



VERTUA

# PRIVACY POLICY

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**VERTUA LIMITED**

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## **OUR PRIVACY COMMITMENT**

1. Vertua Limited ACN 108 076 295 (Vertua or “we” or “our”) is committed to managing your personal information openly and transparently and to keeping your personal information safe. We will take all necessary measures to fulfil this commitment, including to:
  - A. Comply with the Australian Privacy Principles (APPs);
  - B. Ensure that we manage your personal information openly and transparently;
  - C. Only collect personal information from you that we need in order to fulfil any of your queries, questions or requests or to offer you the best possible customer service and experience;
  - D. Tell you how we might use your personal information;
  - E. Let you know if we need to disclose your personal information to anyone else (including anyone overseas) and if so, in what circumstances this might occur;
  - F. Keep your personal information secure;
  - G. Respond promptly and appropriately to any incident where your personal information may be compromised, including where your personal information is lost, or subject to unauthorised access, modification, use or disclosure or other misuse;
  - H. Promptly respond to any request by you not to receive direct marketing material from us;
  - I. Make sure your personal information is kept accurate and up to date and to properly dispose of any personal information which is no longer required by us; and
  - J. Ensure that, where appropriate, you can access and correct your personal information.

## **ABOUT THIS POLICY**

2. This policy is intended to explain clearly and in plain language some of the key processes and procedures that we have implemented to manage your personal information, to protect your privacy and to comply with the Privacy Act 1988 (Commonwealth) (Act) and the APPs.
3. References to “Vertua”, “our”, “us” and “we” in this policy are references to Vertua its related entities.
4. This policy gives a broad overview of our policies in relation to privacy and the handling of your personal information but if you require further information, you are welcome to contact us or to read any of the privacy statements or notices that will be issued to you as and when personal information is collected.
5. You should read this privacy policy before providing us with any personal information. By either using the site at [www.vertua.com.au](http://www.vertua.com.au) (Website) or by providing us with your personal information, you are confirming your agreement to the policies and procedures described in this privacy policy.

## **WHAT SORTS OF PERSONAL INFORMATION DO WE COLLECT?**

6. We will only collect from you information that is necessary and relevant to our relationship with you, including to enable us to fulfil your request or to provide to you the best possible customer service and experience.

7. Depending on the exact nature of our relationship with you and the type of products and services you request from us, we may request that you provide some or all of the following information:
- A. Information that we may require to initially identify you, including but not limited to your full name (or the name of your business), age, date of birth and job title;
  - B. Information that we can use to contact you, including but not limited to your telephone number, facsimile number, mobile number, email address and mailing address;
  - C. Information that we will require when registering you as an investor (or unitholder) and opening an account with us for the provision of appropriate products and services, including but not limited to:
    - i. Personal details, such as full name (or the name of your business), age, date of birth, job title and any identification documents;
    - ii. Contact details, such as your telephone or facsimile number, mobile number, email address and mailing address; and
    - iii. Any financial information that may be relevant to the registration of you as an investor (or unitholder) or the opening of an account with us for the provision of appropriate products or services, such as financial accounts and banking accounts;
  - D. Information that we can use to:
    - i. Process your requests for products or services provided by us; or
    - ii. Process any investment transactions (including any purchases and sales) on your behalf, including but not limited to your credit card number, name on the credit card, credit card expiry date and credit card security code, bank account type, bank account name, bank account number or IBAN, BSB, BIC/SWIFT codes, name and address of your bank;
  - E. Information that may be used for statistical purposes, or to improve our Website, products, services and performance, including but not limited to the date and time of your visit of our Website, the web pages you have accessed from our Website; the documents you have downloaded from our Website, your IP address and the operating system and internet browser you are using to access our Website.
8. The information we require from you will depend on the specific products or services that we are providing to you. We will only collect personal information from you that we reasonably require in order to fulfil your request or satisfactorily provide products or services that you require from us.
9. The Act places restrictions on us collecting sensitive information about you (which includes information about your religion, political views, ethnicity, criminal records and sexual preferences). Generally we will not collect this type of information, however we may need to collect some sensitive information if you are applying for a job with us, and you have provided us with your consent to do so.

## **WHY DO WE REQUIRE YOUR PERSONAL INFORMATION?**

10. There are various reasons why we might need to collect, hold, use or disclose your personal information and this will depend upon the specific products or services that we are providing to you but we will tell you the main reason for asking for your personal information at the time when we ask you to provide it.
11. Usually, the main reason that we will need to collect your personal information will be relating to a good or service that we are providing to you or are about to provide to you and for contacting you in relation to those products or services. Our main reason for collecting your personal information will revolve around providing support to you and/or processing any of your queries or requests for products or services provided by us.

