



## **Privacy Policy**

Version Number: 3

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### **Clime Investment Management Limited**

ABN 37 067 185 899

### **Clime Asset Management Pty Limited**

Australian Financial Services Licence (AFSL) Number: 221146

### **CBG Asset Management Limited**

Australian Financial Services Licence (AFSL) Number: 246790

### **Madison Financial Group Pty Ltd**

Australian Financial Services Licence (AFSL) Number: 246679

### **AdviceNet Pty Ltd**

Australian Financial Services Licence (AFSL) Number: 308200

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## 1. INTRODUCTION AND PURPOSE

To fulfil its obligations under the *Privacy Act 1988* (Cth) (**Privacy Act**), Clime Investment Management Limited (**CIW**) has implemented this privacy policy and procedures to ensure that personal information is handled in accordance with the Privacy Act. This policy covers CIW and all subsidiary companies (collectively called **Clime**).

This policy sets out how Clime deals with your personal information that it may collect from time to time. This policy may change from time to time, so please revisit the policy periodically.

## 2. WHAT IS PERSONAL INFORMATION

The Privacy Act states that “Personal Information” means information or an opinion (including information or an opinion forming part of a document or other source), whether true or not, and whether recorded in a material form or not, about an identified individual, or an individual who is reasonably identifiable.

Personal information may include:

- Name, gender and date of birth;
- Contact details such as address, phone number and email address;
- Bank account details for direct crediting of distributions and redemptions;
- Investment information about your holding in our products;
- Tax File Number (TFN) / Australian Business Number (ABN), if you have chosen to disclose it;
- Any personal information necessary for the purposes of the Anti-Money Laundering and Counter-Terrorism Financing Act 2006.

To assist Clime in providing quality services, it is important that the information you entrust to us is complete, accurate and up-to-date. You can help us to keep your information up to date by contacting us immediately if your contact details change.

## 3. INFORMATION WE COLLECT FROM YOU

We collect information about you and your interactions with us, for example when you request or use our products or services, make a card purchase or transfer money, phone us or visit any of our websites.

We may also collect personal information if authorised or required by an Australian law or court or tribunal order to collect that information. We will tell you if collection is required or authorised by law and provide you with details of the law, court or tribunal order.

For example, when you make an application to Clime for a financial product, we are required under the Anti-Money Laundering and Counter-Terrorism Financing Act to collect certain information from you to prove your identity, such as your driver’s licence or passport details. Clime may collect your Australian Tax File Number (TFN). It is not compulsory to provide your TFN, but if you do not, Clime may deduct withholding tax from any applicable distribution payments at the highest marginal rate. Clime will collect your TFN to determine whether you are subject to withholding tax on any distribution payments you receive and for communication purposes of distribution payments to the Australian Taxation Office. If Clime collects your TFN, we will handle your TFN in accordance with the Privacy Act and Guidelines issued by the Office of the Australian Information Commissioner (OAIC).

Clime may also be required to ask about your tax residency status under taxation information sharing agreements the Australian Government has in place with other countries. For example, a tax treaty between Australia and the United States formed under US law (Foreign Account Tax Compliance Act) requires Clime to ask investors in our funds whether they are US citizens or US tax residents when they make an application. If you are a tax resident of another country, the relevant treaty or law may require us to collect your relevant foreign tax identification number.

#### **4. COLLECTION OF SENSITIVE INFORMATION**

Sensitive information is personal information about a person's racial or ethnic origin, political opinion, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, criminal record, genetic information or health information.

Clime will not collect, use or disclose sensitive information about you unless we need the information for one of our functions or activities and we have your consent (or we are legally required to do so).

#### **5. COLLECTION OF INFORMATION FROM THIRD PARTIES**

With your consent, Clime may collect personal information from a third party or from sources you would reasonably expect, for example, information extracted from publicly available sources such as public domain websites or telephone directories.

Clime may also collect information about how you use our or other websites to help us better tailor our services to you. For example, Clime may do this when you click on a link from the Clime website or visit a website which displays a Clime advertisement. Usually, the information we collect in this way is general information only derived from cookies – such as the number of visitors to a site or statistics about how a site is browsed – and does not identify you. If Clime does identify you with this information (for example, if you have been logged onto an online Clime service), any use or disclosure of that information will be in accordance with this Privacy Policy.

#### **6. HOW WE MAY USE AND DISCLOSE YOUR PERSONAL INFORMATION**

Clime may use and disclose personal information we collect about you for several purposes including:

- to consider your request for a product or service;
- to enable Clime to provide a product or service;
- to tell you about other products and services that may be of interest to you;
- to assist in arrangements with other organisations (such as loyalty partners) in relation to the promotion or provision of a product or service;
- to manage accounts and perform other administrative and operational tasks (including risk management, systems development and testing, staff training and market or customer satisfaction research);
- to consider any concerns or complaints you raise against Clime and/or to manage any legal action between you and Clime;
- to prevent or investigate any actual or suspected fraud, unlawful activity or misconduct;
- to identify you or establish your tax status under any Australian or foreign legislation, regulation or treaty pursuant to an agreement with any tax authority; and
- as required by relevant laws, regulations, codes of practice and external payment systems.

