

# **PRIVACY POLICY**

## **Butler & Butler Investment Services Pty Ltd**

December 2014

Prepared by  
Butler & Butler Investment Services Pty Ltd

# PRIVACY POLICY

## BUTLER & BUTLER INVESTMENT SERVICES PTY LTD

### PRIVACY POLICY

IMPLEMENTED November 2001

REVIEWED December 2014



**PROFESSIONAL PRACTICE**  
FINANCIAL PLANNING ASSOCIATION of AUSTRALIA

Butler & Butler Investment Services Pty Ltd abides by the National Privacy Principles established under the Privacy Amendment (Private Sector) Act, 2001. The Privacy Amendment (Enhancing Privacy Protection) Act sets out a number of Australian Privacy Principles (APPs). Our aim is to both support and ensure that we comply with these principles. Further information on privacy in Australia may be obtained by visiting the website of the Office of the Federal Privacy Commissioner at <http://www.privacy.gov.au>.

As a financial services organisation we are subject to certain legislative and regulatory requirements which necessitate us to obtain personal information about you, including s961B of the Corporations Act.

We collect information about you for the purpose of reporting to AUSTRAC under the Anti-Money Laundering and Counter-Terrorism Financing Act 2006.

Detailed below, for your information, is our policy on the management of personal information.

As a financial planning 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 or an opinion about you ("personal information"). In addition, our ability to provide you with a comprehensive financial planning and advice service is dependent on us obtaining certain personal information about you, including:

- personal details of health, address, age, marital status and family;
- details of your financial needs and objectives;
- details of your current financial circumstances, including your assets and liabilities (both actual and potential), income, expenditure, insurance cover and superannuation;
- details of your investment preferences and aversion or tolerance to risk;
- employment details and employment history;
- information about your employment history, employment circumstances, family commitments and social security eligibility;

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 to you.

As we are required pursuant to the Corporations Act and Rules of Professional Conduct of the Financial Planning Association of Australia 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 a complete 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.

Generally collection of your personal information will be effected in either face-to-face interviews, over the telephone or by way of an online client engagement form. From time to time additional and/or updated personal information may be collected through one or more of those methods.

We will only collect, maintain and use Personal Information about you if it is necessary for us to adequately provide to you the services you have requested including:

- the preparation of your financial plan;
- the provision of financial planning advice to you;
- making insurance risk, securities and investment recommendations;
- reviewing your financial plan;
- reviewing insurance risk, securities and investment recommendations;

We will not use or disclose Personal Information collected by us for any purpose other than:

- the purposes for which it was provided or secondary related purposes in circumstances where you would reasonably expect such use or disclosure; or
- where you have consented to such disclosure; or
- where the National Privacy Principles authorise use or disclosure where required or authorised under law, in circumstances relating to public health and safety and in connection with certain operations by or on behalf of an enforcement body.

## PRIVACY POLICY (cont)

We may disclose your personal information to organisations outside Butler & Butler Investment services Pty Ltd. The organisations to which we disclose information may include:

- compliance consultants to ensure that our representatives are meeting our compliance standards;
- paraplanning contractors or temporary staff to handle workloads during peak periods;
- mailing houses;
- your professional advisers, including your solicitor or accountant as authorised by you;
- information technology service providers to maintain, review and develop our business systems, procedures and infrastructure including testing or upgrading our computer systems;
- Product planning and development advisers
- Where you have given your consent including your legal advisers

Note: These organisations will be required to maintain confidentiality.

We are required under the Rules of Professional Conduct of the Financial Planning Association of Australia to make certain information available for inspection by the Association on request to ensure ongoing compliance with mandatory professional standards. This may involve the disclosure of your personal information. We are also obliged pursuant to the Corporations Act to maintain certain transaction records and make those records available for inspection by the Australian Securities and Investments Commission.

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, by contacting us by any of the methods detailed below, request not to receive such information and we will give effect to that request. Please allow 2 weeks for your request to be actioned.

We may disclose your personal information to another financial planner during periods when this office is unmanned or closed so that you can be assured of receiving a continued service.

We may disclose your Personal Information to superannuation fund trustees, insurance providers, and product issuers for the purpose of giving effect to your insurance risk planning, financial plan and the recommendations made by us.

In order to ensure that you receive a personal and tailored service, your Personal Information may be transferred to one of our agents or authorised representatives who will be your primary point of contact with the organisation. It is a condition of our agreement with each of our representatives that they adopt and adhere to this privacy policy. You can be assured that any agent or representative will maintain your information in accordance with this policy. If you have any concerns in this regard, you should contact us by any of the methods detailed below.

