

**APN** | Property Group

# Privacy Policy

February 2018



## Contents

<b>1</b>	<b>Purpose of this policy</b>	<b>2</b>
<b>2</b>	<b>Overview</b>	<b>2</b>
<b>3</b>	<b>Privacy Policy</b>	<b>2</b>
3.1	Rights to Privacy	2
3.2	What kinds of personal information does APN Group collect?	2
3.3	Collection of personal information	3
3.4	Why does APN Group need personal information?	3
3.5	Direct marketing	4
3.6	Sharing information with other organisations	4
3.7	Security of your personal information	4
3.8	Can you access the personal information APN Group holds about you?	5
<b>4</b>	<b>Contact</b>	<b>6</b>
4.1	Privacy Complaints	6
<b>5</b>	<b>Questions and concerns</b>	<b>7</b>
<b>6</b>	<b>Review of policy</b>	<b>7</b>
<b>7</b>	<b>Legal and regulatory framework</b>	<b>7</b>
<b>8</b>	<b>Definitions</b>	<b>7</b>

# Privacy Policy

## 1 Purpose of this policy

The purpose of this policy is to outline APN Group's policy in relation to the collection, storage, use, disclosure and other management of personal information.

## 2 Overview

APN Group, including APN Funds Management Limited (**APN FM**) (in its own capacity and in its capacity as trustee or responsible entity of an APN fund), is required to comply with the Australian Privacy Principles (**APP**) set out in the *Privacy Act 1988* (Cth) (**Privacy Act**) and has developed a privacy policy, which details APN Group's management of personal information that it collects from individuals.

## 3 Privacy Policy

### 3.1 Rights to Privacy

APN Group understands the importance of protecting individuals' rights to privacy. We have prepared this statement to help you understand how we manage personal information and how we aim to protect the privacy of your personal information. In handling personal information, APN Group is subject to the Privacy Act and complies with the Australian Privacy Principles in the Privacy Act. This policy describes the way APN Group collects, uses, discloses and otherwise manages your personal information and your rights in relation to our management of your personal information. This policy may be updated from time to time.

### 3.2 What kinds of personal information does APN Group collect?

For the purposes of the Privacy Act, personal information is information or an opinion, whether true or not and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

Generally, APN Group will collect personal information, such as your name and contact details including home address and e-mail address and any other information, necessary to provide our funds management and other services to you or to provide you with information about APN Group and/or our products and services.

The specific kinds of personal information we collect will depend on our dealings with you. For example, where you invest in a fund or other product of APN Group, we may collect information such as your name, residential and business address, date of birth, contact details (such as email and phone numbers), income details, asset and liabilities information, tax details (whether in Australia or overseas) and financial statements, employment details and details regarding your financial or accounting advisors, as well as information regarding your investment in the fund or product and other dealings with APN Group.

Where you attend seminars, briefings or other events conducted by APN Group or sign up for newsletters or other similar information services of APN Group, we may collect information such as your name, contact details (such as email and phone numbers) and details regarding any funds, products or services you have expressed an interest in.

APN Group will not generally collect or hold sensitive information about you, unless APN Group is required to do so by law. Sensitive information includes information about your race, political or religious beliefs, sexual preferences, criminal convictions, membership of professional or trade associations or unions or health information.

### 3.3 Collection of personal information

APN Group collects personal information in a range of circumstances including where you apply to invest in a fund or other product of APN Group, request information regarding APN Group or its products or services, attend seminars or other events conducted by APN Group, sign up for newsletters or other similar information services of APN Group or otherwise engage with APN Group. Where you are an investor in a fund or other product of APN Group, APN Group will collect personal information from you to process and establish that investment and also in the course of administering that investment.

Generally, APN Group collects your personal information directly from you, for example by requesting that you complete an application form.

There may be occasions when APN Group will collect your personal information from a third party. For example APN Group may collect your personal information from a publicly maintained record, a third party broker, a person authorised by you (such as your accountant or financial advisor) or our agents or service providers (such as registry service providers).

In the event that APN Group collects your personal information from a third party, we will take reasonable steps to inform you of certain matters, such as APN Group's identity and contact details.

