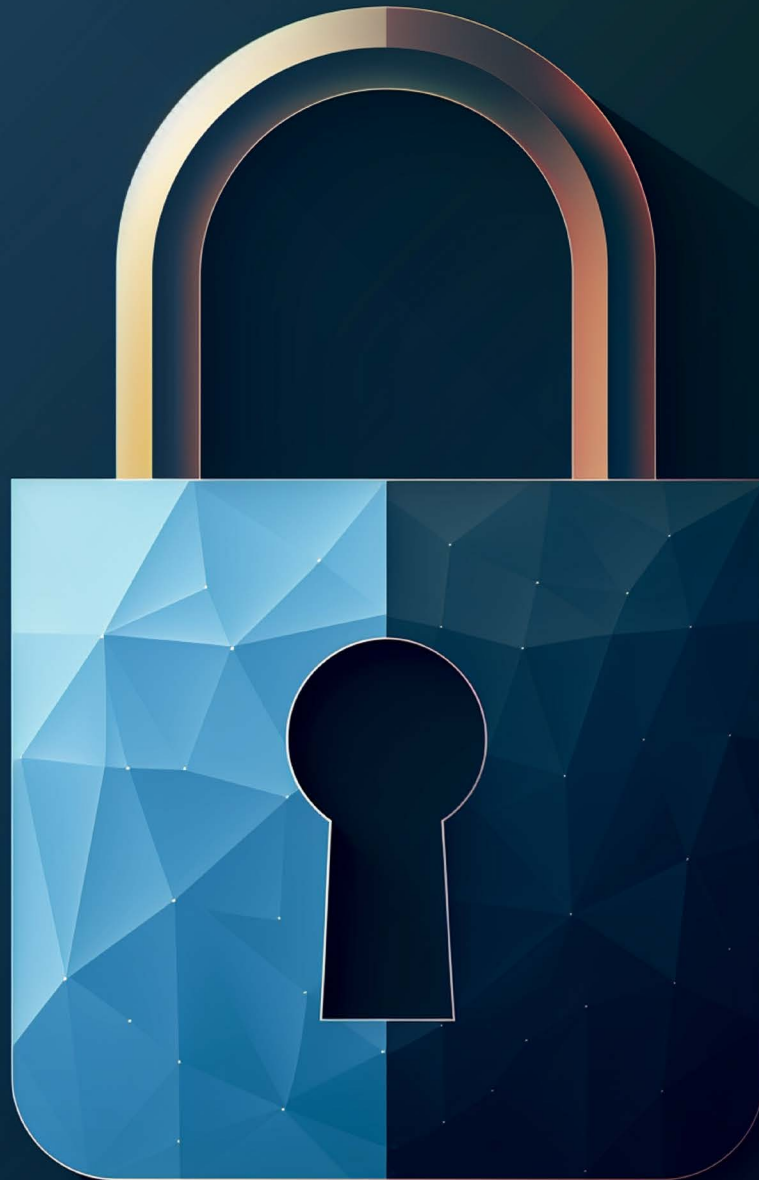




# PRIVACY STATEMENT

FINEXIA FINANCIAL GROUP LIMITED



**FINEXIA**

[www.finexia.com.au](http://www.finexia.com.au)

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Finexia Securities Limited  
AACN: 608 667 778  
AFSL: 485760

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## SECTION A – INTRODUCTION

### 1. Introduction

**1.1** Finexia Securities Ltd ABN 61 608 667 778 and its affiliates (collectively known as “Finexia Securities” or “Finexia” and referred to in this Policy as “us,” “we” and “our”) seeks to provide the best possible services to its customers by providing a range of financial products and services. We understand how important it is to protect your personal information. This document sets out our Privacy Policy commitment in respect of personal information that you may provide to us. We recognise that any personal information we collect about you will only be used for the purposes indicated in our policy, where we have your consent to do so, or as otherwise required or authorised by law. It is important to us that you are confident any personal information we collect from you or that is received by us will be treated with the appropriate respect ensuring protection of your personal information. Our commitment in respect of personal information is to abide by the Privacy Act 1988 (Cth) (“Privacy Act”), the Australian Privacy Principles and any other relevant law.

