PRIVACY POLICY

Guardian Associates Pty Ltd
ABN 78 104 744 498
AFSL Number 238281
Member of the Boutique Financial Planning Principals Group

OUR PRIVACY POLICY

1. Guardian Associates abides by the Australian Privacy Principles established under Privacy Amendment (Enhancing Privacy Protection) Act 2012. To read or listen to the Australian Privacy Principles, visit the Office of the Australian Information Commissioner (OAIC).

2. As a type of financial organisation, we are subject to certain legislative and regulatory requirements which necessitate us obtaining and holding detailed information which personally identifies you and/or contains information or an opinion about you ("personal information"). In addition, our ability to provide you with comprehensive financial advice is dependent on us obtaining certain personal information about you, including (but not limited to):

    (a) Age and marital status.
    (b) Details of your financial needs and objectives;
    (c) Details of your current financial circumstances, including your assets and liabilities (both actual and potential), income, expenditure, insurance cover and superannuation;
    (d) Details of your investment preferences and aversion or tolerance to risk;
    (e) Information about your employment circumstances (current and historical), family commitments and social security eligibility.
    (f) Tax File numbers.
    (g) Australian Business numbers.
    (h) Telephone, email and mobile numbers.
    (i) Postal and residential addresses.

    Failure to provide the personal information referred to above may expose you to higher risks in respect of the recommendations made to you and may affect the adequacy or appropriateness of advice we give to you.

3. We will only collect, maintain and use Personal Information about you if it is necessary for us to adequately provide to you the services you have requested, including:

    (a) the preparation of your Statement of Advice or financial plan;
    (b) the provision of financial advice to you;
    (c) making securities and investment recommendations;
    (d) reviewing your financial plan;
    (e) reviewing securities and investment recommendations;
    (f) making insurance recommendations.

4. We will not use or disclose Personal Information collected by us for any purpose other than:

   (a) the purposes for which it was provided or secondary related purposes in circumstances where you would reasonably expect such use or disclosure; or

   (b) where you have consented to such disclosure; or

   (c) where the Australian Privacy Principles authorise use or disclosure where required or authorised under law, in circumstances relating to public health and safety and in connection with certain operations by or on behalf of an *enforcement body*.

5. We are required under the Rules of Professional Conduct of the Financial Planning Association of Australia to make certain information available for inspection by the Association on request to ensure ongoing compliance with mandatory professional standards. This may involve the disclosure of your personal information. We are also obliged pursuant to the Corporations Act to maintain certain transaction records and make those records available for inspection by the Australian Securities and Investments Commission.

6. We may use the personal information collected from you for the purpose of providing you with direct marketing material such as articles that may be of interest to you, however you may, by contacting us by any of the methods detailed below, request not to receive such information and we will give effect to that request. Please allow 2 weeks for your request to be actioned.

7. We may disclose your personal information to superannuation fund trustees, insurance providers, product issuers and other professionals for the purpose of giving effect to your financial plan and seeking confirmation of the appropriateness of any recommendations made by us.

8. We may disclose your personal information to product issuers for the purpose of facilitating investments/acquisitions and to other financial planners (within our organisation) to provide client services during periods of leave.

9. In the event we propose to sell our business, we may disclose your personal 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 your personal information to the purchaser of the business. As a client, you will be advised of any such transfer.

10. Guardian Investments Pty Ltd, a Corporate Authorised Representative of Guardian Associates Pty Ltd, engages an overseas service provider, 5ELK, to assist with administration support. 5ELK is based in the Philippines, and Guardian employs specific individuals as offshore team members via 5ELK's secure offices. As part of their administrative role, our 5ELK staff have access to our Client Relationship Management (CRM) system, electronic client folders and certain external platforms where your information is stored. All data remains on Australian servers at all times. Our 5ELK staff access this information only through Guardian Investments' secure network and under the same privacy and security controls that apply to our Australian team. Guardian Investments complies with Australian Privacy Principle (APP) 8, which requires us to take reasonable steps to ensure that any overseas recipient of personal information does not breach the Australian Privacy Principles (other than APP 1). We remain responsible for protecting your personal information and ensuring that overseas service providers handle it safely and lawfully.

