

Privacy Policy

for ML Partners Pty Ltd and ML Partners Financial Services Pty Ltd

Purpose

ML Partners are committed to protecting the privacy and confidentiality in accordance with the Australian Privacy Principles (APPs), Credit Reporting Privacy Code and *Privacy Act 1988* (Cth) ('Privacy Act'). It is one of our prime responsibilities, that any personal or sensitive information provided to us is not used for any other purpose than that of which is intended and expected. This Privacy Policy describes our current policies and practices for collecting, handling, using and disclosing personal information. It also deals with how to complain about a breach of the privacy laws, how individuals can access the personal information we hold about them and how to have that information corrected.

Our Privacy Policy can be downloaded from www.mlpartners.com.au.

Collection of personal information

What we collect and what we use it for

Personal information includes any information or opinion, about an identified individual or an individual who can be reasonably identified from their information. The information or opinion will still be personal information whether it is true or not and regardless of whether ML Partners have kept a record of it.

The kind of information we collect and store will depend on what products and services individuals request from us. The personal information we request may include, but is not limited to any or all of the following:

- personal details such as name, address, contact details, date of birth, marital status, dependants and employment details
- taxation information, such as Tax File Number

ML Partners may collect and hold the following additional personal information:

- financial details, such as assets, liabilities, incomes and expenses
- investment details, such as bank accounts, transaction information, share documents showing SRN/HIN and superannuation
- insurance policy details, including private health insurance
- estate planning details, including wills, executors, beneficiaries and Powers of Attorney
- professional/trade memberships
- business and work related receipts
- a record of queries or complaints made by an individual,
- collection of additional information for the lodgment and assessment of insurance claims

The collection of sensitive information is restricted by the Privacy act. This includes the following information:

- Religion, racial or ethnic origins, political opinions and memberships, criminal records, and sexual orientation
- Health information, genetic or biometric information including current health condition, smoker status, medical history and expenses

Generally, we will only collect this sort of information if it is necessary to provide a specific product or service and the individual has consented to that collection. For example, we may collect health information about the individual to process a claim under an insurance policy or collect voice biometric information to verify identity or authorise transactions.

ML Partners understands the importance of a holistic service offering, whereby its clients can see their goals, needs and expectations being met. To implement the service ML Partners may collect personal information about an individual from other areas of its business including sharing information amongst its subsidiaries. We will collect, use, hold and disclose personal information to facilitate individuals with the provision of products and service offerings. This includes:

- checking whether an individual is eligible for the product or service
- accounting, taxation and financial planning services
- tax planning services to help legally minimize, defer & plan tax payment.
- assistance with regulatory requirements, such as Queensland Building and Construction Commission Authority reviews
- assist with hard copy and online applications eg. completion of documentation and application forms required by Government agencies
- to provide agreed services to assist in meeting an individual's requirements, goals and objectives, such as:
 - strategic and business planning
 - business and fund set up
 - financial statement preparation for audit, ASIC or financing purposes
 - helping to manage the product or service
 - providing assistance with the coordination of other providers or experts such as solicitors, financial advisers etc.

ML Partners may also use information to comply with legislative or regulatory requirements in any jurisdiction, prevent fraud, crime or other activity that may cause harm in relation to our products or services and to help run the business. We may also use information to tell individuals about products or services that we feel may interest them.

Whereby we receive unsolicited personal information about individuals, if possible, ML Partners will return the unsolicited personal information to the person who provided it. In all other cases, we destroy the information, unless the personal information is relevant to ML Partner's purposes for collecting personal information.

How we collect

ML Partners collects most personal information directly from an individual. For example, we will collect personal information via face to face interviews, over the telephone, by mail, email or by completion of an individual's information form.

We also collect information from an individual electronically. For instance, when an individual visits our website or if they send us electronic correspondence (see "Electronic collection of personal information" in this privacy policy).

Sometimes we collect personal information about an individual from other areas of our business subsidiaries and related parties or from third party organisations. This may happen without an individual's direct involvement. For instance, we may collect personal information about individuals from:

- publicly available sources of information, such as public registers
- an individual's external representatives (including legal adviser, mortgage broker, executor, administrator, guardian, trustee or attorney)
- an individual's prior representatives (including accountant, mortgage broker, general insurance broker, business advisory adviser)
- an individual's employer
- other organisations, who jointly with ML Partners, provide products or services to an individual
- commercial information service providers, such as companies that provide fraud prevention reports
- insurers, re-insurers and health care providers
- sometimes we collect personal information from a third party or a publicly available source, but only if they have consented to such collection or would reasonably expect us to collect their personal information in this way.

