

Ausbil Investment Management Limited

Privacy Policy

April 2025

Ausbil Investment Management Limited (“Ausbil or we”) respects your right to privacy and is committed to handling your personal information in accordance with the Australian Privacy Principles (‘APPs’) in the Privacy Act 1988 (Commonwealth) (‘Act’).

1. About this Policy

This Policy explains how we collect, use, disclose, hold, protect or otherwise handle your personal information in accordance with the APPs.

2. What is personal information?

The term ‘Personal information’ has the meaning given to it in the Act. In general, ‘personal information’ is information or opinion that can be used to reasonably identify you, whether the information or opinion is true or not.

Personal information may also include ‘sensitive information’ if it includes information or an opinion about an individual’s racial or ethnic origin, political opinions or associations, religious or philosophical beliefs, trade union membership or associations, sexual orientation or practices, criminal record, health or genetic information, some aspects of biometric information.

Ausbil will not collect sensitive information about you without your consent unless it is required to do so by Australian laws.

3. Collection

3.1. What we collect

We will only collect personal information about you where it is reasonably necessary for us to carry out one or more of our business activities or functions. As such, the nature of our business relationship with you, the product or service that we provide or receive and our legal obligations will determine what information we collect.

If you are an investor or client, we (or our service providers) may collect your name, residential and/or postal address, date and place of birth, contact details including telephone numbers and email address, gender, employment information, financial details (including banking details, investment details), government issued identifying numbers (such as tax file number or national identity number), citizenship, passport details, or other information that we consider necessary to provide our product or service.

In the context of our recruitment process, we may collect your name, date of birth, residential address, citizenship, employment references, background checks, education, employment history, contact details including telephone numbers and email or other information that we consider necessary to process your employment application.

3.2. How we collect

Where it is reasonable and practicable to do so, we will collect personal information directly from you. We may collect your personal information in a number of ways including in person, online meetings, by telephone, letter, email, any complaint or expression of dissatisfaction that we may receive, through investment forms including paper based or online, through our service providers, by signing up (or agreeing during meetings with us to sign up) to our newsletters, events or seminars or by using our website.

By providing us with your personal information, you consent to us using, disclosing and otherwise handling your personal information in accordance with this Policy, as updated from time to time.

You are not required to give us the information that we request. However, if you do not give us the information that we ask for or the information you give us is incomplete or inaccurate, we may not be able to provide you with our products or services, enter a business relationship with you or continue with your recruitment or employment.

We may not always be able to collect your personal information directly from you. Sometimes, we collect your personal information from another source including from your nominated agent (such as a financial adviser, broker, agent or attorney); publicly available sources of information such as telephone directories, market research organisations for the purpose of product development, customer research or marketing, membership lists of business or professional organisations; from government agencies including but not limited to the Australian Securities and Investments Commission, the Department of Foreign Affairs and Trade, Australian Federal Police and the Australian Transaction Reports and Analysis Centre.

3.3. Anonymity and pseudonymity

Generally, it is not possible for us to provide you with our products or services unless we have identified you.

If it is lawful and practicable to do so, we may offer you the opportunity to deal with us anonymously or use a pseudonym. For example, when making a general inquiry about our products or services.

3.4. How we handle unsolicited information

If we receive unsolicited information about you (that is information we have taken no active steps to collect), and if it is lawful to do so, we will destroy or de-identify this information as soon as reasonably practicable in accordance with the APPs.

4. Use and Disclosure

4.1. How we use your personal information

We collect, use and disclose personal information for the primary purpose of carrying out activities or functions in connection with our investment management business including:

- verify your identity;
- provide you with our products or services;
- answer enquiries and provide information about our products or services;
- establish and manage your accounts or investments with us;
- implement your investment instructions, process contributions, transfer monies or pay benefits;
- report the investment performance of your account;
- keep you up to date on other services and products offered by us including providing marketing information and materials;
- conduct market research to develop new products;
- to organise and manage events supporting our commercial activities;
- detect and prevent fraud, security incidents or crimes;
- comply with our internal policies and procedures;
- comply with laws, regulations, rules, directions, or requests from regulatory or government bodies;
- process an application for employment;
- investigate and respond to any complaint; and/or
- establish, exercise or defend legal rights or for the purpose of legal proceedings.

The Act permits us to use and disclose your personal information for a secondary purpose in certain circumstances. These may include:

- where you have consented to that particular use and disclosure;
- where you would reasonably expect us to use or disclose your information for the secondary purpose, and the secondary purpose is related to the primary purpose of collection; or
- we are required by or authorised by or under Australian law or a court/tribunal order.