We may disclose your personal information to external contractors for the following purposes:

- Taxation accounting,
- Centrelink review or communication.

It is a condition of our agreement with each of our external contractors that they adopt and adhere to this privacy policy. You can be assured that any contractor to whom your information is disclosed will maintain your information in accordance with this policy. If you have any concerns in this regard, you should contact us by any of the methods detailed below.

In the event that we propose to sell our business we may disclose your personal information to potential purchasers for the purpose of them conducting due diligence investigations. Any such disclosure will be made in confidence and it will be a condition of that disclosure that no personal information will be used or disclosed by them. In the event that a sale of our business is effected, we may transfer your personal information to the purchaser of the business. As a client you will be advised of any such transfer.

Your personal information is generally held in your client file. Information may also be held in a computer database.

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 which are locked out of hours. All record movements off premises are recorded in a central register. Access to our premises is controlled by allowing personnel with security passes only to access the premises. All computer based information is protected through the use of access passwords on each computer and screen saver passwords. Data is backed up each evening and stored securely off site.

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 off site storage facility for a period of 7 years in order to comply with legislative and professional requirements, following which time the information will be destroyed.

## PRIVACY POLICY (cont)

You may at any time, by contacting us by any of the methods detailed below, request access to your personal information and we will (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 formulae or the detail of any in house evaluative decision making process, but may instead provide you with the result of the formulae or process or an explanation of that result.

Although in certain circumstances we are required to collect government identifiers such as your tax file number, Medicare number or pension card number, we do not use or disclose this information other than when required or authorised by law or unless you have voluntarily consented to disclose this information to any third party.

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

- providing access would pose a serious threat to the life or health of a 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 relation 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 requests 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.

You can deal with us anonymously where it is lawful and practicable to do so.

We maintain a Register for those individuals not wanting direct marketing material.

We take our obligations to protect your information seriously, this includes when we operate throughout Australia and overseas, as part of our operations some uses and disclosures of your information may occur outside your State or Territory and/or outside of Australia. In some circumstances we may need to obtain your consent before this occurs.

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 inaccuracy or incompleteness or out datedness 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 to 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.

If you wish to complain about any breach or potential breach of this privacy policy or the National Privacy Principles, you should contact us by any of the methods detailed below and request that your complaint be directed to the Privacy Officer. 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 contact the Office of the Privacy Commissioner who may investigate your complaint further.

### Contact Details

Privacy Officer:	<i>Brad Butler</i>
Address:	<i>Butler &amp; Butler Investment Services Pty Ltd</i>
Telephone:	<i>(08) 8552 2411</i>
e-mail:	<i>brad@bbpl.com.au</i>

# BUTLER & BUTLER INVESTMENT SERVICES PTY LTD

## PRIVACY STATEMENT

The following procedures relate to the actions of staff associated with or employed by Butler & Butler Investment Services Pty Ltd who are involved in the process financial planning and the related services therein.

### **Butler & Butler Investment Services Pty Ltd's commitment to your privacy**

Butler & Butler Investment Services Pty Ltd recognises your privacy is important to you and you have the right to control your personal information. This Privacy statement relates to all personal information you may provide Butler & Butler Investment Services Pty Ltd and will be used to safeguard your privacy, unless you give us permission to use your information in another way.

By "personal information" we refer to information about an individual whose identity is apparent or can be reasonably ascertained from the information stored.

### **Personal Information collected by Butler & Butler Investment Services Pty Ltd and how we use it**

All personal information collected from is done so with the intention of responding to your requests and ensuring our communications with you are relevant to your needs. The situations in which you will be asked to provide personal information online may include:

- When you request investment advice  
Extensive personal information will be collected when you access the Financial Planning and Investment Services of Butler & Butler Investment Services Pty Ltd. This personal information is stored in order to provide you with ongoing Financial Planning and Investment advice and reviews into the future.
- When you submit a query  
When you submit a query to Butler & Butler Investment Services Pty Ltd we will collect your contact details and some very basic personal information to ensure we can contact you with a response to your query.
- When you provide your address, phone number, fax number or e-mail address  
Your contact details are stored in order to provide you with the option of receiving Butler & Butler Investment Services Pty Ltd communications in the future.

If you no longer wish to receive certain communications from Butler & Butler Investment Services Pty Ltd (excluding legally required communications) please contact us on (08) 8552 2411.