12. We may also use your personal information for other reasons, including:

- A. To contact you in relation to special offers, a product or service or market research surveys that you might be interested in;
- B. To email a copy of the latest our newsletter or any other news related to us, updates, notifications or marketing material;
- C. To enforce our policies;
- D. To update our share or unit registers;
- E. Preventing fraud and other criminal activities;
- F. To assist in the operation of management investment schemes to which we have been appointed investment manager;
- G. To assist us to run our business and to improve our Website, products, services and performance, including staff training, accounting and auditing, risk management, record keeping, archiving, systems development, developing new products and services and undertaking planning, research and statistical analysis and data analytics; and
- H. To comply with our legal obligations.

13. There is no obligation for you to provide us with any of your personal information but if you choose not to provide us with your personal information, we may not be able to satisfy any requests or to provide the information, products or services that you require.

## **HOW DO WE COLLECT YOUR PERSONAL INFORMATION?**

14. The means by which we collect your personal information will depend on the nature of the products or services that we are providing to you.

15. We may collect your personal information:

- A. Directly from you, either in person, via email or our Website or any other social media platforms or over the phone;
- B. When you complete any request, whether in person or online which requires that we:
  - i. Process your requests for products or services provided by us; or
  - ii. Process any investment transactions (including any purchases and sales) on your behalf;
- C. From publicly available sources, for example, the electoral role, the telephone directory or from third party websites.

16. We will always collect your personal information directly from you unless it is impracticable to do so.

## **COLLECTING AND DISCLOSING PERSONAL INFORMATION ABOUT OTHERS**

17. Wherever possible, we will collect personal information directly from the relevant individual to whom that information relates.



18. You represent and warrant to us that where you provide personal information to us about another person:
- A. You are authorised to provide that information to us;
  - B. You have obtained the express consent of the individual to disclose their personal information to us for the use of that personal information by us, including for the purposes outlined in this policy;
  - C. You have complied with the Privacy Act, including the APPs in collecting that personal information, including by making all relevant notifications required under APP 5 and specific to our use of the personal information; and
  - D. You have informed that person about the contents of this privacy policy including who we are, how we use and disclose personal information, and that they can gain access to, and correct, that information.

### **UNSOLICITED PERSONAL INFORMATION**

19. From time to time we may receive personal information about you that we have not requested or taken steps to come to know. In these circumstances, we will only hold on to such information as permitted by the Act. Any information that has not been requested but is subsequently retained by us will be subject to the procedures and requirements set out in this privacy policy.

### **HOW DO WE USE OR DISCLOSE YOUR PERSONAL INFORMATION?**

20. We may use and disclose your personal information for the purposes for which it was collected or for a related purpose such as:
- A. To consider your request for a product or service;
  - B. To enable us to provide a product or a service to you;
  - C. To carry out, or respond to, your requests;
  - D. To enforce our policies;
  - E. To our third party service providers, including but not limited to any third party service providers who assist us in providing, and improving, our services to you, and to analyse market trends and better understand your needs or to develop, improve and market our products and services to you;
  - F. To assist in the operation of management investment schemes to which we have been appointed investment manager;
  - G. For regulatory reporting and compliance with our legal obligations;
  - H. To relevant third parties to undertake fraud checks;
  - I. To various courts, tribunals, regulatory bodies and law enforcement officials and agencies as required by law, including but not limited to protecting against fraud and for related security purposes, or to establish or exercise our right to defend against legal claims;
  - J. To respond to any claims that content which you submitted violates the rights of any other person;
  - K. To protect the rights of any person;
  - L. To perform administrative and operational tasks (including risk management, systems development and testing, staff training and collecting debts);
  - M. To use in direct marketing of promotions, products and services that we, or our third party service providers, think may be of interest to you;



- N. To seek your feedback in relation to particular products or services, customer satisfaction and our relationship with you and to manage any customer complaints;
  - O. To companies or entities related to us for any of the purposes referred to in this policy;
  - P. To our business partners, where from time to time, we partner with other companies to provide co-sponsored or co-branded products or services and may share your information with our co-sponsor;
  - Q. To another company and its related entities, in the event that we, our Website or a related asset or line of business is acquired by or transferred to that other company;
  - R. To monitor or improve the quality and standard of goods and services that we provide to you;
  - S. To consider any concerns or complaints you may raise against us;
  - T. To our employees, insurer, third party contactors or to our sponsors on a confidential basis;
  - U. To our agents, successors and/or assignees;
  - V. To companies or entities who we are acting as agent or publisher, such as societies or our affiliated companies;
  - W. To any person as authorised by you;
  - X. To notify you of offers that may be of interest to you;
  - Y. To better understand your preferences; and
  - Z. Where such a disclosure is permitted under the Act.
21. By agreeing to accept the terms of this privacy policy or by providing your personal information to us, or both, you are taken to have consented to the use and disclosure of your personal information for the above purposes.
22. At the time that we collect your personal information, we will make it clear to you why we are collecting your information, including through this privacy policy where appropriate. We will only use your personal information in accordance with, and as permitted by, the Act.
23. Other than as outlined in this privacy policy or in any notice provided to you at the time of collecting your personal information, we will not disclose your personal information without your consent unless disclosure is permitted by the Act.