4.2. Direct marketing

We may use or disclose your personal information to let you know about, and develop, products and services that we consider may be of interest to you. We may use a number of channels to communicate with you including by telephone, SMS, email, social media and online advertising. If you do not want us to use your personal information for direct marketing purpose, you can let us know by contacting us at privacy@ausbil.com.au. Alternatively, you can opt-out of receiving marketing communications by using the opt-out mechanism provided within the communication. We will give effect to your request as soon as reasonably practicable or within 5 Business Days.

4.3. Third party disclosure

We may, to provide our products and services to you or otherwise for the reasons set out in 4.1, disclose your personal information to various third parties, including:

- Service Providers: unit registry services, custodians, investment administrators, printing and mail houses.
- Business Management Services: consultancy firms, auditors, insurers, legal and other professional advisers.
- Business Administration Services: IT service providers including hardware and software vendors, financial institutions.
- Authorised Persons: your financial adviser, broker, solicitor or accountant, executor, administrator, trustee, guardian or attorney.
- Regulatory Bodies: government agencies, law enforcement bodies, courts, tribunals or statutory bodies.
- Dispute resolution bodies: Australian Financial Complaints Authority or other governing bodies.

4.4. Related body corporates

Ausbil is owned by its employees and New York Life Investment Management Holdings LLC (**NYLIM**), a wholly owned subsidiary of New York Life Insurance Company.

As a member of NYLIM's affiliated boutiques, we may need to send your personal information to related body corporates of NYLIM in order to perform our business activities or functions or otherwise provide our products or services to you.

4.5. Overseas

There are instances where we may send your personal information overseas including:

- when you have asked us to do so;
- to our related bodies corporates with operations outside of Australia as noted in 4.4 above;
- when we are authorised or required to do so by law;
- when we have outsourced a business activity or function to a service provider with whom we have a contractual arrangement and this activity is conducted overseas; or
- certain electronic transactions.

Below is a list of countries outside of Australia where, in the course of providing our products or services, we may provide your personal information:

- Belgium
- Canada
- India
- Ireland
- Japan
- Luxembourg
- Malaysia
- South Korea
- United Kingdom
- United States of America

Please note that the above is not a complete list of the countries to which your information may be disclosed when using our product or service.

Where your personal information and data are transferred outside of Australia, we have taken reasonable steps to ensure that overseas recipients are subject to substantially similar law providing comparable or a higher level of protection to that provided by the APPs or using contractual measures to ensure that the overseas recipient would not breach the APPs.

4.6. Using Government Identifiers

We only use or disclose your tax file number or other government agency identifiers for the purposes required by law. Ausbil is not permitted and does not adopt government identifiers as an identifier of any individual.

5. Holding personal information

5.1. How we store personal information

We store your personal information in a number of ways including:

- electronically in computer systems or databases; and
- hard copy or paper files.

Where we have engaged a third party to provide a service to us, these providers will also store your personal information necessary to provide the service.

5.2. How long do we hold

We will retain your personal information and data for as long as reasonably necessary to meet our contractual, commercial, regulatory and legal obligations.

Personal data collected will be retained pursuant to our record retention policy, and in most instances will not be retained longer than seven(7) years from the date of last use.

5.3. Retention and destruction

We will destroy personal information if it is no longer needed for the purposes for which it was collected or for the purposes of meeting legal requirements.

We use secure methods to destroy or de-identify any personal information as soon as the law permits, provided the information is no longer needed by us for any purpose. Ordinarily, for information about a particular account, we destroy the information 7 years from the day you close the account. All information stored in electronic form that is no longer required will be deleted from our systems.

6. Protecting your personal information

We take all reasonable steps to protect your personal information from misuse, interference or loss, and from unauthorised access, modification or disclosure including:

- restricting access to our premises and personal information to authorised persons;
- utilising a range of technological measures to safeguard your personal information including secure authentication, logins and passwords, encryption, firewalls, anti-virus technologies; and
- regularly reviewing our technology to improve security measures.

While we take reasonable steps to protect your personal information, the transmission of information via the internet is not completely secure and cannot guarantee the security of personal data transmitted on our site. You should assess these potential risks when deciding whether to use our online services. If you do not wish to transmit information through our website, you should let us know.