### **Confidentiality**

Any personal information collected is used only for the purposes outlined above. Meeting your needs as an Adviser may involve providing data to an agent, contractor or third party service provider, which provides financial, administrative or other services to us in connection with the operation of our business. In these circumstances the personal information will always be under a duty of confidentiality to us.

Otherwise, **we will not pass any information you provide to us to persons outside** Butler & Butler Investment Services Pty Ltd.

### **Access to personal information**

Your personal details are available for you to review or update at any time.

### **Security**

As an investor or Financial Planning Client you will be able to access information and transact with Butler & Butler Investment Services Pty Ltd. However you will need to provide two particulars identifying you as the individual whose information is being accessed.

## About this Privacy Statement

This Privacy and Security Statement applies to the Financial Planning Services of Butler & Butler Investment Services Pty Ltd (ABN 92 053 326 944).

This Privacy and Security Statement may also apply to services offered by any subsidiary of ABN 92 053 326 944 or on websites hosted by third parties. This Privacy and Security Statement may also apply to services offered by third parties or businesses reasonably associated with the Financial Planning business of Butler & Butler Investment Services Pty Ltd.

Butler & Butler Investment Services Pty Ltd plans to utilise technological developments to further develop their services to ensure you are provided with a continuously high standard of service. We encourage you to view the Privacy and Security Statement periodically because the statement may change from time to time, to reflect these developments.

As a conclusion it may be useful to refer to the "The financial planning process" as defined by the **Financial Planning Association of Australia Limited (FPA)**.

The FPA has provided the following definition of financial planning:

"Financial Planning is the process of providing advice and assistance to a client for the purposes of achieving the client's financial goals."

The FPA defines the six steps of the financial planning process as follows

1. The collection and analysis of all relevant personal and financial data.
2. The identification of financial problems.
3. The identification of financial goals and objectives.
4. The provision of a written report with recommendations.
5. The co-ordination and implementation of recommendations.
6. The provision or periodic reviews and plan updates.

Butler & Butler Investment Services Pty Ltd adheres to the intent of the Privacy Amendment (Private Sector) Act 2000 and the FPA's guidelines on implementation of the Act as outlined in the Privacy Implementation Kit – 22 November 2001, a copy of which can be requested.

The Privacy Amendment (Enhancing Privacy Protection) Act sets out a number of Australian Privacy Principles (APPs). Our aim is to both support and ensure that we comply with these principles. Further information on privacy in Australia may be obtained by visiting the website of the Office of the Federal Privacy Commissioner at <http://www.privacy.gov.au>.

As a financial services organisation we are subject to certain legislative and regulatory requirements which necessitate us to obtain personal information about you, including s961B of the Corporations Act.

We collect information about you for the purpose of reporting to AUSTRAC under the Anti-Money Laundering and Counter-Terrorism Financing Act 2006.

# PRIVACY POLICY DISCLOSURE STATEMENT

## YOUR PRIVACY

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### Privacy Disclosure Statement

In order to comply with the requirements of the Privacy Act, we are required to advise you that this firm holds personal information about you. The information has been and will continue to be collected by us for the purpose of providing you with financial planning services including:

- the preparation of your Statement of Advice;
- the provision of financial planning advice to you;
- making securities and investment recommendations;
- reviewing your financial strategy;
- reviewing securities and investment recommendations.

We are required, pursuant to the Corporations Act, certain regulations issued by the Australian Securities and Investments Commission and the Rules of Professional Conduct of the Financial Planning Association, of which this organisation is a member, to collect information about you for the purpose of providing you with the services referred to above. If you do not provide us with the information requested by us, we may not be able to provide you with the services you require of us.

We will from time to time disclose information about you to authorised representatives of this firm and to other professionals, insurance providers, superannuation trustees and product issuers in connection with the purposes detailed above. In the event we consider it necessary to use or disclose information about you for purposes other than those detailed above, or related purposes, we will seek your consent.

We collect information about you for the purpose of reporting to AUSTRAC under the Anti-Money Laundering and Counter-Terrorism Financing Act 2006.

You are entitled to obtain access to the information that we hold about you by contacting Brad Butler on 08 8552 2411, by email to [brad@bbpl.com.au](mailto:brad@bbpl.com.au) or by writing to Butler & Butler Investment Services Pty Ltd at PO Box 477, Victor Harbor SA 5211.

A detailed copy of Butler & Butler Investment Services Pty Ltd Privacy policy is available on the [bbpl.com.au](http://bbpl.com.au) website or by writing to -

Butler & Butler Investment Services Pty Ltd at PO Box 477, Victor Harbor SA 5211.