#### **DO WE SHARE YOUR PERSONAL INFORMATION WITH OTHERS?**

24. We may provide your personal information to third parties as outlined in this privacy policy.
25. We may share your personal information with other companies that are related to us. By agreeing to accept the terms of this privacy policy or by providing your personal information to us, or both, you consent to your personal information being shared with our related entities.
26. We deal with third party service providers who may assist us with a variety of functions including but not limited to research and marketing, mail and delivery, security, insurance, professional advisory (including legal, accounting and auditing advice), banking, payment processing, fraud checks or technology services. By agreeing to accept the terms of this privacy policy or by providing your personal information to us, or both, you are taken to have consented to us disclosing your personal information to our third party service providers. Where we engage third party service providers to perform services for us, those third parties may be required to handle or deal with your personal information. Under these circumstances, those third parties must safeguard this information and must only use it for the purposes for which it was supplied and we will make all reasonable enquiries to try to ensure that this is the case.

27. Wherever possible, we will limit the information provided to independent third parties to that information required for those third parties to properly perform their functions.

### **DO WE USE YOUR PERSONAL INFORMATION FOR MARKETING PURPOSES?**

28. As part of the goods or services that we provide to you, we may:

- A. Use personal information that we have collected about you to identify a product or service that may benefit you;
- B. Contact you from time to time to let you know about a product or service or event that we believe you might be interested in; and
- C. Disclose your personal information to any third parties or to any entities or companies related to us to enable them to tell you about a product or service that you might be interested in.

29. Where we intend to use your personal information for direct marketing purposes, we will seek your consent to do so prior to using your personal information. You can opt-out, unsubscribe or make a request not receive direct marketing communications from us, by calling (02) 8624 6130 or email at [info@vertua.com.au](mailto:info@vertua.com.au). Additionally, each direct marketing communication will include an opt-out or "unsubscribe" option which will immediately indicate to us that you no longer wish to receive communications of this kind.

30. You may make a request that we do not disclose your personal information to facilitate direct marketing by another organisation and you may request that we provide you with the source of any personal information we use for direct marketing purposes. Any such requests will be actioned within a reasonable period of time and there will be no charges to you for making, or to you from us actioning, such requests.

### **HOW DO WE STORE YOUR PERSONAL INFORMATION?**

31. We have implemented appropriate processes and techniques to protect personal information from loss, misuse and interference and from unauthorised access, modification or disclosure. In addition, access to your personal information is limited to those who specifically need it to conduct their responsibilities.

32. We take all necessary steps to destroy or permanently de-identify your personal information where it is no longer required and to protect your personal information from loss, misuse and interference and from unauthorised access, modification or disclosure.

33. While care is taken to protect your personal information, unfortunately no data transmission over the Internet is guaranteed as 100% secure. Accordingly, we cannot ensure or warrant the security of any information you send to us or receive from us online. This is particularly true for information you send to us via email as we have no way of protecting that information until it reaches us. Once we receive your personal information, we are required to protect it in accordance with the Act.

### **WHAT IF THERE IS A BREACH IN RELATION TO MY PERSONAL INFORMATION?**

34. We take breaches of your privacy very seriously. In the event that there is a data breach relating to personal information that we hold about you, such as loss of, unauthorised access to, or unauthorised disclosure of, the information (Data Breach), we will take immediate steps to contain and remedy any effects of the Data Breach in accordance with the Act. Where required under the Act, we will notify both you and the Office of the Australian Information Commissioner (OAIC) of the Data Breach.

## **MAINTAINING YOUR PERSONAL INFORMATION**

35. We take reasonable steps to ensure that:

- A. The information that we collect about you is accurate, complete and up-to-date at the time of collection;
- B. When we use your personal information, it is accurate, up-to-date, complete and accurate at the time of use; and
- C. If we disclose your personal information, it is accurate, up-to-date, complete and accurate at the time of disclosure.

