

# Privacy Policy

Decode FS Fund Pty Ltd  
ACN: 627 270 900  
Date Issued: 26 May 2022

## **Introduction**

Decode FS Fund Pty Ltd ACN 627 270 900 (AR number 1274820) is a corporate authorised representative of Decode Funding Ltd ACN 126 975 282, AFS Licence 320497 (Decode Funding) which authorises us to provide the financial services which are associated with operating the Fund.

## **Our Commitment to Privacy**

Decode FS Fund Pty Ltd (Decode FS, we, our or us) recognises that it is important for you to know how we deal with your personal information and for that reason this statement outlines our current Privacy Policy. Decode FS abides by the Australian Privacy Principles (APPs) established under the Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth).

## **Collection of Information**

Decode FS is required under various legislation and codes of practice to collect certain information about you in order to provide our range of services. These include, but are not limited to, the Corporations Act, Income Tax Assessment Act as well as certain regulations issued by the Australian Securities and Investments Commission (ASIC). In addition, our ability to provide you with comprehensive and quality services is reliant on us obtaining certain personal information about you. The staff and representatives of Decode FS may request personal and sensitive information from you, which will generally comprise, but not be limited to, the following type of information:

- Personal details e.g. name, address, contact details (phone, email), date of birth, marital status, dependents, employment details;
- Information you provide to verify your identity, e.g. passport, proof of address;
- Business details including ABNs;
- Financial details e.g. assets, liabilities, income, expenses;
- Details of all investments, superannuation, investor numbers, credit card and bank account details;
- Information relating to the previous trading experience;
- Personal goals and objectives;
- Information about your transactions in financial products;
- Taxation information including your tax file number.

If you do not provide us with the information required, we may elect to terminate our relationship with you, if we believe it will jeopardise our ability to provide you with a complete, accurate and comprehensive service. We will not collect any personal information about you except when you have knowingly provided that information to us or authorised a third party to provide that information to us. Information will be collected from a variety of sources including directly from you, external organisations and associated companies of Decode FS. We only collect, maintain and use personal and sensitive information about you if it is necessary for us to adequately provide the services requested.

## **Use and Disclosure of Information**

Any personal information about you collected by Decode FS will be used for the following purposes:

- Provision of investment services;
- Completion of associated documentation and application forms;

- To market services which may be supplied by Decode FS or by other suppliers that may be of interest to you, unless you inform us not to do so;
- To compile statistical analysis of the pages of the website you have visited;
- To participate in crime prevention, regulatory and legal compliance, including screening and comparing data against databases used for crime prevention purposes;
- To provide you with agreed services to assist in meeting your requirements, needs, goals and objectives.

The organisations we may be required to disclose information include, but are not limited to:

- Our parent company and other companies within the group;
- Financial institutions (including fund managers, financial advisers, stock brokers);
- Government departments e.g. Australian Taxation Office (ATO), ASIC and Centrelink as required by law;
- External service providers and other compliance inspectors for audit purposes;
- External parties for management of electronic communication;
- External parties contracted to perform services for Decode FS or on its behalf, such as service providers that provide data and transaction processing, IT maintenance and development and marketing services;
- Affiliated and external product and service providers for whom Decode FS acts as agent, so that they may provide you with the product or service you seek or in which you have expressed an interest;
- External parties for business acquisitions or in the event of the sale of the business;
- Any person acting on your behalf, including your financial adviser, solicitor, settlement agent, accountant, executor, administrator, trustee, guardian or attorney;
- Any other external party as authorised by you from time to time.

Furthermore, we will not use or disclose information collected about you other than for a purpose made known to you unless the disclosure is:

- Required by law (e.g. ATO, Australian Prudential Regulation Authority and ASIC have the power to order us to disclose information about your situation);
- Authorised by law (e.g. to protect our interests or where we have a duty to the public to disclose); or
- You have consented to our disclosing the information to you.

Decode FS may disclose personal information when it outsources certain functions, including bulk mailing, market research, direct marketing, statement production, debt recovery and information technology support. Decode FS may also seek expert help from time to time to improve its systems, products and services.

Decode FS undertakes not to sell, rent or trade your personal information. 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 request not to receive such information by contacting the Privacy Officer as set out below.

### **Direct marketing**

From time to time, we may also use your personal information to tell you about products and services we think may be of interest and value to you, but we will stop if you tell us to.

We may contact you by various means, including by mail, telephone, email, SMS or other electronic means such as through social media or targeted advertising through our website or online services.

If you do not want to receive direct marketing from us, you can opt-out by contacting us using the contact details at the end of this policy.

### **Security of Collected Information**

We will take reasonable steps to protect your personal information from misuse, interference, loss and unauthorised access, modification or disclosure. We may store your personal information in different forms including in hardcopy and electronic form.

We have implemented policies, procedures and systems to keep your personal information secure. In addition, we limit access to the personal information we hold to employees with a legitimate need to use it consistent with the purpose for which the information was collected, for any other matters related to that purpose that you would reasonably expect and other permitted purposes set out in this policy such as direct marketing.

When your personal information is no longer required, we will take reasonable steps to destroy, delete or de-identify your personal information in a secure manner. However, we may sometimes be required by law to retain certain information, for example, under the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth) or the Archives Act 1983 (Cth).

### **Cookies**

Decode FS collects the information about you electronically when you visit its websites. This information includes date and time of visit, number of pages viewed and how you navigate through our websites.

