

Your privacy is important to us and we are committed to being open and transparent about how we manage personal information. This helps build community trust and confidence in our organisation. Your Personal Information may be collected for the purposes of providing you a service by our Authorised Representatives, their staff and related entities of ClearView Financial Advice. If you have any concerns on how we manage your Personal Information, please refer to the Complaints section of this policy or speak to your Adviser.

The policy is divided into the following sections. You can move to each section by clicking onto the hyperlinked text below:

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## Who we are

In this Privacy Policy, references to 'we', 'our', 'us' and 'CFA' (as applicable), are to ClearView Financial Advice Pty Ltd (AFSL Number 331367, ABN: 89 133 593 012).

CFA is wholly owned by ClearView Wealth Limited (ClearView Wealth), which is an ASX listed financial services company providing life insurance, wealth management and financial planning solutions in Australia.

ClearView Wealth's subsidiaries include ClearView Life Assurance Limited (ABN 12 000 021 581), ClearView Life Nominees Pty Limited (ABN 37 003 682 175), ClearView Financial Management Limited (ABN 99 067 544 549), ClearView Financial Advice Pty Limited (ABN 89 133 593 012 and AFSL Number 331367) and Matrix Planning Solutions Limited (ABN 45 087 470 200 and AFSL Number 238256). Each of these related entities are bound by the provisions of the Privacy Act 1988 and the Australian Privacy Principles. The *ClearView Information Handling Policy* sets out how the ClearView Group manages Personal Information.

## Definitions

**Authorised Representative** means an Authorised Representative as defined in the *Corporations Act 2001* (Cth).

**Adviser** has the same meaning as Authorised Representative. May also be referenced as Financial Planner or Financial Adviser.

**ClearView Group** means ClearView Wealth Limited and all of its subsidiaries.

**Financial Service** means the provision of financial products such as life insurance, superannuation and retirement income, managed investments and financial planning services and financial product advice.

**Personal Information** means information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether true or not, and whether recorded in a material form or not.

**Sensitive Information** means information or an opinion about an individual's:

- racial or ethnic origin;
- political opinions or membership of a political association;
- religious or philosophical beliefs or affiliations;
- membership of a professional or trade association or trade union;
- sexual orientation or practices; or
- criminal record

that is also Personal Information or

- health information about an individual;
- genetic information about an individual that is not otherwise health information;
- biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or
- biometric templates.

## This Policy

This Privacy Policy applies to CFA, our employees, and our Authorised Representatives and their staff. Authorised Representatives are those individuals licensed by CFA (and registered with ASIC) as suitably qualified to provide financial advice to individuals and small businesses. Some may be employees of small practices, or principals of those practices.

This policy sets out how we and our Authorised Representatives manage your Personal Information. We respect the privacy of any Personal Information we collect about you and are committed to ensuring that this is handled in accordance with the provisions of the Privacy Act 1988, the Australian Privacy Principles, the FSC Life Insurance Code of Practice and any other applicable privacy related laws. Where there is specific legislation, this will generally govern how we use Personal Information despite the provisions of the Privacy Act 1988. For example, for certain Financial Services, we are required to collect your tax file number and provide that information to the Australian Taxation Office.

This policy is specific to the services provided under our Australian Financial Services Licenses and by our Advisers (and related staff). It has been written specifically for clients of CFA because of the unique relationship Advisers have with their clients.

This policy is written as an extension to the ClearView Information Handling Policy. This policy does not replace or override the *ClearView Wealth Limited [Information Handling Policy](#)*. In the event of any inconsistencies between this policy and the ClearView Information Handling Policy, the Information Handling Policy will prevail. Our Privacy Policy will be reviewed from time to time to take into account new laws and technology, changes to our operations and practices and to make sure it remains appropriate to the changing environment.

## Your Privacy

### Collection of Personal Information

Advisers have a legal obligation to provide appropriate advice and act in the best interests of their clients. The extent of information they require from you may vary, however it is often the full picture of an individual's relevant personal circumstances. The information they collect is necessary to not only meet these standards, but also to complete any transactions on your behalf with various product issuers, such as superannuation funds, life insurers and home lending providers. These product providers may be part of the ClearView Group or external companies. These can be services provided over the short term, however they are often part of a long term relationship with an Adviser.

Collecting Personal Information also allows us to meet Australian and international legal or regulatory obligations that we, or product providers, might have. These may include, but are not limited to, our obligation to identify and verify clients under the *Anti-Money Laundering & Counter Terrorism Financing Act 2006 (AML/CTF Act)* or provide information to the US government if a client is considered a US resident for tax purposes under the *US Foreign Account Tax Compliance Act*.

### Collection of Personal Information from other people

In some instances, your information may also need to be collected from third parties such as your employer if you are a member of a corporate superannuation plan, or from your accountant, mortgage broker or solicitor. These may also be provided or received from third parties to enable a secondary service, such as when referred to a solicitor for Estate Planning purposes. In these cases, we will ask for your consent.

