



CYGNETCAPITAL

20th May 2018

Privacy Policy

Cygnet Capital recognises the importance of the personal information we hold about individuals and the trust placed in us. We understand how important it is for you to know how we deal with your personal information. This Privacy Policy is intended to provide a general overview of our policies in respect of handling of your personal information. We hope that you will better understand how we keep personal information private and secure while using it to provide better products and services. 'Personal information', for the purposes of this Privacy Policy is information about, and which identifies, individuals, whether that information is obtained from the relevant individual or from a third party.

Scope

This Privacy Policy applies to Cygnet Capital includes Cygnet Capital Limited and its affiliated entities, including its related bodies corporate (as defined under the Corporations Act 2001 (Cth)).

In this Privacy Policy, the members of the Cygnet Capital are individually and collectively referred to as 'Cygnet Capital', 'we' or 'us'.

We are committed to safeguarding your personal information in accordance with the requirements of the Australian Privacy Principles (APPs) contained in the Privacy Act 1988 (Cth) and any amendments thereto. If you are in a country that is a member of the European Economic Area (EEA), this Privacy Policy provides additional terms for the protection of your 'personal data' under the General Data Protection Regulation 2016/679 (GDPR).

In general, we will not use or disclose such information collected about you otherwise than for the purposes set out in this Privacy Policy, for a purpose you would reasonably expect, a purpose required or permitted by law, or a purpose otherwise disclosed to, or authorised by you. We may, in connection with particular services we offer or provide to you, make other privacy disclosures to you or seek your authority to use your personal information in ways which are different from or more specific than those stated in this Privacy Policy. In the event of any inconsistency between the provisions of this Privacy Policy and those additional materials, the provisions of the additional materials will prevail.

Personal Information

The Australian Privacy Principles came into force on 12 March 2014, but some of the principles have application to personal information collected prior to as well as after that date. This means that for personal information we hold, which was collected prior to that date, we will, in accordance with those particular principles:

- take reasonable steps to ensure that such information, if used, is accurate, complete and up to date;
- take reasonable steps to protect it from misuse, loss or unauthorised access or disclosure;
- provide you with access to the information if we still use it;
- not use any government identifier to identify you; and
- only transfer such information overseas with your consent or as authorised by the principles.

Except in so far as this Privacy Policy further addresses the particular principles reflected above, the remainder of this document is concerned with personal information which is collected on or after 12 March 2014.

Collection of Personal Information

Cygnnet Capital collects personal information that we believe is necessary to deliver our services or products or otherwise for our primary business functions and/or activities. Ordinarily we only collect information about you when you provide it to us or it is provided to us with your authority.

Cygnnet Capital only collects personal information by lawful and fair means and not in an unreasonably intrusive way. The types of personal information we collect generally includes:

- your name, address, date of birth, telephone number, email address;
- financial information including your financial needs and objectives, your current financial circumstances including your assets and liabilities, income, expenditure, insurance cover and superannuation;
- details of your investment preferences and risk tolerance;
- information necessary to make or receive payments to or from you or necessary to effect transactions in financial products on your behalf; and
- any other information that we consider necessary.

If it is reasonable and practicable, we will collect personal information directly from you when you apply for a product or a service, deal with us as a key contact or employee of a client, deal with us over the telephone or in person, send us a letter or visit our website, www.cygnnetcapital.com.au. On occasions, we may collect personal information about you from third parties, for example, share registries, ASIC, identification service providers or credit reporting agencies.

If you fail to provide the personal information we reasonably request, we may not be permitted under the law to provide services to you, you may not receive payments owing to you as efficiently as possible, or we may not be able to communicate with you.

Apart from the necessity to collect your information in order to provide a service to you or maintain our relationship with you, the purposes for which we would generally collect and use your personal information will include:

- complying with legislative and regulatory requirements;
- performing our administrative operations, including accounting, risk management, record keeping, archiving, systems development and testing and staff training;
- conducting market or customer satisfaction research;
- inviting you to other events that may interest you;
- developing and identifying products and services that may interest you; and
- (unless you ask us not to) telling you about other products and services we offer.

‘Lawful processing’ grounds on which we will use personal information about you are where you have provided us with consent; where we have contractual necessity or where we have a legitimate interest.