### 2. Personal Information

**2.1** When we refer to personal information we mean information or an opinion about you, that is capable, or reasonably capable, of identifying you, whether the information or opinion is true or not and is recorded in material form or not.

**2.2** Sensitive information includes such things as your racial or ethnic origin, political opinions or membership of political associations, religious or philosophical beliefs, membership of a professional or trade association or trade union, sexual orientation or criminal record, that is also personal information. Your health, genetic and biometric information and biometric templates are also sensitive information.

**2.3** We protect your personal and sensitive information in accordance with the Australian Privacy Principles and the Privacy Act.

**2.4** We collect personal and/or sensitive information to provide you with the products and services you request as well as information on other products and services offered by or through us. The law requires us to collect personal and/or sensitive information.

**2.5** Your personal and/or sensitive information may be used by us to administer our products and services, for prudential and risk management purposes and, unless you tell us otherwise, to provide you with related marketing information. We also use the information we hold to help detect and prevent illegal activity. We cooperate with police and other enforcement bodies as required or allowed by law.

**2.6** We disclose relevant personal information to external organisations that help us provide services. These organisations are bound by confidentiality arrangements. They may include overseas organisations.

**2.7** You can seek access to the personal information we hold about you. If the information we hold about you is inaccurate, incomplete, or outdated, please inform us so that we can correct it. If we deny access to your personal information, we will let you know why. For example, we may give an explanation of a commercially sensitive decision, or give you access to the information through a mutually agreed intermediary, rather than direct access to evaluative information connected with it.

## SECTION B – COLLECTION OF PERSONAL INFORMATION

### 3. Why we collect your information?

**3.1** We collect and receive personal information about you in order to conduct our business, including assessing and obtaining approval for Finexia Securities including equities, Exchange Traded Options, CFDs and other financial products. From time to time we may offer other products and services.

**3.2** We collect personal information when it is reasonably necessary for one or more of our functions or activities. These include:

- a.** providing customers with the products and services they request and, unless they tell us otherwise, to provide information on products and services offered by us and external product and service providers for whom we act as agent. (if you have provided us with your email or mobile phone details, we may provide information to you electronically with respect to those products and services);
- b.** complying with our legal obligations;
- c.** monitoring and evaluating products and services;



- d. gathering and aggregating information for statistical, prudential, actuarial & research purposes;
- e. assisting customers with queries; and
- f. taking measures to detect and prevent frauds.

#### 4. Information we may collect

**4.1** The personal and sensitive information we collect generally consists of name, address, date of birth, gender, marital status, occupation, account details, contact details (including telephone, facsimile and e-mail) and financial information.

**4.2** In addition, we obtain your consent to collect, use and disclose credit information about you.

**4.3** If you have or are applying for life insurance or income protection insurance, we also collect medical and lifestyle information that relates to the insurance. This information may include your sexual activity and is collected so we may assess whether to accept your insurance proposal and, if so, on what terms.

**4.4** We are required by law to identify you if you are opening a new account or adding a new signatory to an existing account. Anti-money laundering laws require us to sight and record details of certain documents (i.e. photographic and non-photographic documents) in order to meet the standards set under those laws.

**4.5** Where it is necessary to do so, we also collect information on individuals such as:

- a. Trustees;
- b. Partners;
- c. Company directors and officers;
- d. Officers of co-operatives and associations;
- e. Customer's agents;
- f. Beneficial owners of a client; and
- g. persons dealing with us on a "one-off" basis.

**4.6** We may take steps to verify the information we collect; for example, a birth certificate provided as identification may be verified with records held by the Registry of Births, Deaths and Marriages to protect against impersonation, or we may verify with an employer that employment and remuneration information provided is accurate.

#### 5. How do we collect your information?

**5.1** Personal information may be collected by us in a number of circumstances, including when an individual:

- a. Makes an enquiry with us via email or telephone;
- b. Lodges an enquiry or requests a quote through our website

c. Applies to invest in a financial product offered by us

d. Attends an event hosted by us; or

e. Applies to work with us.

