

# Privacy Policy

## 1. The privacy of your personal information is important to us

Cadence Capital recognises the importance of protecting personal information. This privacy policy has been created because we value our members, and recognise their right to keep their personal information private. This policy discloses our information gathering and dissemination practices. Cadence Capital is bound by the *Privacy Act 1988* (Cth) ("**Privacy Act**") which includes the Australian Privacy Principles contained in Schedule 1 of the *Privacy Amendment (Enhancing Privacy Protection) Act 2012* (Cth).

## 2. Who does this policy apply to?

This policy applies to Cadence Capital Limited (A.B.N. 17 112 870 096) and Cadence Asset Management Pty Limited (ABN 68 106 551 062) in its own capacity and in its capacity as trustee of Cadence Capital unit trust. In this policy, "Cadence Capital", "us", "we" or "our" means Cadence Capital Limited (A.B.N. 17 112 870 096) and Cadence Asset Management Pty Limited (ABN 68 106 551 062).

## 3. Overview

This policy sets out information regarding:

- the kind of personal information we collect;
- how we collect and hold personal information;
- why we collect personal information;
- how we use personal information;
- when we disclose personal information;
- whether we are likely to disclose your personal information to any overseas recipients;
- how persons can opt in and out of receiving correspondence from us;
- how we manage and secure personal information;
- how you can seek access to and update your personal information;
- how you may inquire or complain about our collection, handling, use or disclosure of personal information; and
- how you can contact us.

## 4. Update of privacy policy

We may, from time to time, review and update this policy. We may update this policy to take account of new or amended laws, new technology and/or changes to our operations. All personal information held by us will be governed by the most recently updated privacy policy.

This policy was last updated in September 2014.

## 5. The kind of personal information we collect

The type of personal information that may be collected will depend on our relationship with the person, and the circumstances of collection.

In general, the personal information we collect about you may include (but is not limited to):

- your name;
- your contact details (including phone numbers and addresses); and

- financial information, including your bank account details so we can make payments via electronic funds transfer.

We may also collect data relating to your activity on our websites (including IP addresses and details of actual pages visited and services accessed) via tracking technologies such as cookies. You should be aware that by agreeing to this policy, you are accepting that our websites may write cookies onto your hard disk or read cookie files created by other websites. In addition, we may collect information from you when you respond to a survey.

In respect of employees, contractors, potential employees, potential contractors and work experience persons we may collect personal resumes, third party references, bank details, superannuation details, tax file numbers, emergency contact details and employee or contractor records. We also conduct criminal checks on individuals who commence employment or a contracting arrangement with us. This search is held on our employee or contractor file.

## **6. Who do we collect personal information from?**

In the course of providing services we may collect personal information from:

- investors;
- web users;
- financial planners;
- persons who seek products or services from us;
- share registries;
- media sources;
- research houses;
- stockbrokers;
- potential investors;
- contractors and potential contractors; and
- employees, potential employees and work experience persons.

## **7. How we collect personal information**

How we collect personal information will largely depend upon whose information we are collecting. If it is reasonably practical to do so, we collect personal information directly from you. We may also collect personal information about you from a variety of other independent sources, including from advertisers, mailing lists, recruitment agencies, contractors and business partners.

We may collect your personal information when you:

- have a face to face meeting with our staff and/or officers;
- attend our presentations;
- attend conferences where we are presenting;
- request to receive a newsletter from us;
- request to receive information from us;
- register with us as a shareholder;
- provide a product or service to us;
- obtain a product or service from us;
- complete a survey or questionnaire;
- enter a competition or event;
- contribute to a fundraising event;
- participate in our services (including our radio programs, blogs and forums);

- communicate with us by e-mail, telephone or in writing (for example if you contact us to seek information, make a complaint or provide feedback);
- apply for work experience with us;
- apply for employment with us;
- accept an offer of employment; or
- enter into a contract with us.

