

Birlinging - Privacy Policy

Privacy



Birling™

Contents

| | |
|---|----------|
| Background..... | 3 |
| Purpose..... | 3 |
| Privacy Statement..... | 3 |
| About Birling Wealth Management..... | 4 |
| Commitment to Privacy & Responsible use of information | 4 |
| What Information is Collected, Why & How it’s Collected & How it is Used | 4 |
| Security..... | 5 |
| Access..... | 5 |
| Anonymity..... | 6 |
| Data Sovereignty..... | 6 |
| Accuracy of Information | 7 |
| Complaints Resolution | 7 |
| Third Party Web Sites..... | 8 |
| Cookies | 9 |
| Changes to our Privacy Policy..... | 9 |
| Contact Details | 9 |

Background

The *Privacy Act 1988* (Privacy Act) is an Australian law which regulates the handling of personal information about individuals.

The Privacy Act includes thirteen Australian Privacy Principles (APPs). The APPs set out standards, rights and obligations for the handling, holding, use, accessing and correction of personal information (including sensitive information).

Purpose

Birling Wealth Management (Birling) AFSL 504220 | ABN 52 618 678 096 recognises that your privacy and the security of your personal information is paramount. As a financial services company, Birling takes every precaution to ensure that your privacy is maintained, and that any personal information is stored securely.

The purpose of this Privacy Policy is to clearly outline:

- Birling’s adherence to the *Privacy Act 1988* (The Act), the Australian Privacy Principles (APPs);
- What information is collected, why it is collected and what it is used for; and
- Birling’s commitment to ensuring your privacy is maintained and your personal information is secure.

Should you have any questions about this Privacy Policy please contact info@birling.com.au. Further information on privacy in Australia may be obtained by visiting the website of the Office of the Australian Information Commissioner at www.oaic.gov.au.

Privacy Statement

This Privacy Policy is authorised for distribution by Birling Wealth Management.

Entity: Birling Pty Ltd trading as **Birling Wealth Management**
Level 13, 83 Mount Street, North Sydney NSW 2060

ABN: 52 618 678 096

Version: BIR-Policy-Privacy v1.1-20190401

AFSL: 504220

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Review: 31 March 2020

This Policy shall be published on the licensee’s website and made available on request.

About Birling Wealth Management

Birling is a well-respected financial wealth management firm with a focus on embracing new technology, research and products to ensure that we can deliver, accurate, efficient and hassle-free advice.

The firm draws on more than 20 years' industry experience specialising in financial planning. We and our staff offer a high level of trusted advice to our existing clientele along with a refreshing alternative for new clients seeking a personal, trusted and valued relationship.

Birling holds an Australian Financial Services Licence (AFSL) which has been issued by the Australian Securities and Investments Commission (ASIC).

Birling is required to comply with the obligations of the Corporations Act and the conditions of its licence. This includes the need to have adequate compensation arrangements in place with a Professional Indemnity insurer for the financial services that it and its current and past representatives provide.

Commitment to Privacy & Responsible use of information

Birling Wealth Management abides by the applicable *Australian Privacy Principles (APPs)* enacted in 2014 as the *Privacy Amendment (Enhancing Privacy Protection) Act 2012*, which amends the *Privacy Act 1988*.

Birling is required to meet particular legislative and regulatory requirements. In order to provide comprehensive wealth management advice to you, we are required to collect certain personal information from you. This policy will address how personal information you provide to us is collected, held, used, corrected, disclosed and transferred.

What Information is Collected, Why & How it's Collected & How it is Used

As a financial services organisation, we are subject to certain legislative and regulatory requirements which necessitate us obtaining and holding detailed information which personally identifies you and/or contains information about you ("personal information"). In addition, our ability to provide you with a comprehensive advisory service is dependent on us obtaining specific information about you including but not limited to:

- Your name, date of birth and tax file number;
- Current addresses, telephone, mobile, fax numbers, e-mail address;
- Employment details and employment history;
- Details of your financial needs and objectives;

- Your current financial circumstances, including assets and liabilities (both actual and potential), income expenditure, insurance cover and superannuation;
- Details of your investment preferences and aversions or tolerance to risk;
- Any other information relevant to your needs;
- Information regarding your dependents & family commitments.

Failure to provide the personal information referred to above may expose you to higher risks in respect of the recommendations made to you and may affect the adequacy or appropriateness of advice we give you.

We are required, pursuant to the Corporations Act, to collect sufficient information to ensure appropriate advice can be given in respect of recommendations made to our clients. If you elect not to provide us with the personal information referred to above, we may elect to terminate our retainer with you if we believe we are unable to provide you with an appropriate service.

We also have a requirement to collect certain personal information for the purpose of reporting to AUSTRAC under the *Anti-Money Laundering & Counter Terrorism Financing Act 2006*. This information will be securely stored and only divulged if required under Law.

Security

Your personal information is held in your client file which may be physical, electronic or a combination of both. These records are accessible only to authorised personnel.

We will 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. At all times your personal information is treated as confidential and any sensitive information is treated as highly confidential. All paper files are stored in lockable cabinets that are secured out of hours. Access to our premises is tightly controlled. All computer-based information is protected through the use of passwords, access control lists, with a high level of auditability.

It is a legislative requirement that we keep all personal information and records for a period of 7 years. Should you cease to be a client of ours, we will maintain your personal information on or off site in a secure manner for 7 years. After this, the information will be destroyed.