### 3.4 Why does APN Group need personal information?

APN Group collects, holds, uses and discloses personal information for the purposes of operating its funds management business and providing its funds management and related services, including to:

- provide you with information regarding the funds and other products or services of APN Group;
- process your application for investments in the funds or other products or services of APN Group;
- establish your investment in a fund or other product or service of APN Group; and
- administer your investment in a fund or other product or service of APN Group.

Where you invest in a listed fund or other listed product of APN Group, APN Group will collect, hold, use and disclose your personal information to comply with its legal obligations under the listing rules or other relevant laws applying to that listed fund or other listed product.

APN Group may also collect, hold, use and disclose personal information to undertake identification and verification processes in accordance with the Anti-Money Laundering and Counter Terrorism Financing Act or any other relevant laws.

For certain investors, APN Group may also be required to collect and disclose certain personal information to the Australian Taxation Office in order to comply with the Foreign Account Tax Compliance Act (FATCA) or Common Reporting Standard (CRS).

A failure to provide your personal information may affect APN Group's ability to provide our range of products and services to you and may result in APN Group not being able to process

your application for investment in our funds or other products or otherwise provide services to you.

### 3.5 Direct marketing

In addition to the purposes set out above, APN Group may collect, use and disclose your personal information to inform you of products, services or offers of APN Group which may be of interest to you. Where you are an investor in a fund or other product of APN Group, this may include providing you with direct marketing information regarding the other funds or products of APN Group.

APN Group may contact and communicate with you for the purpose of direct marketing via the telephone, post, facsimile, email or SMS.

**If you do not want to receive this information or do not want APN Group to use or disclose your personal information for direct marketing purposes, you can opt out by contacting our Privacy Officer or by letting us know that you wish to opt out of receiving this information and/or APN Group using or disclosing your personal information for direct marketing purposes.**

### 3.6 Sharing information with other organisations

APN Group may disclose your personal information to third parties for the purposes detailed in paragraphs 3.4 and 3.5 above.

The types of organisations to which APN Group may disclose the personal information APN Group holds about you include:

- your adviser and dealer group;
- the other entities within APN Group or other related companies of APN Group (such as subsidiaries or holding companies of Group entities);
- any third party service provider APN Group may engage to provide custody, administration, technology, auditing, mailing, printing or other services;
- Government authorities when and to the extent required by law; and
- APN Group's professional advisers (including legal and accounting firms, auditors, consultants and other advisers). Such disclosure will only be done on a confidential basis.

APN Group does not currently disclose personal information to recipients located overseas or have established plans to do so. If APN Group is likely to disclose personal information to recipients located overseas, APN Group will update this privacy policy regarding the likely disclosures (including, if it is practical to do so, the countries in which such overseas recipients are likely to be located).

### 3.7 Security of your personal information

APN Group may hold personal information in both hard copy and electronic forms.

APN Group will take all reasonable steps to ensure that the personal information it holds is protected against misuse, loss, unauthorised access, modification or disclosure. Personal information is held on secured servers or in storage located in controlled, access restricted environments. APN Group's employees (including senior management) are aware of their

obligations and the importance of good information handling and security obligations. They are required to maintain the confidentiality of any personal information held by APN Group.

Personal information may also, in certain circumstances, be held on behalf of APN Group in hard copy or electronic forms by APN Group's service providers (such as offsite document storage providers or electronic data storage providers). APN Group enters into agreements with such service providers which impose confidentiality and privacy obligations on the service provider.

**3.8 APN Group will also take reasonable steps to destroy or permanently de-identify personal information if no longer needed for purposes stated under section 3.4 above.****Data breach notification**

From 22 February 2018, in accordance with the Privacy Act, APN Group will report certain data breaches (known as Notifiable Data Breaches) to both individuals affected by the breach and the Office of the Australian Information Commissioner (OAIC). A data breach is when personal information held by an entity is lost or subjected to unauthorised access, modification, disclosure, or other misuse or interference. Some data breaches are notifiable under the Privacy Act.

A notifiable data breach may occur where personal information held by an agency or organisation is lost or subjected to unauthorised access or unauthorised disclosure.

To be a notifiable data breach, the data breach must, depending on the circumstances, be one that may or is likely to result in serious harm to an individual whose personal information was part of the data breach. Whether the harm is serious harm to an individual depends upon a variety of circumstances but may include serious physical, psychological, emotional, economic, financial and reputational harm.

APN Group has procedures in place to ensure that any identified or suspected data breaches are dealt with promptly, appropriately and escalated accordingly.