**5.2** Where reasonable and practical we will collect your personal information only directly from you. However, we will also collect information about you from third parties such as contractors who supply services to us, authorised representatives of Finexia, referrers (such as financial advisers), from a publicly maintained record or from other individuals or companies as authorised by you. From time to time we may also purchase lists containing personal information about individuals from organisations offering such lists for marketing purposes.

**5.3** The Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth) and Anti-Money Laundering and Counter-Terrorism Financing Rules Instrument 2007 (No. 1) require us to collect certain identification information about you. We will collect personal information from third parties in respect of AML/CTF checks which are required to be carried out, under AML/CTF Legislation.

**5.4** If you do not provide the personal information requested by us, we may not be able to provide you with our services.

**5.5** If you provide personal information to us about someone else, you must ensure you are entitled to disclose the information to us and that, without us taking any further steps required by privacy laws, we may collect, use and disclose such information for the purposes described in this Privacy Policy. For example, you should take reasonable steps to ensure the individual concerned is aware of the various matters detailed in this Privacy Policy. The individual must also provide the consents set out in this Privacy Policy in respect of how we will deal with their personal information. In most cases, before or at the time of collecting your personal information, we obtain your consent to the purposes for which we intend to use and disclose your personal information.

**5.6** If you don't give us consent, we may not be able to provide you with the products or services you want. This is because we are required to collect this information to provide you advice.

**5.7** Having provided consent, you are able to withdraw it at any time. To withdraw consent, please contact our office. Please note that

withdrawing your consent may lead to us no longer being able to provide you with the product or service you enjoy given that, as mentioned above, it is impracticable for us to treat some customers differently.

## 6. Sensitive Information

**6.1** In addition to the above conditions of collecting personal information, we will only collect sensitive information about you if we obtain prior consent to the collection of the information or if the collection is required or authorised by law.

## 7. Dealing with unsolicited personal information

**7.1** If we receive personal information that is not solicited by us, we only retain it, if we determine that it is reasonably necessary for one or more of our functions or activities and that you have consented to the information being collected or given the absence of your consent that it was impracticable or unreasonable for us to obtain it under the circumstances.

**7.2** If these conditions are not met, we will destroy or de-identify the information.

**7.3** If such unsolicited information is sensitive information we will obtain your consent to retain it regardless of what the circumstances are.

## SECTION C – INTEGRITY OF YOUR PERSONAL INFORMATION

### 8. Integrity of your personal information

**8.1** We ensure that the personal information we collect and use or disclose is accurate, up to date, complete and relevant.

**8.2** Please contact us if any of the details you have provided to us change or if you believe that the information we have about you is not accurate or up to date.

**8.3** We may also take steps to update personal information we hold, for example, an address, by collecting personal information from publicly available sources such as telephone directories or electoral rolls.

### 9. Security of personal information

**9.1** We are committed to ensure that we protect any personal information we hold from misuse, interference, loss, unauthorised access, modification and disclosure.

**9.2** For this purpose, we have a range of practices and policies in place to provide a robust security environment. We ensure the ongoing adequacy of these measures by regularly reviewing them.

**9.3** Our security measures include, but are not limited to:

- a.** educating our staff as to their obligations with regard to your personal information;
- b.** requiring our staff to use passwords when accessing our systems;
- c.** encrypting data sent from your computer to our systems during internet transactions and customer access codes transmitted across networks;
- d.** employing firewalls, intrusion detection systems and virus scanning tools to protect against unauthorised persons and viruses from entering our systems;
- e.** using dedicated secure networks or encryption when we transmit electronic data for purposes of outsourcing;
- f.** providing secure storage for physical records; & employing physical and electronic means such as alarms, cameras and guards (as required) to protect against unauthorised access to buildings.

**9.4** Where information we hold is identified as no longer needed for any purpose we ensure it is effectively and securely destroyed, for example, by shredding or pulping in the case of paper records or by degaussing (demagnetism of the medium using alternating electric currents) and other means in the case of electronic records and equipment.