## Relatives, Dependents and Other Individuals

To enable our Advisers to provide their financial planning advice and services, often your relevant personal circumstances will include information regarding your family situation, such as information about your partner, dependants, beneficiaries and children. This information will only be gathered where it is necessary to provide you services, such as financial planning advice, or for example, where members of your family may become beneficiaries to your life insurance policy or superannuation fund. You are not obligated to provide this information, however it may affect the quality of, or restrict the services provided to you.

Where this information is reasonably required from you, and you willingly provide it, we expect and *assume that you have their consent* to provide this information to us.

In these circumstances, you need to ensure that they are aware:

- That you have provided their personal information to us
- Of who we are and how they can contact us
- That they may access the Personal Information that we hold about them
- Of the purposes for which you provided their Personal Information to us
- That their Personal Information will be handled in accordance with this Policy, and
- We recommend that you refer them to this Policy.

## Use and Disclosure of Personal Information

### How do we use your Personal Information?

The Personal Information we hold is used for the primary purpose of providing you financial planning advice services as well as reviewing your ongoing needs. We may also use your Personal Information for related secondary purposes such as: enhancing customer service and product options; communicating with you regarding the products and service you have with us; handling your complaints; and giving you ongoing educational information, newsletters or marketing that we believe may be relevant to your financial needs and circumstances. Where the secondary purpose is unrelated to the primary purpose you have sought our services for, we will ask for your consent. You may provide your consent in writing, or via telephone.

Depending on the product or service concerned, your Personal Information may be disclosed to:

- Other areas within the ClearView Group, who provide financial and other related services.
- Advisers, brokers and those who are authorised by us to review the client's needs and circumstances from time to time.
- Service providers and specialist Advisers to us who have been contracted to provide CFA with administrative, financial, insurance, accounting, legal, information technology, research or other services.
- Other insurers, credit providers, courts, tribunals and regulatory authorities as agreed or authorised by law.
- Credit reporting or reference agencies or insurance investigators.
- Organisations in connection with the sale or proposed sale of all or part of the ClearView Group and/or your Adviser's business and to the use of that personal information by those organisations for those purposes.
- AUSTRAC, the government agency who oversees Anti-Money Laundering and Counter Terrorism. Before we arrange the provision of products or services to a client, we are required to validate the client's identity. We will request and copy some personal documents for that purpose. We are also required to provide details of entities and certain transactions where we hold reasonable suspicion of reportable suspect matters.

- Product or service providers who have an obligation to disclose information to the Australian Tax Office (ATO) where the ATO has agreements to share information with overseas tax authorities.
- Relevant external dispute resolution bodies who would handle your complaint.

Generally, we require that organisations outside the ClearView Group who handle or obtain Personal Information as service providers acknowledge the confidentiality of this information, undertake to respect any individual's right to privacy and comply with the privacy laws.

### **Independent service provider**

The Advisers authorised by us, may engage individually (or via us), independent service providers to assist them in providing services to you. These independent service providers may already be used by us, or may otherwise be engaged in the future. These services may range from contracted staff for back office duties, and client relationship management systems, to more complex tasks such as accessing direct share advice (on behalf of clients) from specialist share brokerage firms.

These independent service providers (located in Australia) are still bound by the Privacy Act 1988 including the Australian Privacy Principles, and we will also adhere to this policy when dealing with them.

### **Sensitive Information is subject to greater restrictions**

Some Personal Information we hold is classed as Sensitive Information. Sensitive Information may have further restrictions on its disclosure.

Sensitive Information is usually needed for applications for personal insurance and to manage claims on those products. It may also be relevant to credit and other applications. It is CFA's policy that Sensitive Information will be used and disclosed only for the purposes for which it was provided, unless the client agrees otherwise or the use or disclosure of this information is allowed by law.

We will only collect Sensitive Information from you where it is reasonably necessary for us to provide the service to you and with your consent, or in limited other circumstances specified under privacy laws.

Unless we have your consent, we cannot use or disclose Sensitive Information about you for any purpose other than the primary purpose of collection or a directly related secondary purpose; nor can it be shared by related bodies corporate in the same way that they may share other Personal Information. Documents asking for Sensitive Information will explain this.

### **Marketing material**

From time to time, ClearView Group (and its related entities) or your Adviser may promote opportunities or products that we believe may be relevant to your financial needs and circumstances.

You can inform us if you do not wish to receive marketing material from us as your Adviser's licensee or your Adviser. The ability to 'opt-out' does not include important disclosure documents and letters your Adviser may send you that include portfolio updates on your current investments, an offer of review or other communications required as part of an Adviser's general obligations.

Please understand that there could be a delay of up to 60 days before your request is fully implemented, and we apologise if you receive marketing material in this time. You will find details on how to contact us at the end of this Policy.

## **Information Security**

### **How does ClearView Financial Advice and its Advisers keep my Personal Information secure and for how long is it kept?**

We take all reasonable steps to ensure that your Personal Information is kept secure and is protected from misuse, loss and unauthorised access, modification and disclosure. If you use the secure member sections of our websites we will verify your username and password. Once verified, you will have access

to secured content.