If, at any time, you provide us with personal or other information about someone other than yourself, you warrant to us and to our related bodies corporate that you have that person's consent to provide such information for the purpose specified.

## **8. Gathering and combining personal information**

Improvements in technology enable organisations to collect and use personal information to get a more integrated view of investors, and to allow them to provide better products and services to investors. We may combine information made available from a variety of sources. This enables us to analyse the data in order to gain useful insights which can be used for the purposes mentioned in this privacy policy.

## **9. Unsolicited Information**

Sometimes we may be provided with your personal information without having sought it through our normal means of collection. We refer to this as "unsolicited information". Where we collect unsolicited information we will only hold, use and or disclose that information if we could otherwise do so had we collected it by normal means. If that unsolicited information could not have been collected by normal means then we will destroy, permanently delete or de-identify the information as appropriate.

## **10. Why we collect personal information**

The primary purpose for which we collect information about you is to establish your identity and to provide you with products and services you have requested. We also collect information about you for the purposes outlined below in section 11 of this policy.

We may state a more specific purpose at the point we collect your information.

If you do not provide us with the information that we request, we may not be able to provide you with our products or services. For example, if you do not register as a member of a website, you will not be able to access features or services that are reserved for members only.

## **11. How we use your personal information**

In addition to the primary purpose outlined above, we may use the personal information we collect for the purposes set out below, and you consent to us using your personal information for those purposes:

- to provide you with news and information about our products and services;
- to send marketing and promotional material that we believe may interest you. This material may relate to any of Cadence Capital's businesses or a third party business which we believe may be of interest to you;
- for purposes necessary or incidental to the provision of goods and services to you;
- to personalise and customise your experiences;
- to manage and enhance our products and services;
- to communicate with you, including by email, mail or telephone;
- to conduct competitions or promotions on behalf of Cadence Capital and selected third parties;
- to verify your identity;

- to investigate any complaints about or made by you, or if we have reason to suspect that you are in breach of any of our terms and conditions, or that you are or have been otherwise engaged in any unlawful activity;
- as required or permitted by any law (including the Privacy Act);
- in the case of employees:
  - to pay your wages and employee entitlements; and
  - to manage your employment relationship with us;
- in the case of contractors:
  - to pay your contractors fee; and
  - to manage your contractor relationship with us.

Data relating to your activity on our websites (including IP addresses, details of actual pages visited and services accessed) and data collected when you respond to a survey is generally used to report statistics, analyse trends, administer and maintain our services and website, diagnose problems and target and improve the quality of our products and services. To the extent this information does not constitute personal information (as defined in the Privacy Act), the Australian Privacy Principles do not apply, and we may use this information for any purpose and by any means whatsoever.

We generally advise you not to publish or communicate personal information, or at least limit the personal information that you publish or communicate, to the public via online services such as in our forums or blogs (**Non-Confidential Information**). You acknowledge that we cannot control any third party collection or use of your Non-Confidential Information. You agree that we may use and disclose Non-Confidential Information for any purpose and by any means whatsoever.

We may also need to collect personal and sensitive information in order to comply with our legal obligations, such as the Anti-Money Laundering and Counter-Terrorism Financing laws, under the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (Cth).

## 12. Sensitive Information

We only collect sensitive information reasonably necessary for one or more of the uses specified in this privacy policy if we have the consent of the individuals to whom the sensitive information relates, or if the collection is necessary to lessen or prevent a serious threat to life, health or safety, or required for another permitted general situation (as defined in Section 16A of the Privacy Act).

## 13. When we disclose your personal information

We may disclose personal information, and you consent to us disclosing your personal information, to related bodies corporate (as defined in the *Corporations Act 2001*) of Cadence Capital (in which case, your personal information will be collected, used, disclosed, managed and stored in accordance with this privacy policy).