## SECTION D – USE OR DISCLOSURE OF PERSONAL INFORMATION

### 10. How do we use your personal information?

- a.** We use your personal information for the purpose for which it has been provided, for reasonably related secondary purposes, any other purpose you have consented to and any other purpose permitted under the Privacy Act. This may include using your personal information for the following purposes:
  - b.** to provide you with the products or services you have requested;
  - c.** to verify your identity;
  - d.** to assess, process and manage your application to be a client, including to verify your details and assess our risk;
  - e.** to assess, process and manage your application to work with us; or



**f.** for complaints handling or data analytics purposes.

**10.1** If we hold personal information about you that was collected for a particular purpose (“the primary purpose”), we do not use or disclose the information for another purpose (“the secondary purpose”) unless:

- a.** we have obtained your consent to use or disclose the information; or
- b.** you would reasonably expect us to use or disclose the information for the secondary purpose and the secondary purpose is:
  - i.** if the information is sensitive – directly related to the primary purpose; or
  - ii.** if the information is not sensitive – related to the primary purpose;
- c.** the use or disclosure of the information is required or authorised by or under an Australian law or a court/tribunal order; or
- d.** a permitted general situation exists in relation to the use or disclosure of the information by us; or
- e.** a permitted health situation exists in relation to the use or disclosure of the information by us, in which case we will de-identify the information before disclosing it; or
- f.** we reasonably believe that the use or disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

**10.2** Where we use or disclose personal information in accordance with section 13(1)(e) we keep a copy of this disclosure (e.g.: the email or letter used to do so).

## **11. Who we may communicate with**

**11.1** Depending on the product or service you have, the entities we exchange your information with include but are not limited to:

- a.** brokers and agents who refer your business to us;
- b.** affiliated product and service providers and external product and service providers for whom we act as agent (so that they may provide you with the product or service you seek or in which you have expressed an interest);
- c.** auditors we appoint to ensure the integrity of our operations;
- d.** any person acting on your behalf, including your solicitor, settlement agent, accountant, executor, administrator, trustee, guardian or attorney;
- e.** your referee (to confirm details about you);
- f.** if required or authorised to do so, regulatory bodies and government agencies;
- g.** credit reporting agencies;

- h.** insurers, including proposed insurers and insurance reference agencies (where we are considering whether to accept a proposal of insurance from you and, if so, on what terms);
- i.** medical practitioners (to verify or clarify, if necessary, any health information you may provide);
- j.** other financial institutions and organisations at their request if you seek credit from them (so that they may assess whether to offer you credit);
- k.** investors, advisers, trustees and ratings agencies where credit facilities and receivables are pooled and sold (securitised);
- l.** other organisations who in conjunction with us provide products and services (so that they may provide their products and services to you); and
- m.** professional associations or organisations with whom we conduct an affinity relationship (to verify your membership of those associations or organisations).

**11.2** Our use or disclosure of personal information may not be limited to the examples above.

## **12. Outsourcing**

**12.1** We disclose personal information when we outsource certain functions, including bulk mailing, card and cheque book production, market research, direct marketing, statement production, debt recovery and information technology support. We also seek expert help from time to time to help us improve our systems, products and services.

**12.2** We use banking agents, for example, local businesses, to help provide you with face-to-face banking services. These agents collect personal information on our behalf.

**12.3** In all circumstances where personal information may become known to our contractors, agents and outsourced service providers, there are confidentiality arrangements in place. Contractors, agents and outsourced service providers are not able to use or disclose personal information for any purposes other than our own.

**12.4** We take our obligations to protect customer information very seriously we make every effort to deal only with parties who share and demonstrate the same attitude.

## **13. Disclosure required by law**

**13.1** We may be required to disclose customer information by law e.g. under Court Orders or Statutory Notices pursuant to taxation or social security laws or under laws relating to sanctions, anti-money laundering or counter terrorism financing.

## 14. Direct marketing

**14.1** We only use or disclose the personal information we hold about you for the purpose of direct marketing if we have received the information from you and you have not requested not to receive such information.

**14.2** Direct marketing means that we use your personal information to provide you with information on our products and services that may interest you.