Laws that require or authorise ML Partners to collect personal information

ML Partners is required or authorised to collect:

- certain identification information about an individual by the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth) and Anti-Money Laundering and Counter-Terrorism Financing Rules Instrument 2007 (No. 1)
- an individual's Tax File Number, if they choose to provide it, by the Income Tax Assessment Act 1936 (Cth)
- certain information in relation to an individual's application if they have applied for an insurance as required by the Insurance Contracts Act 1984 (Cth).

How do we hold personal information

ML Partners strives to maintain the relevance, reliability, accuracy, completeness and currency of the personal information we hold and to protect its privacy and security. Much of the information we hold about an individual will be stored electronically in secure data centres, which are located in ML Partners' premises and owned by either ML Partners or external service providers. This does not include third parties backing up or mirroring their data in overseas jurisdictions. Some information ML Partners hold about an individual will be stored in paper files and these files will be held in secure storage onsite and offsite.

ML Partners use a range of physical and electronic security measures to protect the security of the held personal information. For example:

- access to information systems is controlled through identity and access management, such as password protection;
- all information stored on our online data server is encrypted;
- our website is protected by a firewall;
- our offices are securely locked after hours;

- employees are bound by internal information security policies and are required to keep information secure;
- all employees are required to complete training about information security; and
- regular monitoring and reviewing of our compliance with internal policies and industry best practice.

ML Partners take reasonable steps to destroy or permanently de-identify any personal information after it can no longer be used.

Use and disclosure

ML Partners will use and disclose the personal information collected for the following purposes:

- the purposes for which it was provided or secondary related purposes in circumstances where an individual would reasonably expect such use or disclosure; or
- where an individual has consented to such disclosure; or
- where we are required or authorised by law or where we have a public duty to do so.

ML Partners may provide personal information about an individual to external organisations. To protect personal information, ML Partners enter into contracts with our service providers that require them to comply with the Privacy Act. These contracts oblige them to only use the personal information we disclose to them for the specific role we ask them to perform.

Generally, ML Partners disclose personal information to organisations that help assist with our business. These may include:

- ML Partners agents, contractors and external service providers (for example technology service providers);
- payment system operators (for example, merchants receiving card payments)
- other organisations, who jointly with ML Partners, provide products or services to an individual;
- financial services organisations, including banks, superannuation funds, stockbrokers, custodians, fund managers and portfolio service providers;
- debt collectors;
- insurers, re-insurers and health care providers;
- ML Partners legal advisers or auditors;
- an individual's representatives (including their legal adviser, accountant, mortgage broker, executor, administrator, guardian, trustee or attorney);
- Fraud bureaus or other organisations to identify, investigate or prevent fraud or other misconduct;
- IT service providers;
- external dispute resolution schemes; and
- Regulatory bodies, government agencies and law enforcement bodies in any jurisdiction.
- Other companies in the event of a corporate sale, merger, reorganization, dissolution or similar event.

We may also disclose an individual's personal information to others where:

- ML Partners are required or authorised by law or where they have a public duty to do so;

- An individual may have expressly consented to the disclosure or the consent may be reasonably inferred from the circumstances; or
- ML Partners are otherwise permitted to disclose the information under the Privacy Act.

If an individual chooses not to provide their information

If individuals do not provide us with the personal information requested, we may be unable to provide or deliver the recommended services required. If personal information requested is not provided, we may elect not to perform the service for the individual.

Credit information

In relation to credit information held by us, we will only use and disclose credit information for the following purposes:

- assessing an individual's credit worthiness and likelihood of approval for an application for credit;
- collecting payments that are overdue in relation to any credit that may be provided by us;
- dealing with a serious credit infringement we believe an individual has committed;
- assisting external dispute resolution scheme of which we are a member;
- if the disclosure is required or authorised by law;
- assisting an individual to avoid defaulting on his or her credit obligations; or
- the provision or management of credit to an individual.

We will only disclose credit information to the following recipients:

- a related body corporate;
- a third party associate who will be processing an individual's application for credit;
- a third party associate who will be processing an individual's application for insurance;
- a third party associate who manages credit;
- a credit provider if we believe an individual has committed a serious credit infringement, or the individual has consented to the disclosure;
- to a person considering whether to act as a guarantor or offer property as security and the individuals have expressly consented to the disclosure;
- a debt collector;
- a mortgage insurer;
- a credit reporting body; and
- anyone else to whom the individual authorises us to disclose it.