7. Access & Correction of Information

7.1. Requesting access to your personal information

You can request access to your personal information by contacting us at privacy@ausbil.com.au. We will aim to respond to your request within a reasonable time.

In some circumstances, we may deny your request for access. These circumstances include:

- disclosure would pose a serious threat to the life or health of any individual;
- disclosure would have an unreasonable impact on the privacy of others;
- request is frivolous or vexatious;
- the information relates to a commercially sensitive matter;
- disclosure would be unlawful; or
- disclosure may prejudice legal proceedings.

If we deny your request for access, we will inform you and explain the reasons why.

You may also request us to provide the source of the personal information we hold, which will be notified unless it is impractical or unreasonable to do so.

It is important to note that there may be other reasons preventing us from giving you access to your personal

information including:

- we may not or no longer (as it has been destroyed or de-identified) hold any personal information about you; or
- you have asked for personal information about someone else without authorisation.

7.2. Requesting corrections to your personal information

We rely on the accuracy of the personal information we hold about you to efficiently provide our financial products or services to you. You have a right to ask us to correct any information we hold about you if you believe it is inaccurate, incomplete, out of date, irrelevant or misleading.

If we do not agree with your request for correction of your personal information, we are required to give you written notice to that effect and a statement if requested.

7.3. Correction of personal information by Ausbil

If we identify an inconsistency of your personal information during normal business practices, we will take reasonable steps to correct your personal information. Circumstances where we may identify inconsistencies include:

- the information provided by you may be inconsistent with other personal information held by us;
- a court or tribunal has made a finding about your personal information; or
- we have been notified by another entity or person that your personal information is incorrect, or that similar personal information held by the other entity has been corrected.

8. Complaint Management

8.1. Making a complaint

If you believe that we have mishandled your personal information or breached the APPs, you may lodge a complaint by contacting us:

Mail: Attention: Chief Compliance Officer
Ausbil Investment Management Limited
GPO Box 2525
Sydney NSW 2001
Email: contactus@ausbil.com.au
Telephone: +61 2 9259 0200

We will manage your complaint in accordance with our [Complaints Policy](#).

If you are not satisfied with our response, you can refer your complaint to:

- the Australian Financial Complaints Authority (**AFCA**); or
- the Office of the Australian Information Commissioner (**OAIC**)

AFCA can be contacted as follows:

Mail: Australian Financial Complaints Authority
GPO Box 3
Melbourne VIC 3001
Email: info@afca.org.au
Telephone: 1800 931 678 (9:00am–5:00pm AEST weekdays)
Website: www.afca.org.au

For the hearing and speech impaired, AFCA can be contacted via National Relay Service (www.accesshub.gov.au/about-the-nrs):

Voice Relay: 1300 555 727
TTY: 133 677
SMS Relay: 0423 677 767

OAIC can be contacted as follows:

Phone: 1300 363 992
Email: enquiries@oaic.gov.au
Website: www.oaic.gov.au/individuals/how-do-i-make-a-privacy-complaint

8.2. Eligible Data Breach

We deal with privacy breaches in accordance with the requirements of the Notifiable Data Breaches scheme as established by the *Privacy Amendment (Notifiable Data Breaches) Act 2017 (Cth)*.

In the event of a data breach, we will assess whether an 'eligible data breach' has occurred. If we determine that an 'eligible data breach' has occurred then we will notify the affected individuals as soon as practicable, detailing the nature of the breach and the recommended response to the breach. We will also notify the Office of the Australian Information Commissioner.

9. Using our website

Ausbil has the capability to collect information about the use of our website including:

- using cookies to store information provided by your browser when you visit our website. This includes IP address, browser type, version, time zone, operating system, platform, date and time of visits, the pages accessed, any documents downloaded. Please refer to our [Cookie Policy](#) for more information.
- using tags to collect the number of users, when they visit, how they navigate through the pages, which pages are visited and the amount of time spent looking through the website.
- using third-party tracking pixels to track activities on our website.

By using this website, you agree to our collection and use of this information. This data helps us improve our website and ensure security.

9.1. Third Party Sites

Our website contains links to other sites, which are controlled by third parties. You should consult these other sites' privacy policies and satisfy yourself of the risks when accessing and using these sites as we are not responsible for its operations nor how they use your personal information.

10. Changes to this Policy

This Policy is available on our website.

We may change this policy from time to time as necessary. We encourage you to check our website for any updates to this policy. If you have questions about this policy, please let us know by email at privacy@ausbil.com.au.

This policy was last reviewed and updated on 30 April 2025.