incomplete or Inaccurate Information

We only collect personal information about you that is necessary to perform our functions and activities. If you do not provide this information or provide incomplete or inaccurate information, we may not deal with you or otherwise we may not be able to provide you with the products or services you are seeking.

6. How That Information Is Used

We collect personal information to provide you with and to administer products and services you request.

Personal information may be used and disclosed to our material service providers to administer our products and services, as well as for prudential and risk management purposes. This includes disclosure to, and use by, a custodian who will hold your assets in safe keeping for you.

The information may also be used to:

- tell you about products and services or recommend financial investments (unless you have asked us not to);
- maintain your relationship with us and with your financial planner; and
- comply with legislative and regulatory requirements - this may include making certain records available for inspection by the Australian Securities and Investments Commission, Australian Prudential Regulatory Authority, Australian Taxation Office and AUSTRAC.

If we correct personal information about you that we have previously disclosed to a third party, and you request us to notify the third party of the correction, then we will notify the third party of the correction unless it is impracticable or unlawful to do so.

If we refuse to correct personal information following a request from you to do so, we will provide you within a reasonable time period a written notice setting out the reason for the refusal (unless it would be unreasonable to do so); the manner in which you would be able to complain about the refusal; and any other matter prescribed in the Australian Privacy Principles.

7. Tax File Numbers or Other Government Identifiers

We only use and disclose your tax file number or other government agency identifier for the purposes required by law, such as disclosing your TFN to the Australian Taxation Office.

8. Disclosing to Third Parties

We only disclose your personal information to third parties with your express or implied consent, or where we are otherwise entitled or required to do so by law, or for the delivery of the product or service requested by you. The types of third parties we may disclose your personal information to include:

- our agents, contractors and external advisers;
- any person acting on your behalf, or nominated by you to receive certain information, including your financial planner, broker, solicitor or accountant (unless you tell us not to);
- the Australian financial services licensee with whom your financial planner is associated;
- another financial planner within the Fiducian Group to ensure continued service if your financial planner is unavailable for any reason;
- your executors, administrator, trustee, guardian or attorney;
- regulatory bodies, government agencies, law enforcement bodies, courts and other parties we are authorised or required by law to disclose information to;
- any financial institution nominated by you - for example in a direct debit;
- external product providers for which we act as agents or which provide products and services in conjunction with us;
- auditors;
- insurers, including proposed insurers;
- claims assessors and investigators, claims managers, and reinsurers;
- medical practitioners;
- external dispute resolution bodies (such as the Australian Financial Complaints Authority); and
- outsourcing arrangements as mentioned below.

9. Outsourcing

We may disclose personal information to external organisations that help us provide our services to you. For example, we may outsource financial data processing, as nominated by you in a Service Request. We may provide names and addresses to a mailing house to mail account statements to you and other clients. We may also seek expert help from time to time to improve our IT systems and communication delivery method. We outsource aspects of administration of our life risk insurance business. These organisations are bound by confidentiality arrangements.

In engaging in the above outsourcing arrangements, we may disclose personal information to a service provider that is located outside Australia or a service provider that is located in Australia, who may share your information with their affiliates who are located outside of Australia.

We will take reasonable steps to ensure that service providers protect your personal information from unauthorised use or disclosure and to comply with the Australian Privacy Principles (APPs). Where we propose to use a service provider in a foreign jurisdiction that does not have privacy laws that are substantially similar to the APPs we will either seek your consent to disclose your personal information to that service provider or impose contractual requirements on the foreign service provider that are substantially equivalent to the APPs.

10. Breach response and notification of data breach

If we hold reasonable grounds to believe that:

- there has been unauthorised access to or disclosure of personal, credit or tax file number information (Relevant Information); or
- Relevant Information is lost;

and a reasonable person would conclude that the unauthorised disclosure or loss of Relevant Information is likely to result in serious harm to any individual to whom the information relates (Eligible Data Breach), then we are required to notify both the Office of the Australian Information Commissioner (OAIC) and those individuals who have had their information compromised.

Serious harm may include serious physical, psychological, emotional, economic and financial harm, as well as serious harm to reputation and other forms of serious harm that a reasonable person in our position would identify as a possible outcome of the data breach. There may be circumstances where you may be distressed or otherwise upset at an unauthorised access to or unauthorised disclosure or loss of your personal information, this would not itself be sufficient to require notification unless a reasonable person in our position would consider that the likely consequences would constitute a form of serious harm to you.

We will notify the OAIC and any affected individuals as soon as practicable after it becomes aware of an Eligible Data Breach. We will do so by preparing a statement that details its identity and contact details, a description of the Eligible Data Breach, the kind or kinds of information concerned and the recommended steps for individuals to take in response to the breach.

If it is impractical to notify all affected individuals, we may publish a statement on its website and take reasonable steps to publicise the content of the statement.

Should we suspect an Eligible Data Breach, then it will carry out an assessment of whether there are reasonable grounds to believe an Eligible Data Breach has occurred.

We are not required to provide notice to you if remedial action prevents any serious harm occurring from the breach.

11. Consent and Capacity

Our aim is to ensure that the personal information we hold is accurate, complete and up-to-date. Please inform your financial planner or us if any of your details change or if you believe that the information we have about you is not accurate, complete or up-to-date.