Holding credit card or other payment details

If and when ML Partners collect credit card or other payment details, we will not store them. The card details will be passed directly via a secure encrypted SSL connection directly to the bank's payment gateway.

Furthermore the page that transmits card details has been through thorough checks and has been deemed to be PCI DSS compliant by an Approved Scanning Vendor.

Sending personal information overseas

ML Partners may disclose an individual's personal information to a recipient which is located outside Australia. This includes:

- Any financial institution which the individual holds an account with overseas where they have given ML Partners permission to make enquiries on their behalf;

Some encrypted data may be backed up or mirrored in overseas jurisdictions by third parties.

We will not send personal information to recipients outside of Australia unless:

- we have taken reasonable steps to ensure that the recipient does not breach the Act, the APPs and the Credit Reporting Privacy Code;
- the recipient is subject to an information privacy scheme similar to the Privacy Act; or
- the individual has consented to the disclosure.

Identifiers

ML Partners will not use Commonwealth Government identifiers, such as Tax File Number, Medicare numbers or Centrelink reference numbers to identify an individual. We will only use or disclose identifiers in the circumstances permitted by the Privacy Act.

Marketing

ML Partners will use personal information to offer individuals products and services we believe may interest them, but will not do so if the individual tells us not to. ML Partners may offer individuals products and services by various means, including mail, telephone, email, SMS or electronic means, such as through direct marketing material such as newsletters, or targeted advertising through ML Partner's website.

ML Partners may also disclose an individual's personal information to external companies who assist ML Partners to market their products and services to the individual, such as a mailing house.

If individuals do not wish to receive marketing offers and information from ML Partners, they must expressly request to ML Partners not to do so.

Electronic collection of personal information

ML Partners will collect information from individuals electronically, for instance through internet browsing, mobile or tablet applications.

Each time individuals visit our website, ML Partners collects information about the individual's use of the website, which may include the following:

- The date and time of visits;
- Which pages are viewed;
- How users navigate through the site and interact with pages (including fields completed in forms and applications completed);
- Location information about users;
- Information about the device used to visit our website; and
- IP addresses.

ML Partners uses technology called cookies whenever an individual visits ML Partners website. Cookies are small pieces of information stored on the individual's hard drive or in memory. Cookies can record information about the individual's visits to the site, allowing it to remember them the next time they visit and provide a more meaningful experience.

One of the reasons for using cookies is to offer individuals increased security. The cookies ML Partners send to an individual's computer cannot read their hard drive, obtain any information from their browser or command their computer to perform any action. Cookies are designed so that they cannot be sent to another site, or be retrieved by any non-ML Partners site.

ML Partners won't ask individuals to supply personal information publicly over Facebook, twitter, or any other social media platform. Sometimes ML Partners may invite individuals to send their details to them via private messaging, for example, to answer a question or to respond to an appointment booking. Individuals may also be invited to share their personal information through secure channels to participate in other activities, such as competitions if promoted by ML Partners.

Keeping information Secure

ML Partners uses security procedures and technology to protect the information we hold. To prevent misuse or unlawful disclosure of sensitive information, ML Partners has implemented internal policies which cover staff conduct, continuous training and monitoring of staff, and the inclusion of checks in the Audit function. If other organisations provide support services, we require these organisations to appropriately safeguard the privacy of the information provided to them. Where the personal information we collect is no longer required, we delete the information or permanently de-identify it in accordance with relevant laws and our internal records management policy.

Actual or Suspected data breach

ML Partners will manage the process of dealing with an actual or suspected breach in accordance with the Data Breach Procedure and Response Plan outlined in the ML Partners Quality Control Manual.

A Notifiable Data Breach (NDB) is a data breach that is likely to result in *serious harm** to any of the individuals to whom the personal information relates. A NDB occurs when personal information held by ML Partners is lost or subjected to *unauthorised access** or *unauthorised disclosure**. In such circumstances, ML Partners must notify the Office of the Australian Information Commissioner (OAIC) and affected individuals as required under the Privacy Amendment (Notifiable Data Breaches) Act 2017.