If Clime uses your personal information for direct marketing of its products or services, it will provide you with the opportunity, at the point of our first contact and at any time afterwards at your request to decline receipt of any further marketing information. Otherwise, Clime will neither use nor disclose your Personal Information that is not related to the purpose for which we collected your information in the first place without your consent, unless:

1. It is required for public health or public safety or other emergency reasons; or
2. It is required to investigate or report suspected fraud or unlawful activity; or
3. It is required or authorised by law; or
4. Clime believes that the use or disclosure is reasonably necessary for one or more of the following by or on behalf of an enforcement body:
  - a. the prevention, detection, investigation, prosecution or punishment of criminal offences, breaches of a law imposing a penalty or sanction or breaches of a prescribed law;
  - b. the enforcement of laws relating to the confiscation of the proceeds of crime;
  - c. the protection of the public revenue;
  - d. the prevention, detection, investigation or remedying of seriously improper conduct or prescribed conduct;
  - e. the preparation for, or conduct of, proceedings before any court or tribunal, or implementation of the orders of a court or tribunal.

If you would like to restrict how your personal information is handled beyond what is outlined in this policy, please contact our Privacy Officer.

## **7. DISCLOSURE OF PERSONAL INFORMATION**

We will not disclose personal information collected by us for any purpose other than where you have consented to the disclosure; or where the Australian Privacy Principles authorise use or disclosure where required or authorised by law, in circumstances relating to public health and safety, social security and taxation in connection with certain operations by or on behalf of an enforcement body.

In relation to our role as a financial service provider we are required pursuant to the *Corporations Act 2001* (Cth) to maintain certain transaction records with regards to your investment in our products and make those records available for inspection to the Australian Securities and Investments Commission.

We may disclose personal information to external service providers such as fund managers, custodians, mailing houses and auditors for the purpose of giving effect to the service provided by us. These external parties are only authorised to use personal information for the purpose for which Clime supplied it. Those organisations are not authorised to use that information for their own purposes.

## **8. SENDING YOUR INFORMATION OVERSEAS**

During the course of business, we may send your information overseas, including to overseas Group members and to service providers or other third parties who operate or hold data outside Australia.

Where we do this, we make sure that appropriate data handling and security arrangements are in place. Please note that Australian law may not apply to some of these entities.

We may also send information overseas to complete a particular transaction, such as an International Money Transfer, or where this is required by laws and regulations of Australia or another country.

Clime will not transfer personal information outside Australia unless Clime reasonably believes that the recipient of the information is subject to a law, binding scheme or contract providing the same standards of protection of personal information as provided for under the Australian Privacy Principles.

## **9. INTERGRITY OF PERSONAL INFORMATION**

We are committed to ensuring that personal information collected and kept by us is kept secure and protected from misuse, loss, unauthorised access, inaccuracy, modification or disclosure.

Should your details change, we ask that you advise us of the change as soon as possible so that we may maintain accurate records.

## **10. DATA SECURITY**

Clime may store your personal information in hardcopy documents or electronically. Clime maintains physical security, such as locks and security systems, over our paper and electronic data stores and premises. Clime also maintains computer and network security. For example, Clime uses firewalls (security measures for the internet) and other security measures such as identification codes and passwords to control access to computer systems. Clime continually maintains and monitors its online security systems to ensure that Clime's online services are secure and that your personal information is appropriately protected when you use these services.

We require you to keep your personal identification number (PIN), passwords and access codes confidential and secure at all times. This means that you should not disclose your PIN, passwords or access codes to any other person. You should contact Clime immediately if you believe that your PIN, passwords or access codes may have been disclosed to another person or if you would like to change your PIN or password.

## **11. ONLINE SERVICES**

Clime's Privacy Policy is posted to [www.clime.com.au](http://www.clime.com.au) (the company's website) from where an electronic copy (.pdf format) can be downloaded. A paper copy of the policy can be made available on request.

## **12. ACCESS TO PERSONAL INFORMATION**

If you have concerns about the completeness or accuracy of the personal information Clime holds about you, or would like to access or amend the information, please contact our Privacy Officer at:

Clime Investment Management Limited  
PO Box H90  
AUSTRALIA SQUARE NSW 1215  
Ph: 1300 788 568  
Fax: (02) 8917 2155  
Email: [info@Clime.com.au](mailto:info@Clime.com.au)

Clime will take reasonable steps to confirm the identity of the person making the request and will endeavour to respond within 14 business days of receiving the request. However, where the request is more complex or time consuming to comply with, Clime will endeavour to provide access to the information requested within 28 business days.