(A) Capacity to Consent

- (1) Where your consent, whether express or implied, is required for the collection, use, handling or disclosure of your personal information, and Fiducian has reasonable grounds to believe that you may not have the capacity to give such consent because:
 - (a) you are under the age of 18;
 - (b) you have a physical or mental disability;
 - (c) you are temporarily or permanently incapacitated (for example, a temporary psychiatric illness, in severe distress or suffering dementia); or
 - (d) your capacity to give consent has been impaired in some other way,then we may take one or more of the actions listed under clauses 11(B) and 11(C) to address the issue(s) to enable you to have capacity to consent.

(B) Minors

- (1) Subject to 11(B)(2) below, we will determine on a case-by-case basis whether an individual under the age of 18 has the capacity to consent, and may consider if someone can act on their behalf, such as:
 - (a) a guardian;
 - (b) someone with an enduring power of attorney; or
 - (c) a person recognised by other relevant laws, for example, a 'person responsible' under the Guardianship Act 1987 (NSW) (this may be an individual's spouse, partner, carer, family member or close friend).
- (2) If it is not practicable or reasonable for us to assess the capacity of individuals under the age of 18 on a case-by-case basis, we may presume that an individual aged 15 or over has capacity to consent, unless there is something to suggest otherwise. An individual aged under 15 is presumed not to have capacity to consent.

(C) *Impaired Capacity*

- (1) We will, to the extent practicable in the circumstances, ensure that privacy issues are discussed with individuals who have impaired decision-making capacity in a way that is understandable and comprehensible.
- (2) We may:
 - (a) provide them with alternative communication methods;
 - (b) consider if someone can act on their behalf, such as:
 - (i) a guardian;
 - (ii) someone with an enduring power of attorney;
 - (iii) a person recognised by other relevant laws, for example, a 'person responsible' under the Guardianship Act 1987 (NSW) (this may be an individual's spouse, partner, carer, family member or close friend); or
 - (iv) a person who has been nominated in writing by the individual while they were capable of giving consent; or
 - (c) consider whether we can provide any other appropriate support for the individual to enable them to have capacity to consent.

12. Keeping Information Up To Date and Secure

Our aim is to ensure that the personal information we hold is accurate, complete and up-to-date. Please inform your financial planner or us if any of your details change or if you believe that the information we have about you is not accurate, complete or up-to-date.

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

We have physical, electronic and procedural safeguards to protect your information that is held by us. For example your personal information is stored in secured office premises, in electronic databases requiring logins and passwords for access and at secured offsite storage facilities. Access to information stored electronically is restricted to staff whose job requires access.

We will destroy personal information if it is no longer needed:

- for the purposes for which it was collected; or
- for the purposes of meeting legal requirements.

We will properly dispose of all paper files, letters, correspondence and any other hardcopy documents that contain personal information that is no longer needed.

We use secure methods to destroy or de-identify any personal information as soon as the law permits, provided the information is no longer needed by us for any purpose. Ordinarily, information about a particular account, is maintained for at least seven years, or as otherwise required by law.

13. Requesting Details About Your Information

You can ask us to give you access to the personal information we hold about you.

We are permitted under the Privacy Act to deny or limit access in certain circumstances, but if this happens we will give you the reasons why we have not given the access to you.

We may charge a fee for processing your request if we spend time on locating, collating and explaining the information, or incur copying costs or out-of-pocket expenses such as freight or travelling costs to obtain the information. This fee will enable us to recover our costs.

14. How We Deal With Unsolicited Personal Information

If we receive personal information about you that we have not requested we will, within a reasonable period of time, determine whether or not we would have been entitled under the Australian Privacy Principles to have requested the information.

If we determine that we would not have been entitled to request the information then we will, as soon as is practicable but only if it is lawful and reasonable to do so, destroy the information or ensure that the information is de-identified.

If we determine that we would have been entitled to request the information then rules 5 to 13 of the Australian Privacy Principles will apply.

15. Resolving Privacy Issues

If you have any privacy concerns or a complaint you may raise those with your financial planner or directly to us by:

- writing to: Privacy Officer
Fiducian Portfolio Services Limited
PO Box 4175, Sydney NSW 2001
- email at: info@fiducian.com.au
- telephone: 1800 653 263

we will then respond to your concerns within a reasonable timeframe.

Should this not resolve your concerns you may then contact the Australian Financial Complaints Authority (AFCA), an independent external dispute resolution scheme as follows:

- visiting: www.afca.org.au
- writing to: Australian Financial Complaints Authority
GPO Box 3
Melbourne, VIC 3001
- telephone: 1800 931 678

Should AFCA be unable to resolve your concerns then contact the Office of the Australian Information Commissioner (OAIC) who is responsible for the regulation of privacy under the *Privacy Act 1988* as follows:

- visiting: www.oaic.gov.au
- writing to: Office of the Australian Information Commissioner
GPO Box 5218
Sydney, NSW 2001
- telephone: 1300 363 992

How to Request Access

A request for access to personal information may be made to your financial planner or direct to us by

- writing to: Privacy Officer
Fiducian Portfolio Services Limited
PO Box 4175, Sydney NSW 2001
- email at: info@fiducian.com.au
- telephone: 1800 653 263

16. Changes To Our Privacy and Information Handling Practices

We may amend our privacy and information handling practices from time to time. We will notify you of any of the changes to our policy that requires your consent before being implemented.

17. Collection Notice

This Privacy Policy also satisfies our obligations under APP 5 to provide a Collection Notice.

18. Review

This Policy will be reviewed on a biennial basis or as otherwise required by law or the Trustee.

Prior to the commencement of the review the Trustee will determine whether the review will be performed internally, or outsourced to an appropriately qualified and experienced service provider, or a combination of both.

The results of the review will be reported to the Audit Risk and Compliance Committee (ARCC) as part of the next scheduled meeting following completion of the review.