11. We will, at all times, seek to ensure that the personal information collected and held by us is protected from misuse, loss, unauthorised access, modification or disclose. At all times your personal information is treated as confidential and any sensitive information is treated as highly confidential. All paper files are stored appropriately, and computer-based information is secured using access passwords on each computer. Company data is backed up and stored securely off site.

12. Guardian Associates is to take reasonable steps to destroy information, or ensure that it is de-identified, if that information is no longer needed for any purpose permitted under the Australian Privacy Principles. If a client has not been active in any manner for over 7 years, all client information should be destroyed. If a client chooses to leave Guardian Associates then all 'personal' information should be destroyed within 90 days of the termination agreement.

13. You may at any time, by contacting us by any of the methods detailed below, request access to your personal information, and we will (subject to the following exceptions) provide you with access to that information, either by providing you with copies of the information requested, allowing you to inspect the information, or by providing you with an accurate summary of the information held. We may, prior to providing access in accordance with this policy, require you to provide evidence of your identity.

14. We will not provide you with access to your personal information if:

    (a) Providing access would pose a serious threat to the life or health of a person;
    (b) Providing access would have an unreasonable impact on the privacy of others;
    (c) The request for access is frivolous or vexatious;
    (d) The information related to existing or anticipated legal proceedings between us and would not be discoverable in those proceedings;
    (e) Providing access would reveal our intentions in relation to negotiations with you in such a way as to prejudice those negotiations;
    (f) Providing access would be unlawful;
    (g) Denying access is required or authorised by or under law;
    (h) Providing access would be likely to prejudice certain operations by or on behalf of an enforcement body or an enforcement body requests that access not be provided on the grounds of national security.

    In the event we refuse you access to your personal information, we will provide you with an explanation for that refusal.

15. We will, at all times, endeavour to ensure that the personal information we hold about you is up to date and accurate. In the event that you become aware, or believe, that any Personal Information which we hold about you is inaccurate, incomplete or outdated, you may contact us, by any of the methods detailed below, or your Adviser and provide to us evidence of the inaccuracy, incompetency's or outdatedness and we will, if we agree that the information requires correcting, take all reasonable steps to correct the information.

    If we do not agree that your personal information requires correcting, we must, if you request, take reasonable steps to ensure that whenever your personal information is accessed or handled in the future, it is apparent that you are not satisfied as to the accuracy or completeness of that information.

16. We will endeavour to respond to any request for access within 14-30 days depending on the complexity of the information and/or the request. If your request is urgent, please indicate this clearly.

17. If you wish to complain about any breach or potential breach of this Privacy Policy or the Australian Privacy Principles, you should contact us by any of the methods detailed below, and request that your complaint be directed to the Compliance Manager. Your complaint will be managed in line with our Complaint Management Policy. It is our intention to use our best endeavours to resolve any complaint to your satisfaction, however, if you are unhappy with our response, you are entitled to contact or lodge a complaint with the Office of the Australian Information Commissioner (OAIC) who may investigate your complaint further.

    Email: enquiries@oaic.gov.au;

    Phone: 1300 363 992; or

    Write: GPO Box 5218, Sydney NSW 2001

    You can also seek further information on their website:

    Web: oaic.gov.au/privacy

18. You may, at any time, access our Complaint Management Policy.

19. If you would like further information about how we keep your data, you may refer to our Data Breach Policy. You may request a copy of this from us at any time.

CONTACT DETAILS

Privacy Officer:
Address: PO Box 3473, Loganholme QLD 4129
Telephone: (07) 5670 3629
Email: invest@guardianassociates.com.au