Clime reserves the right to deny access to personal information if:

- a. providing access could pose a possible threat to life or health; or
- b. providing access could cause an unreasonable impact on the privacy of others; or
- c. the request is frivolous or vexatious; or
- d. the request or the requested information relates to existing or anticipated legal proceedings which could be prejudiced as a result; or
- e. the request or the requested information relates to existing or anticipated commercial negotiations involving Clime, and Clime legitimate commercial interests could be prejudiced as a result; or
- f. providing access is in any way unlawful; or
- g. providing access would be likely to prejudice an investigation of possible unlawful activity; or
- h. providing access would contravene a direction to Clime by an enforcement body performing a lawful security function to not provide access to the information because providing access would jeopardise national security; or
- i. providing access would likely prejudice:
  - (i) the prevention, detection, investigation, prosecution of criminal offences, breaches of the law imposing a penalty or sanction or breaches of prescribed law; or
  - (ii) the enforcement of laws relating to the confiscation of the proceeds of crime; or
  - (iii) the protection of public revenue; or
  - (iv) the prevention, detection, investigation or remedying of seriously improper conduct or prescribed conduct; or
  - (v) the preparation for, or conduct of, proceedings before any court or tribunal, or implementation of its orders by or on behalf of an enforcement body.

Where providing access would reveal evaluative information generated within the company in connection with a commercially sensitive decision-making process, Clime may give the individual an explanation for the commercially sensitive decision rather than direct access to the information.

Where there is disagreement about direct access or where direct access to personal information is impractical or inappropriate, Clime will discuss the possible use of a mutually acceptable intermediary.

If you advise Clime that your personal information is held on you is inaccurate, incomplete or not up-to-date, Clime will take reasonable steps to update the information accordingly. Should there be a disagreement between Clime and you about whether the personal information is complete or up-to-date then at your request, Clime will take reasonable steps to associate a statement from you that the information is not correct with the relevant record(s) held by Clime.

Clime reserves the right to levy a reasonable charge to meet the costs of providing access to personal information, although there will be no charge for lodging a request for access.

### **13. IDENTIFIERS**

Clime will not use an identifier assigned to an individual by a Government Agency (Agency) or related body as its own identifier; nor will it provide such an identifier to a third party without the individuals consent, unless:

- a. the use or disclosure is necessary for Clime to fulfil its obligations to the Agency or related body; or
- b. one or more of Use and Disclosure section numbered items 1-4 (inclusive) apply to the use or disclosure; or
- c. the use or disclosure is by a prescribed organisation of a prescribed identifier in prescribed circumstances.

## 14. ANONYMITY

Wherever lawful and practical, Clime will give you the option of not identifying yourself when dealing with the company.

## 15. COMPLAINTS

Clime is committed to providing high quality services to its clients. The protection of your information is of the utmost importance. Clime takes complaints seriously and is committed to a robust, fair and respectful complaints management process.

If you have a complaint about our handling of your personal information, you may either:

- email [info@clime.com](mailto:info@clime.com) or
- apply in writing to:
  - Privacy Officer
  - Clime Investment Management Limited
  - Level 12, 20 Hunter Street
  - Sydney NSW 2000

In both instances you must set out full details of the complaint. To help Clime complete a quick and effective investigation, the complainant should include as much detail as they have available to assist the Clime Privacy Officer to identify the nature and scope of the complaint.

Wherever lawful and practical, Clime will give you the option of submitting a complaint anonymously. However, if you decline to provide your name and contact details Clime may only be able to undertake a limited investigation and limited resolution of the complaint.

The Privacy Officer will maintain a record of all complaints received, including but not limited to:

- name and contact details of the complainant
- date the complaint was received
- nature of the complaint
- details of the person(s) investigating the complaint
- outcome of the investigations
- dates and details of all contacts made with the complainant

These records will be held in a secure manner by the Privacy Officer and will only be accessible to Clime personnel who reasonably require access to those records to investigate and resolve the complaint. Otherwise, they will only be made available, if required or authorised by law or to assist with any investigations carried out by the Office of the Australian Information Commissioner.

The Privacy Officer will also be responsible for investigating privacy complaints.

All complaints in relation to the handling of personal information will be acknowledged within seven working days and a full response given within 28 days. Where it is not possible to complete the investigation of a complaint within 28 days, the complainant will be contacted once twenty-eight days have elapsed with an estimate of when the investigation will be completed.



We expect our procedures will deal fairly and promptly with your complaint. However, if you remain dissatisfied, you can also contact the Office of the Australian Information Commissioner as follows:

Director of Compliance  
Office of the Australian Information Commissioner  
GPO Box 5218 Sydney NSW 2001

## **16. DISCLAIMER**

This policy represents Clime's policy as at 24 May 2022.

Clime may revise this policy as it sees fit or at its discretion.

Although Clime intends to observe this policy at all times, neither Clime nor any of its entities nor its associated companies is legally bound in any respect by this policy. From time to time, Clime reserves the right to act outside the policy and may do so, subject only to any statutory rights you have under the Act or other applicable legislation.

*Privacy Policy update 24 May 2022*