**Serious harm* is determined with regard to the following list of relevant matters as provided for in section 26WG of the Privacy Amendment (Notifiable Data Breaches) Act 2017:

- the kind or kinds of information;
- the sensitivity of the information;
- whether the information is protected by one or more security measures;
- if the information is protected by one or more security measures—the likelihood that any of those security measures could be overcome;
- the persons, or the kinds of persons, who have obtained, or who could obtain, the information;
- if a security technology or methodology:
 - was used in relation to the information; and
 - was designed to make the information unintelligible or meaningless to persons who are not authorised to obtain the information;
- the likelihood that the persons, or the kinds of persons, who:
 - have obtained, or who could obtain, the information; and
 - have, or are likely to have, the intention of causing harm to any of the individuals to whom the information relates;
 - have obtained, or could obtain, information or knowledge required to circumvent the security technology or methodology;
- the nature of the harm;
- any other relevant matters.

Loss means accidental or inadvertent loss of personal information likely to result in *unauthorised access** or *disclosure*. For example, an ML Partners employee leaves a copy of a document or a device on public transport. If data can be deleted remotely or is encrypted it will not constitute an NDB.

**Unauthorised access* means personal information accessed by someone who is not permitted to have access. This could include an employee of ML Partners, a contractor or external third party (such as hacking).

**Unauthorised disclosure* means where ML Partners releases/makes visible the information outside the entity in a way not permitted by the Privacy Act. For example, an ML Partners employee accidentally publishes a confidential data file containing personal information on the internet.

Accessing and correcting personal information

Under the Privacy Act, individuals have a right to seek access to information which we hold about them; although, there are some exceptions to this. Individuals can enquire as to what we do with their personal information. They also have the right to ask us to correct information about them which is inaccurate, incomplete or out of date. To do so, they must contact ML Partners.

We are committed to ensuring that the information we hold about individuals is accurate, complete and up-to-date. Please contact us if you believe that the information we have about you is not correct.

We do not charge for receiving a request for access to personal information or for complying with a correction request. We do however reserve the right to charge individuals for all reasonable costs and outgoings specifically incurred in meeting their request for information. In processing an individual's request for access to their personal information, a reasonable cost may be charged if they have requested access more than once within twelve months. This charge covers such things as locating the information and supplying it to them.

There are some circumstances in which ML Partners are not required to give individuals access to their personal information. If ML Partners refuse to give an individual access to or to correct their personal information, ML Partners will provide them with a notice explaining the reasons why, except where it would be unreasonable to do so. If we refuse an individual request to correct their personal information, the individual has the right to request that a statement be associated with their personal information noting that they disagree with its accuracy. If ML Partners refuses an individual's request to access or correct their personal information, we will also provide them with information on how they can complain about the refusal.

Resolving privacy concerns and complaints

If an individual is concerned about how their personal information is being handled, or if they have a complaint about a breach by ML Partners of the Australian Privacy Principles they must contact ML Partners.

The individual can contact ML Partners by:

- Calling (07) 4783 3944 or (07) 4782 2733
- Emailing: adminayr@mlpartners.com.au or admin@mlpartners.com.au
- Visiting www.mlparters.com.au
- Writing to us at PO Box 1305, Ayr Q 4807 or PO Box 560, Home Hill Q 4806

ML Partner's Privacy Officer(s) can also be contacted in relation to privacy concerns by writing to Privacy Officer, ML Partners, PO Box 560, Home Hill Q 4806.

When making a complaint, please provide details of the complaint and outline the questions that you want answered and what resolution you expect.

ML Partners will acknowledge the complaint as soon as practical after receipt of the individual's complaint. ML Partners will let the individual know if they need any further information from the individual to resolve their complaint.

We aim to resolve complaints as quickly as possible. We strive to resolve complaints within five business days, but some complaints can take longer to resolve. If a complaint is taking longer we will let the individual know what is happening and a date by which they can reasonably expect a response.

If the individual is unhappy with our response, there are other bodies they can refer their complaint to.

The Australian Financial Complaints Authority (AFCA) can consider most privacy complaints involving providers of financial services.

AFCA can be contacted at:

Australian Financial Complaints
Authority Limited
GPO Box 3
Melbourne VIC 3001
Phone: 1800 931 678
Email: info@afca.org.au
Website: www.afca.org.au

Under the Privacy Act, an individual may complain to the Office of the Australian Information Commissioner about the way ML Partners handled their personal information.

The Commissioner can be contacted at:

Office of the Australian Information Commissioner
GPO Box 5218 Sydney
NSW 2001 Phone:
1300 363 992
Email: enquiries@oaic.gov.au
Website: www.oaic.gov.au

Changes to the Privacy Policy

We may change the way we handle personal information from time to time for any reason. If so, we will update this Privacy Policy which will be updated on the website accordingly.

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