**3.9 Can you access the personal information APN Group holds about you?**

APN Group will take steps reasonable in the circumstances to ensure that the personal information APN Group collects, holds, uses and discloses is accurate, complete, up-to-date, relevant and not misleading.

You have the right to request access to the personal information APN Group collects and holds about you. You also have the right to request correction of the personal information APN Group collects and holds about you,

If at any time you would like to request access to or correction of the personal information about you APN Group collects and holds you can contact our Privacy Officer using any of the below contact details:

Privacy Officer  
APN Property Group Limited  
Level 30, 101 Collins Street  
MELBOURNE 3000  
Phone: +61 3 8656 1000  
Fax: +61 3 8656 1010  
E-mail: apnpg@apngroup.com.au

APN Group will seek to respond to requests for access to or correction of personal information within 30 days of the date of the request.



If APN Group refuses any request for access to or correction of personal information held by APN Group, written reasons for that refusal will be provided by APN Group.

## **4 Contact**

APN Group has appointed a Privacy Officer to assist you with any inquiries, complaints or feedback you may have. Please contact our Privacy Officer at:

Privacy Officer  
APN Property Group Limited  
Level 30, 101 Collins Street  
MELBOURNE 3000  
Phone: +61 3 8656 1000  
Fax: +61 3 8656 1010  
E-mail: [apnpg@apngroup.com.au](mailto:apnpg@apngroup.com.au)

### **4.1 Privacy Complaints**

Please direct all privacy complaints to our Privacy Officer in the first instance. Privacy complaints will normally need to be made in writing.

A privacy complaint relates to any concern or dispute that you have with our privacy practices as it relates to your personal information. This could include matters such as:

- (a) if you believe APN Group has breached the APP's, a binding registered APP code or any other relevant obligations under the Privacy Act with respect to your personal information;
- (b) how your personal information is collected;
- (c) how your personal information is stored;
- (d) how your personal information is used or disclosed; or
- (e) how access to your personal information is provided.

At all times, privacy complaints will:

- (a) be treated seriously;
- (b) be dealt with promptly;
- (c) be dealt with in a confidential manner; and
- (d) not effect your existing obligations to the commercial arrangements that exist between APN Group and you.

The Privacy Officer will commence an investigation into your complaint and will respond to the complaint within a reasonable period of time. You will be informed of the outcome of your complaint following the completion of the investigation. In the event you are dissatisfied with the outcome of your complaint, you may refer the complaint to the Office of the Australian Information Commissioner.

## 5 Questions and concerns

If any individual including APN Staff has questions or concerns from time to time about the subject matter or requirements of this policy, that person should contact the APN Group Privacy Officer in the first instance. using the contact details set out in paragraph 4 of this policy.

## 6 Review of policy

This policy will be reviewed at least annually (or more regularly if there are changes to the legal or regulatory framework which applies to this policy) to ensure it is renewed and updated appropriately. APN Group will notify any changes by posting an updated version of the policy on APN Group website at <http://www.apngroup.com.au>

## 7 Legal and regulatory framework

APN Group's collection, storage, use, disclosure and other management of personal information is subject to relevant legislation, including the Privacy Act.

Amongst other things, the Privacy Act sets out 13 Australian Privacy Principles, which are binding principles that APN Group is required to comply with in relation to APN Group's collection, storage, use, disclosure and other management of personal information.

The Office of the Australian Information Commissioner is the statutory agency responsible for a number of functions in relation to the Privacy Act, including conducting investigations handling complaints and reviewing notifiable data breaches in relation to the Privacy Act and the Australian Privacy Principles.

## 8 Definitions

In this policy, unless the context otherwise requires:

**APN Entity** means any member of the APN Group and any of the APN Funds.

**APN FM** means APN Funds Management Limited.

**APN Fund** means any managed investment scheme managed by APN FM or any other member of the APN Group.

**APN Group** means APN PG and any of its controlled or related entities.

**APN PG** means APN Property Group Limited.

**APP** means the Australian Privacy Principles as set out in the *Privacy Act 1988* (Cth).

**Corporations Act** means the *Corporations Act 2001* (Cth).

**Privacy Act** means the *Privacy Act 1988* (Cth).

**Privacy Officer** means the APN Group staff member appointed from time to time to assist with overseeing privacy compliance within APN Group.