It may be necessary for us to disclose your personal information to certain third parties in order to assist us with one or more of our functions or activities, or where permitted or required by law. You consent to us disclosing your personal information, to third parties which may include:

- third parties engaged by us to perform functions, or provide products and services on our behalf, such as:
  - newsagents;
  - entities that process credit card information;
  - entities that conduct mail outs;
  - debt collection companies;
  - auditors and insurers;
  - advisors and lawyers;
  - stockbrokers;

- share registries;
- other entities to whom we outsource certain functions for example information technology support;
- marketing, research and advertising entities;
- our agents, business partners and joint venture entities or partners;
- entities that sponsor or promote competitions that we conduct or promote;
- third parties authorised by you to receive information held by us;
- entities established to help identify illegal activities and prevent fraud;
- Government and law enforcement agencies and regulators;
- courts of law; and/or
- parties that propose or agree to purchase all or part of our business.

We may disclose your personal information from time to time, if one or more of the following apply:

- you have consented;
- you would reasonably expect us to use or disclose your personal information in this way;
- we are authorised or required to do so by law;
- where disclosure will lessen or prevent a serious threat to the life, health or safety of an individual or to public safety;
- where another permitted general situation applies (as defined in Section 16A of the Privacy Act); or
- where disclosure is reasonably necessary for a law enforcement related activity.

#### **14. Cross-border disclosure of personal information**

Personal information may be sent by us to overseas entities such as email marketing service providers for the purposes of distributing email correspondence and newsletters to individuals.

We engage MailChimp (a company based in Atlanta, United States) to distribute newsletters and email correspondence to individuals. We disclose personal information such as email addresses and names of individuals to MailChimp. MailChimp uses multiple message/mail transfer agents located in different data centres located around the United States of America.

We may transfer personal information to a foreign recipient (including when an overseas entity accesses the information in Australia), only if:

- we reasonably believe that:
  - the recipient is subject to law, or a binding scheme, that has the effect of protecting the information in a way that, overall, is at least substantially similar to the Australian Privacy Principles; and
  - there are mechanisms that the individual can access to take action to enforce that protection of the law or binding scheme; or
- the disclosure is required or authorised by or under an Australian law or a court/tribunal order; or
- the transfer is necessary for the performance of a contract with the individual (from which the information was collected); or
- the transfer is for the benefit of the individual (and the other Australian Privacy Principle requirements are met); or
- if the individual consents to the transfer.

When disclosure is to be made to a known overseas entity, we will take reasonable steps to assess the privacy laws of the country where information will be disclosed to determine whether the overseas recipient is required to comply with privacy laws that are at least as stringent as the Australian Privacy Principles requirements in relation to information. We may enter into a written contract with the overseas recipient to enable us to enforce

protection of the personal information that we provide to the overseas recipient, and ensure that the overseas entity does not breach the Australian Privacy Principles.]

## **15. Opting in or out**

At the point we collect information from you, you may be asked to “opt in” to consent to us using or disclosing your personal information. For example, you may be asked to opt-in to receive further information or communications from our advertisers and supporters which do not fall into one of the categories described above.

You will generally be given the opportunity to “opt out” from receiving communications from us or from third parties that send communications to you in accordance with this policy. For example, you will be given the option to unsubscribe from e-newsletters and other marketing or promotional material sent by us. You may “opt out” from receiving these communications by clicking on an unsubscribe link at the end of an email.

If you receive communications purporting to be connected with us or our services that you believe have been sent to you other than in accordance with this policy, or in breach of any law, please contact Cadence Capital using our contact details set out below.

## **16. Management and security of personal information**

We store personal information in a variety of formats including on databases, in hard copy files and on personal devices, including laptop computers.

The security of your personal information is of paramount importance to us. We have appointed a Privacy Officer to oversee the management of personal information in accordance with this policy and the Privacy Act.