Access

You may at any time, by contacting us by any of the methods detailed below, request access to your personal information. We will then (subject to the following exceptions) provide you with access to that information either by providing you with copies of the information requested, allowing you to inspect the information requested or

providing you with an accurate summary of the information held. We will, prior to providing access in accordance with this policy, require you to provide evidence of your identity.

We will not provide you access to personal information which would reveal any confidential formula or the detail of any in-house evaluative decision-making process but may instead provide you with the result of the formula or process or an explanation of that result.

We will not provide you with access to your personal information if:

- Providing access would pose a serious threat to the physical or mental well-being, financial loss, or damage to the reputation of another person;
- Providing access would have an unreasonable impact on the privacy of others;
- The request for access is frivolous or vexatious;
- The information related to existing or anticipated legal proceedings between us and would not be discoverable in those proceedings;
- Providing access would reveal our intentions in relations to negotiations with you in such a way as to prejudice those negotiations;
- Providing access would be unlawful
- Denying access is required or authorised by or under law;
- Providing access would be likely to prejudice certain operations by or on behalf of an enforcement body or an enforcement body request that access not be provided on the grounds of national security.

In the event we refuse you access to your personal information, we will provide you with an explanation for that refusal.

Anonymity

Due to the nature of the financial services industry there are few cases where anonymity can be assured. You may deal with us anonymously where it is lawful and practicable to do so, for example, if you telephone requesting our postal address.

Data Sovereignty

While all physical data will be stored within our offices in Australia, electronic records will be hosted in data centres located in Australia unless disclosed otherwise.

As a provider of financial services, we have obligations to disclose some personal information to government agencies and regulators in Australia, and in some cases offshore. We are not able to ensure that foreign

government agencies or regulators will comply with Australian privacy laws, although they may have their own privacy laws.

We may disclose your personal information to other members of the Birling team, anyone we engage to do something on our behalf, and other organisations that assist us with our business. We may also use your information to tell you about products or services we think may interest you.

We may disclose your personal information to an entity which is located outside Australia. Details of the countries where the overseas recipients are likely to be located are in our privacy policy.

We may also use your information to comply with legislative or regulatory requirements in any jurisdiction if necessary in running our business, to prevent fraud, crime or other activity that may cause harm.

We will not send any personal information about you overseas unless you consent to it or we are obligated to do so under law.

By using our products or services, you consent to these disclosures.

Accuracy of Information

We will endeavour to ensure that, at all times, the personal information about you which we hold is up to date and accurate. In the event that you become aware, or believe that any personal information which we hold about you is inaccurate, incomplete or outdated, you may contact us by any of the methods detailed below and provide to us evidence of the inaccurate, incomplete or out-dated information and we will, if we agree that the information requires correcting, take all reasonable steps to correct the information.

If we do not agree that your personal information requires correcting, we must, if you request, take reasonable steps to ensure that whenever your personal information is accessed or handled in the future, it is apparent that you are not satisfied as the accuracy or completeness of that information.

We will endeavour to respond to any request for access within 14-30 days depending on the complexity of the information and/or the request. If your request is urgent, please indicate this clearly.

Complaints Resolution

If you wish to complain about any suspected breach of this privacy policy or the Australian Privacy Principles, you should contact us by any of the methods detailed below and request that your complaint be directed to the Privacy Officer.

We have a data breach response plan and process in place in line with the *Privacy Amendment (Notifiable Data Breaches) Act 2017* enacted 22 February 2018, an amendment to the *Privacy Act 1988*, referred to as the Notifiable Data Breach (NDB) Scheme. If a breach is considered an Eligible Data Breach, Birling will notify any affected parties as well as the OAIC within 30 days.

For complaints not related to data breaches, your complaint will be considered within 7 days and responded to. 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 lodge a complaint with the Australian Financial Complaints Authority (AFCA). AFCA provides fair and independent financial services complaint resolution that is free to consumers. You can contact AFCA on:

Online: www.afca.org.au

Email: info@afca.org.au

Phone: 1800 931 678

Mail: Australian Financial Complaints Authority
GPO Box 3
Melbourne VIC 3001

Third Party Web Sites

Birling Wealth Management may provide links to third-party web sites whose operators may or may not adhere to a privacy policy or be governed by the National Privacy Principles.

While it is not necessary to register your personal details to use our web site, we do offer a registration service, which will enable you to receive product and service updates, newsletter and other information. In the event you do register with us, we will collect personal information from you including your name and e-mail address.

If you have registered with us and decide, at any time, that you do not wish to receive any further information from us, you can send an e-mail us at info@birling.com.au requesting to be removed from our online registration database. Please allow 2 weeks for your request to be actioned.

You may amend or update your registration details by sending an e-mail to info@birling.com.au providing your amended details. Please allow two weeks for your request to be actioned.

Cookies

Our website uses cookies, which allows 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 allow you to be notified when you receive a cookie and elect to either accept it or not. Your Internet service provider should be able to assist you to set your preferences.

Changes to our Privacy Policy

This policy will be reviewed no less than every 12 months and updated as required due to changes in technology, legislation or regulatory requirements.

Contact Details

Birling Wealth Management

Level 13, 83 Mount Street

North Sydney NSW 2060

Ph: +61 2 9194 5006

E: info@birling.com.au