**14.3** If you wish to opt-out of receiving marketing information altogether, you can:

- a. call us on 1300 886 103; or
- b. write to us at info@finexia.com.au.

**14.4** We will not charge you for giving effect to your request and will take all reasonable steps to meet your request at the earliest possible opportunity.

unless required or authorised to do so by or under an Australian law, regulation or court/tribunal order.

## 17. Use or disclosure of government related identifiers

**17.1** Before using or disclosing a government related identifier of an individual, we will ensure that such use or disclosure is:

- a. reasonably necessary for us to verify your identity for the purposes of our activities or functions; or
- b. reasonably necessary for us to fulfil its obligations to a government agency or a State or Territory authority; or
- c. required or authorised by or under an Australian law, regulation or a court/tribunal order; or
- d. within a permitted general situation (other than the situation referred to in item 4 or 5 of the table in subsection 16A(1) of the Privacy Act); or
- e. reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

## SECTION E – CROSS BORDER DISCLOSURE OF PERSONAL INFORMATION

### 15. Disclosing personal information to cross border recipients

**15.1** We only disclose your personal information to a recipient who is not in Australia and who is not our entity after we ensure that:

- a. the overseas recipient does not breach the Australian Privacy Principles; or
- b. you are able to access to take action to enforce the protection of a law or binding scheme that has the effect of protecting the information in a way that is at least substantially similar to the way in which the Australian Privacy Principles protect the information; or
- c. you have consented to the disclosure after we expressly told you that there is no guarantee that the overseas recipient does not breach the Australian Privacy Principles; or
- d. the disclosure of the information is required or authorised by or under an Australian law or a court/tribunal order; or
- e. a permitted general situation (other than the situation referred to in item 4 or 5 of the table in subsection 16A(1) of the Privacy Act) exists in relation to the disclosure of the information.

## SECTION F – ADOPTION, USE OR DISCLOSURE OF GOVERNMENT IDENTIFIERS

### 16. Adoption of government related identifiers

**16.1** We do not adopt a government related identifier of an individual as our own identifier

## SECTION G – ACCESS TO PERSONAL INFORMATION

### 18. Updating your personal information

**18.1** It is important to our relationship that the personal information we hold about you is accurate and up to date. During our relationship we will ask you to inform us if any of your personal information has changed. If you consider that any information we hold about you is incorrect, you should contact us to have it updated. We will generally rely on you to assist us in informing us if the information we hold about you is inaccurate or incomplete.

**18.2** If we correct your personal information that we previously disclosed to another APP entity you can request us to notify the other APP entity of the correction. Following such a request, we will give that notification unless it is impracticable or unlawful to do so.

**18.3** If we refuse to correct the personal information as requested by you, we will give you a written notice setting out the reasons for the refusal, the mechanisms available to complain and any other relevant matter. We endeavour to give access in a way that meets both yours and our needs.

**18.4** If we refuse to correct the personal information as requested by you, you can request us to associate



with the information a statement that the information is inaccurate, out of date, incomplete, irrelevant or misleading. We will then associate the statement in such a way that will make the statement apparent to users of the information.

## **19. Access to your personal information**

**19.1** We will provide you with access to the personal information we hold about you, subject to limited exceptions in the Privacy Act as outlined below. You may request access to any of the personal information we hold about you, at any time. To access personal information that we hold about you, use the contact details specified below. We may charge a fee for our reasonable costs in retrieving and supplying the information to you.

**19.2** We respond to your request as soon as possible and in the manner requested by you. We will endeavour to comply with your request within fourteen (14) days of its receipt but, if that deadline cannot be met owing to exceptional circumstances, your request will be dealt with within thirty (30) days. It will help us provide access if you can tell us what you are looking for.

**19.3** Your identity will be confirmed before access is provided.

## **20. Denied access to your personal information**

**20.1** There may be situations where we are not required to provide you with access to your personal information. For example, such a situation would be information relating to an existing or anticipated legal proceeding with you, or if your request is vexatious. An explanation will be provided to you if we deny you access to your personal information we hold.