Other than in relation to Non-Confidential Information, we will take all reasonable steps to protect the personal information that we hold from misuse, loss, unauthorised access, modification and disclosure. Some of the measures implemented by us to secure personal information include using firewalls, standard software protection programs, password access protections, secure servers and encryption of credit card transactions. Personal information is only accessible by officers and employees of Cadence Capital on a need to know basis.

However, you acknowledge that the security of online transactions and the security of communications sent by electronic means or by post cannot be guaranteed. You provide information to us via the internet or by post at your own risk. We cannot accept responsibility for misuse or loss of, or unauthorised access to, your personal information where the security of information is not within our control.

Our website may contain links to other websites. You acknowledge that we are not responsible for the privacy or security practices of any third party (including third parties to whom we are permitted to disclose your personal information in accordance with this policy or any applicable laws). The collection and use of your information by such third party/ies may be subject to separate privacy and security policies.

If you suspect any misuse or loss of, or unauthorised access to, your personal information, please contact us immediately using the contact details set out below.

Personal information we hold that is no longer needed, or required to be retained by any other laws, is destroyed in a secure manner, deleted or de-identified as appropriate.

## **17. Accessing and updating your information and how to contact us**

Subject to some exceptions in the Privacy Act, you have the right to seek access to and update the personal information we hold about you. If you make an access request, we will ask you to verify your identity and we will give you access to the personal information we hold about you, unless specific limitations apply (e.g. if the request is frivolous or vexatious, or providing access would be unlawful).

We will respond to a request for access to personal information within a reasonable period after the request is made, and give you access to the personal information we hold in the manner requested by you, if it is reasonable and practicable to do so. We may charge a fee to cover the costs of meeting your request, for example cancelling and re-issuing a cheque payment sent to an out-dated address.

If we do not agree to provide you with access to, or to amend your personal information as requested, you will be notified accordingly. Where appropriate we will provide you with the reason/s for our decision, and the mechanisms available to complain about the refusal. If the rejection relates to a request to change your personal information you may make a statement about the requested change and we will attach this to your record.

As a Cadence Capital member, you are able to change and update your profile at any time. If personal information you have provided to us has changed or your circumstances change, or you believe that the information we hold is not accurate, please contact us (as per the contact details below) and we will amend the personal information we hold on your written instructions. We aim to ensure only required information is held and that all information is complete and accurate. Should you require assistance with updating your information or removing your details, this can be achieved by forwarding an email to: [info@cadencecapital.com.au](mailto:info@cadencecapital.com.au) or by contacting us through another method using the contact details set out below in section 19 of this policy. Users may also unsubscribe from the Cadence Capital services at any time by contacting us (per the contact details below).

We request that you keep the information we hold about you as current as possible so that we may continue to improve our service to you.

## 18. Privacy Complaints

If you wish to make a complaint about a breach of the Australian Privacy Principles by us, you may do so by providing your written complaint by email, letter, facsimile or by personal delivery to any one of our contact details set out below. You may also make a complaint verbally.

We will respond to your complaint within a reasonable time (usually no longer than 30 days), and we may seek further information from you in order to provide you with a full and complete response.

Your complaint may also be taken to the Office of the Australian Information Commissioner. You may contact the Australian Information Commissioner by calling them on 1300 363 992, contacting them online at [www.oaic.gov.au](http://www.oaic.gov.au), or by writing to the Office of the Australian Information Commissioner at GPO Box 5218 Sydney NSW 2001.

## 19. How to Contact Us

If you would like to seek access to personal information we hold about you, or if you have any questions or complaints about how we collect, use, disclose, manage or store your personal information, you can contact the department that collected your personal information in the first instance, or contact us via the below channels.

### **Cadence Asset Management Pty Limited**

ABN 68 106 551 062

Australian Financial Services Licence: AFSL # 252745

**Postal Address:** Level 11,131 Macquarie Street  
Sydney NSW 2000  
Australia

**Telephone:** 02 82982444

**Facsimile:** 02 82982499

**Email:** [info@cadencecapital.com.au](mailto:info@cadencecapital.com.au)