Personal Information about third parties

If at any time you supply us with personal information about another person, you should ensure that you are authorised to do so and you must agree to inform that person who we are, that we will use and disclose that personal information, and that they may gain access to it should we hold that information.

Use and disclosure of personal information

You authorise Cygnet Capital to disclose necessary information to related companies, affiliates and any agents or contractors who provide services to us in connection with the provision of products or services you have sought from us. These parties are prohibited from using your personal information except for the specific purpose for which we supply it to them.

Subject to what is permitted by law, the types of third parties we may disclose your personal information to include:

our agents, contractors, insurers and external advisers we engage from time to time to carry out, or advise on, our functions and activities;

- any person or organisation who introduces you to us;
- organisations that you have consented to your personal information being disclosed to;
- regulatory bodies, government agencies, law enforcement bodies and courts;
- to ASX Group, Chi-X Australia Pty Limited and The National Stock Exchange;
- debt collection agencies;
- other financial institutions; and
- any person to the extent necessary, in our view, in order to carry out the instructions you give to us.

In some cases, we may need to transfer your personal information outside Australia. For example, if you trade in securities listed on overseas exchanges, we may be required to provide your personal information to our overseas agents. If we believe that the overseas third party is not subject to, or has not agreed to comply with, privacy obligations equivalent to those which apply to us, we will seek your consent to transfer the information, except where the Australian Privacy Principles do not require us to do so.

Our Website

Our compliance with the Australian Privacy Principles also extends to when you transact business via our website. Our website terms and conditions and any privacy notices are clearly posted on all pages of the website. When you use a link from the Cygnet Capital website to the websites of third parties, those websites are not subject to Cygnet Capital privacy standards.

Those third parties are responsible for informing you of their own privacy policies. User names and passwords are required to access those areas of our website that are restricted to clients. You are reminded that these user names and passwords are strictly for your personal use only.

You are responsible for all acts that result from any use of your user name and password, whether authorised or not, or that result from your failure to maintain security. You must notify us immediately if you consider that the security of your user name and password has been breached.

For statistical purposes we collect information on website activity (such as the number of users who visit the website, their country, the date and time of visits, the number of pages viewed, navigation patterns and the operating systems and browsers used to access the site). This information on its own does not identify an individual but it does provide us with statistics that we can use to analyse and improve our website. When you use our website, we send you a 'cookie'. A cookie is a packet of information that allows the server to identify and interact more effectively with your computer, by providing you with a unique identification number. This identification number is either sent or confirmed each time you use our website. Cookies are used to identify individual users, a user's browser type and your Internet Service Provider. You can configure your browser to accept all cookies, reject all cookies, or notify you when a cookie is sent. However, if you do not accept cookies, you may not be able to make full use of the Cygnet Capital website.

Right of European Clients

Although our Privacy Policy explains how Cygnet Capital meets its obligations under the Australian Privacy laws, we understand that we also have some clients who are habitually located in the European Union that have additional rights in respect of their Personal Data under the European GDPR. Personal Data is defined under the GDPR as: "Any information relating to an identified or identifiable natural person, who can be directly or indirectly identified in particular by reference to an identifier". This should be considered fundamentally interchangeable with the Australian expression "Personal Information" for the purposes of this Privacy Policy. Under the GDPR, Cygnet Capital is primarily a controller of Personal Data, as opposed to being a processor. As part of its' GDPR compliance, Cygnet Capital provides our products and services in a way that ensures Personal Data is processed fairly, lawfully and in a transparent manner and collected and processed only for specified and lawful purposes.

Access to your personal information

If at any time you wish to know what personal information we are holding about you, you are welcome to ask us for your details by writing to us in a form or manner which identifies the nature of the personal information requested. The appropriate contact is:

General Manager
Cygnet Capital
Level 10, 63 Exhibition Street
Melbourne VIC 3000

Email: Si@cygnetcapital.com.au

Under certain circumstances we may not be able to tell you what personal information we hold about you. This includes where the information:

- relates to suspicions of unlawful activity, or misconduct of a serious nature and giving access would be likely to prejudice the taking of appropriate action in relation to the matter by Cygnet Capital or an enforcement body;
- would have an unreasonable impact on the privacy of another individual;
- relates to existing or anticipated legal proceedings with you;
- would reveal a commercially sensitive decision-making process or evaluative information; or
- prevents us by law from disclosing the information, or providing access which would prejudice certain investigations

We will take reasonable steps to ensure that your personal information is accurate, complete and up to date. If at any time, you find that current personal information we hold about you is inaccurate, incomplete or out of date, please contact your Adviser immediately and we will correct it, or advise you of any additional information we require to make the change.