Cookies are small files containing information that a website uses to track its visitors. Decode FS may set and access cookies on your computer, enabling to learn which advertisements and promotions bring users to Decode FS's website. Decode FS or any of its affiliates or divisions may use such cookies.

Decode FS uses cookies to capture data which helps in improvement of the service offered and the quality of content contained on Decode FS's websites.

### **Storage and Security**

Decode FS recognises how important the privacy of your personal information is to you. We will therefore, at all times, seek to ensure that the personal information collected and held by us is protected from misuse, loss, unauthorised access, modification or disclosure. Your personal information is generally held in your personal file. Information may also be held in a computer database. All paper files are stored in secure areas. Some of the information used for e-mail communication may be held in third party databases. Computer-based information is protected through the use of access passwords. In the event you cease to be a client of this organisation, any personal information which we hold about you will be maintained in a secure on/off-site storage facility for a period of at least 7 years in order to comply with legislative and professional requirements, following which time the information will be destroyed.

### **Identifiers**

Decode FS will not adopt as our own any identifiers that you may provide to us such as Tax File Numbers, Centrelink reference numbers, Medicare numbers etc.

## **Transfer of Information Overseas**

This is required either when information is sent directly to the client, or to obtain further information from international organisations to aid services provided. Wherever possible, the information will only be transferred to another country where Decode FS reasonably believes the other country has privacy laws substantially similar to our own.

## **Access to and correction of personal Information**

You have the right to request access to your personal information and to request its correction.

You can seek access to your information or request a correction by contacting us on the details provided at the end of this Policy.

We will give you access to your personal information within a reasonable time period in a manner requested by you. We may charge a reasonable fee to cover our costs. We may decline the access in the exceptional circumstances that are permitted under the Privacy Act. If this is the case we will inform you and explain the reasons why.

We will take reasonable steps to ensure that the personal information we collect, hold, use or disclose is accurate, complete, up to date, relevant and not misleading. Reasonable steps that we may take include updating your personal information from public sources such as a telephone directory or we may ask you to confirm the personal information we hold is complete, accurate and current.

We ask that you notify us of any incorrect personal information we may hold as promptly as possible and advise of changes to your contact details in accordance with our terms and conditions. Alternatively, if you believe that any of the personal information we hold about you is inaccurate, out-of-date, incomplete, irrelevant or misleading and needs to be corrected or updated, please contact us using our details provided at the end of this Policy.

We will respond to your request to correct your personal information we hold within 30 calendar days after the request is made. There will be no charge for the making of any request. We may refuse to correct your personal information we hold about you if we do not agree with the corrections you have supplied. When we refuse your request, we will give you a written notice to that effect and an information statement if requested.

## **Quality of the Personal Information**

Decode FS is committed to ensuring that your personal information that we hold is accurate, complete and up to date. To assist us with this, please contact us if any of the details you have provided change. Furthermore, if you believe that the information we have about you is not accurate, complete or up to date, please contact us and we will take all reasonable steps to correct the information.

## **Changes to this policy**

This Policy is subject to change from time to time as Decode FS considers necessary. This Privacy Policy was last updated on 25 May 2022. We will publish material changes by making them available on our website.

If you would like a copy of our Privacy Policy in another form (such as a paper copy), we will take such steps as are reasonable in the circumstances to provide you with a copy in the requested form.

## **Privacy Complaints**

If you wish to complain about any breach or potential breach of this Privacy Policy or the APPs, you should contact us, and request that your complaint be direct to the Privacy Officer as follows:

Privacy Officer

Decode FS Fund Pty Ltd

Suite 25.01B, level 25, International Tower One, 100 Barangaroo Ave, Barangaroo NSW 2000, Australia

Email: [privacy@decfunding.com](mailto:privacy@decfunding.com)

Phone: +61 2 6190 6602

We will make every effort to resolve your complaint internally and as soon as practicable and in any event within 30 days from receipt of your complaint. 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 the Australian Financial Complaints Authority (AFCA). AFCA can consider most privacy complaints involving providers of financial services. FOS contact details are as follow:

You can contact AFCA by any of the means listed below:

By post to:	AFCA GPO Box 3 Melbourne VIC 3001
Telephone:	Free call 1800 931 678
Facsimile:	+61 3 9613 6399
Email:	<a href="mailto:info@afca.org.au">info@afca.org.au</a>
Website:	<a href="http://www.afca.org.au">www.afca.org.au</a>

If you feel that your complaint has not been resolved to your satisfaction, you may then take your complaint to the Office of the Australian Information Commission (OAIC). For more information on how you may lodge a complaint with OAIC, please contact the OAIC on 1300 363 992 or email [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au).

Australian Information Commissioner  
GPO Box 5218  
Sydney NSW 2001  
Phone: 1300 363 992

## **On-line Privacy**

Decode FS's website may contain links to other Web sites whose operator may or may not adhere to a privacy policy or be governed by the APPs. We will not collect any information about you from our website except where you knowingly provide it to us. The information collected will depend on how you use the facilities on the website and may include some of the personal details stated above. For example, if you visit the website to browse or download information, our system will record the date and time of your activities, the information viewed and/or downloaded. In the event that you

enter information in the process of completing an email or any other on-line forms, the information will be collected by Decode FS if you submit the details. Our website uses cookies, which allow us to identify your browser while you are using our site. Cookies do not identify you; they simply allow us to track usage patterns so that we can measure the level of interest in various areas of our site. All browsers have a facility to notify you when you receive a cookie and you can elect to either accept it or not. Your internet service provider should be able to assist you to set your preferences.