36. You warrant that all information that you provide to us is accurate, complete and up to date at the relevant time.

## **WILL WE DISCLOSE YOUR PERSONAL INFORMATION TO ANYONE OVERSEAS?**

37. There may be circumstances where we need to disclose your personal information to a third party overseas (Overseas Recipient). This may occur, for example, where we have a database or server hosted outside Australia, or you access our Website from a country outside of Australia.

38. Prior to disclosing your personal information to an Overseas Recipient, APP 8.1 requires that we will take all reasonable steps to ensure that the third party recipient of your information complies with the APPs (other than APP 1) in relation to your information, or that the third party recipient is bound by laws that offer you at least as much protection as the APPs and that you are able to enforce your rights under those international laws in the event of any breach unless an exception applies (the Overseas Disclosure Obligations).

39. We will take all reasonable steps to satisfy our Overseas Disclosure Obligations.

40. We will not send personal information to organisations outside of Australia unless:

- A. We have taken reasonable steps to ensure that the recipient does not breach the Privacy Act, or the APPs;
- B. The recipient is subject to a privacy scheme similar to the Privacy Act; or
- C. You have consented to the disclosure.

## **HOW CAN YOU ACCESS YOUR PERSONAL INFORMATION?**

41. Usually we will be able to provide you with access to your personal information upon receipt of your written request, by email sent to [info@vertua.com.au](mailto:info@vertua.com.au), and confirmation of your identity. There are some limited circumstances in which we may not be able to provide you with access to your personal information when requested. Such circumstances might include where access would pose a serious threat to the life, health or safety of another person or where such access would unreasonably impact on the privacy of others.

42. Where you request access to your personal information, we will respond to any such request in accordance with the Act.

43. We may recover from you our reasonable costs of supplying you with access to your personal information but we will not charge you for any request you might make to access your information.

## **HOW CAN YOU SEEK TO CORRECT YOUR PERSONAL INFORMATION?**

44. We do what we can to ensure that the information we hold about you is accurate, complete, up-to-date, relevant and not misleading. To assist us to do this, it is imperative that you provide us with correct information at the time you provide it to us and immediately inform us if any of the information changes at any time. You may make a request that we correct any of your information. We would prefer your request to be in writing. This can be made by email sent to [info@vertua.com.au](mailto:info@vertua.com.au)
45. We will respond to any requests regarding the correction of your personal information within a reasonable period after the request is made and in accordance with the Act.
46. We will not charge you for any request to correct your personal information, nor will we pass on to you any costs incurred by us in correcting your personal information or for associating a statement with your personal information.

## **WHAT IF YOU WANT TO MAKE A COMPLAINT ABOUT SOME ASPECT OF OUR PRIVACY PROCEDURES?**

47. We are committed to maintaining and protecting your privacy but it is possible that in limited circumstances, mistakes might be made. If you are concerned with the way your personal information has been handled then you are entitled to make a complaint. If you would like to lodge a complaint, please contact us by email sent to [info@vertua.com.au](mailto:info@vertua.com.au).
48. If your personal information has not been handled in an appropriate way, we will do our best to remedy your concerns as quickly as possible.
49. If your complaint is not satisfactorily resolved, you may approach an external dispute resolution service or apply to the OAIC to have the complaint heard and determined.

## **PROTECTING YOUR IDENTITY**

50. Wherever it is practicable, we will always provide you with the option not to identify yourself when dealing with us. Alternatively, you may elect to use a pseudonym to protect your identity.

## **CHANGES AND EXEMPTIONS TO THIS POLICY**

51. From time to time it may be necessary for us to review and revise this privacy policy. We reserve the right to change our privacy policy at any time.
52. Please note that the Act contains certain exemptions which may permit us to use your personal information in a particular way if specific circumstances arise. Any such exemptions under the Act will take priority over this privacy policy to the extent of any inconsistency.

## **HOW CAN YOU CONTACT US?**

53. Please find below our contact details. Please do not hesitate to contact us in relation to any privacy-related concerns and we will use our best endeavours to address any such concerns thoroughly and in a timely manner.

### **Contact details:**

Via email: [info@vertua.com.au](mailto:info@vertua.com.au)

Via phone: 02 8624 6130

In person: Level 5, 97 Pacific Highway, North Sydney NSW 2060



VERTUA

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54. If it is practical to do so, you can contact us without identifying yourself. However, if you choose not to identify yourself, it may be more difficult for us to assist you with your enquiry. This will depend on the nature of your enquiry.

#### **EXPRESS CONSENT TO COLLECTION, STORAGE, USE AND DISCLOSURE**

55. In addition to the other consents provided by you above, by agreeing to accept the terms of this privacy policy, or by providing your personal information to us, or both, you are taken to have expressly consented to the collection, storage, use and disclosure of your personal information for each of the purposes and to all of the parties outlined in this privacy policy.