**20.2** Additionally, we endeavour to give access in a way that meets both yours and our needs.

**20.3** In particular circumstances we are permitted by law to deny your request for access, or limit the access we provide. We will let you know why your request is denied or limited if this is the case. For example, we may give an explanation of a commercially sensitive decision rather than direct access to evaluative information connected with it.

## **21. How safe and secure is your personal information?**

**21.1** We will take reasonable steps to protect your personal information, including your credit-related personal information, by storing it in a secure environment, and when the information is no longer needed for any purpose for which

the information may be used or disclosed, it will be destroyed or permanently de-identified. We will also take reasonable steps to protect any personal information from misuse, loss and unauthorised access, modification or disclosure

## **22. Access to a credit report about you**

**22.1** You have the right to ask for a copy of any credit report we have obtained about you from a credit-reporting agency. However, as we may not have retained a copy after we have used it in accordance with Part IIIA of the Privacy Act the best means of obtaining an up-to-date copy is to get in touch with the credit-reporting agency direct.

**22.2** You have a right to have any inaccuracies corrected or, if there is any dispute as to accuracy, to have a note added to your credit reporting agency file explaining your position. The major credit-reporting agency in Australia is Equifax, <https://www.equifax.com.au/>. As the largest agency, it is likely that it will be Equifax that you will need to contact in relation to access to an up-to-date copy of your credit report and any correction of information on your file. You can contact Equifax at <https://www.equifax.com.au/contact>.

## **SECTION H – Correction of personal information**

### **23. Correction**

**23.1** We correct all personal information that we believe to be inaccurate, out of date, incomplete, irrelevant or misleading given the purpose for which that information is held or if you request us to correct the information.

**23.2** If we correct your personal information that we previously disclosed to another APP entity you can request us to notify the other APP entity of the correction. Following such a request, we give that notification unless it is impracticable or unlawful to do so.

### **24. Refusal to correct information**

**24.1** If we refuse to correct the personal information as requested by you, we give you a written notice setting out the reasons for the refusal, the mechanisms available to complain and any other relevant matter.

### **25. Request to associate a statement**

**25.1** If we refuse to correct the personal information as requested by you, you can request us to associate with the information a statement that the information is inaccurate, out



of date, incomplete, irrelevant or misleading. We will then associate the statement in such a way that will make the statement apparent to users of the information.

## SECTION I – Contact us and complaints

### 26. Contact

**26.1** If you have any questions or would like further information about our privacy and information handling practices, please contact us by:

- a.** Email: [info@finexia.com.au](mailto:info@finexia.com.au); or
- b.** Phone: 1300 886 103; or
- c.** Post: PO Box 8228, Gold Coast MC QLD 9726.

### 27. Making a privacy complaint

**27.1** We offer a free internal complaint resolution scheme to all of our customers. If you have a privacy complaint, please contact us to discuss your concerns.

**27.2** You also have free access to an external dispute resolution scheme in which we are member.

**27.3** To assist us in helping you, we ask you to follow a simple three-step process:

- a.** Gather all supporting documents relating to the complaint.
- b.** Contact us and we will review your situation and if possible resolve your complaint immediately.

**c.** If the matter is not resolved to your satisfaction, please contact our Complaints Officer on 1300 886 103 or put your complaint in writing and send it to Finexia Securities at PO Box 8227, Gold Coast MC QLD 9726

**27.4** If you are still not satisfied, you have the right to contact the Office of the Australian Information Commissioner (“OAIC”). You can contact the OAIC to make a query concerning your privacy rights, or to lodge a complaint with the OAIC about how we have handled your personal information. You can contact the OAIC’s hotline on 1300 363 992 or visit their website at [www.oaic.gov.au](http://www.oaic.gov.au). The OAIC has the power to investigate a complaint and make a determination.

### 28. Change in our Privacy Policy

We are constantly reviewing all our policies and attempt to keep up to date with market expectations.

**28.1** We are constantly reviewing all our policies and attempt to keep up to date with market expectations. Technology is constantly changing, as is the law and market practices. Consequently, we may change this Privacy Policy from time to time or as the need arises.

**28.2** This Privacy Policy was last updated in October 2023.