Exercising your other rights

You have a number of other rights in relation to the personal data we hold about you. You have the right to:

- Seek human review of automated decision-making or profiling, such as you have the right to review the risk profile that has been generated based on your answers about your personal circumstances and tolerance to risk and to either agree or disagree with the result
- Opt-out of direct marketing, and profiling for marketing; to opt out, simply choose 'unsubscribe' on the email or publication received
- Opt-out of processing for research / statistical purposes, or processing on the grounds of 'public interest' or legitimate interest'
- Erasure; you have the right to ask us to delete or remove your personal data where there is no legitimate reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing. Note, however that we may not always be able to comply with your request for erasure due to relevant retention periods and legal requirements
- Data portability; upon your request we can provide you or a third party you have chosen with your personal information in a structured, commonly used, machine-readable format

- Temporary restriction or processing - you have the right to object or restrict us using your personal data

To seek to exercise any of these rights, please contact us.

Complaints

If you believe that the privacy of your personal information is not being adequately protected, you should contact our General Manager. We will make every effort to resolve your complaint internally. If we do not resolve your complaint to your satisfaction, you may lodge a complaint with the Office of the Australian Information Commissioner (OAIC) by calling them on 1300 363 992, or writing to them at OAIC, GPO Box 5218, Sydney NSW 2001. If you are in the European Union, you can choose to instead lodge a complaint with your local Data Protection Authority (DPA). The list of DPA's is at http://ec.europa.eu/justice/article-29/structure/data-protection-authorities/index_en.htm

Security of your personal information

Cygnnet Capital will take reasonable steps to protect the personal information we hold from misuse and loss, and from unauthorised access, modification or disclosure. In line with our internal authorisation and access policies, employees only have access to information on a need to know basis.

Cygnnet Capital takes reasonable steps to destroy or permanently de-identify personal information if it is no longer needed. Cygnnet Capital also protects the security of your personal information when transmitted over the internet.

We use strong, industry standard, encryption to protect all client data. When you browse or logon to the encrypted section of the site, a secure session is established using the HTTPS protocol, which is an industry standard secure browsing standard. This ensures that the information sent between your browser and the Web server cannot be tampered with or read by others during transmission. It is recommended that you use a web browser that supports HTTPS. No data transmission over the internet can be guaranteed as fully secure and we cannot guarantee or warrant the security of any information you send to us over the internet. You submit information over the internet at your own risk.

Transfer of personal information overseas

Cygnnet Capital sometimes uses contracted service providers who either host or store personal information overseas. This means Cygnnet Capital may transfer personal information about you between countries, such as Singapore, to those service providers for the purposes outlined in this policy. In the event Cygnnet Capital or the contractor transfers your personal information outside Australia, we will comply with the requirements of the Privacy Act that relate to trans-border data flows.

Direct Marketing

We may use your personal details, including your address, to provide you with newsletters and information about products, services or other events that may be of interest to you. If at any time you do not wish to receive such marketing information, you have the option to ask us not to send you any further such material – you may do so by writing to your Adviser or our Privacy Officer.

Identifiers

Cygnnet Capital will not adopt as its own identifier an identifier that has previously been assigned by a government agency (or by an agent of, or contractor to, a government agency or contracted service provider for a Commonwealth contract). We will only use and disclose such identifiers for purposes required by law.

Changes to this Privacy Policy

Please note that this Privacy Policy may change from time to time. You may at any time request a current copy from our Privacy Officer. We encourage you to review our Privacy Policy periodically for any changes.

Need more information?

If you have a query concerning how your personal information is collected and used or regarding Cygnnet Capital Privacy Policy, please contact our General Manager at si@cygnetcapital.com.au. Additional information, including the Australian Privacy Principles, may be found on the Australian Information Commissioner's website at www.oaic.gov.au.