We may need to maintain records for a significant period of time. Unless otherwise required by law, when we consider information is no longer needed, we will remove any details that will identify you or we will securely destroy the records. Under the Corporations Act 2001 (Cth), Advisers are obligated to retain a client's 'financial planning file' for a period of 7 years from the date of their last provision of service. The financial planning file will contain a client's personal information. Processes are in place to ensure this information is securely stored.

Safeguarding the privacy of your information is important to us, whether you interact with us personally, by phone, mail, over the internet, or other electronic medium. We train our employees, Advisers and their staff who handle Personal Information to respect the confidentiality of client information and the privacy of individuals.

ClearView Wealth has appointed a [Privacy Officer](#) to ensure that the management of Personal Information by it and its subsidiaries is in accordance with its privacy policy (including this policy) and the *Privacy Act*.

### **Cross-border disclosure of Personal Information (overseas recipients)**

In the course of providing you with Financial Services, we may either engage organisations based overseas or organisations based in Australia that utilise some services themselves from overseas. Some of the organisations to which we may disclose your personal information may be located outside New South Wales or Australia in countries including New Zealand, Japan, South Africa, USA, member states of the European Union, India, Vietnam, Malaysia, Singapore, Thailand, Sri Lanka, Cambodia, Hong Kong and the Philippines. ClearView may send your Personal Information to them, including through electronic transmission. Where personal information is disclosed, we require our contractors and service providers to comply with the provisions of the Privacy Act 1988 and the FSC Life Insurance Code of Practice (where applicable).

Where we disclose your Personal Information to contractors and service providers and we are aware that your Personal Information may be accessed by, or provided to, another party via that contractor or service provider, we will do all that we reasonably can to ensure that any further party granted access to your Personal Information will comply with the Privacy Act 1988 and the FSC Life Insurance Code of Practice (where applicable).

Where this takes place, we will endeavour to protect your personal information and your privacy as we would in Australia. ClearView may send your Personal Information to them, including through electronic transmission. Where personal information is disclosed, we require our contractors and service providers to comply with the provisions of the Privacy Act 1988 and the FSC Life Insurance Code of Practice (where applicable).

### **Dealing with breaches**

We consider breaches of your privacy to be very serious and will ensure that appropriate investigation and where necessary, appropriate penalties (including dismissal in some cases) are applied.

From 22 February 2018, we will be required to notify you and the Office of the Australian Information Commissioner (OAIC) if an 'eligible data breach' occurs in relation to your personal information that is held by us or another entity with whom we have shared your information. A data breach may occur if your personal information is lost or subjected to unauthorised access, modification, disclosure or other misuse or interference. This obligation extends to breaches that occur within Australia, and where the information is held overseas.



## Access and Correction

### Can I access my Personal Information?

Under the Privacy Act, you have the right to access any Personal Information that we hold about you and to advise us or your Adviser of any inaccuracy. You can ask us for access to Personal Information that we hold about you at any time. To do so, please call ClearView on 1800 265 744 or email [privacyofficer@clearview.com.au](mailto:privacyofficer@clearview.com.au) and ask for a Request for Personal Information Form which will be sent to you to complete.

We will respond to your request within 30 calendar days. We may charge a fee to cover the cost of verifying the application and locating, retrieving, reviewing and copying any material requested. If the information sought is extensive, we will advise the likely cost in advance and can help to refine your request if required.

We will provide you with access to Personal Information held about you except to the extent that we are permitted to refuse access in accordance with the Privacy Act 1988, and the Australian Privacy Principles. If we refuse to provide you with access to some information, we will provide you with our reasons in writing for doing so.

### Correction of Personal Information

We will correct any Personal Information that we hold about you if we become aware that it is inaccurate, incomplete, out of date, irrelevant or misleading.

If you believe that the Personal Information we hold about you is inaccurate, incomplete, out of date, irrelevant or misleading, you can ask us to correct it and we will take reasonable steps to do so. If we disagree about any information being inaccurate, incomplete or out of date and you ask us to do so, we will take reasonable steps to include a note on your record that you believe that such information is inaccurate, incomplete or out of date.

## Enquiries and Complaints

If you consider that any action by us breaches this Privacy Policy, the Australian Privacy Principles or otherwise fails to respect your privacy, you can make a complaint. Upon lodgement of a complaint with us, you will receive an acknowledgement of receipt and an indication of the timeframe in which we will respond to your complaint. We will try to resolve your complaint within 45 days. When this is not possible, we will inform you of the reasons for the delay.

To make a complaint, please forward it in writing to:

[Complaints Manager](#)

ClearView Financial Advice Pty Ltd

GPO Box 4232, Sydney NSW 2001

Email: <mailto:complaints@clearviewadvice.com.au>

Phone: 1800 290 813

If you are not satisfied with our response to your complaint, you can escalate the matter to the Office of the Australian Information Commissioner (OAIC) to complain about the way we have handled your personal information. The OAIC can be contacted at:

Office of the Australian Information Commissioner

GPO Box 5218, Sydney NSW 2001

Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

Phone: 1300 363 992