

## Privacy Policy

### Introduction

This is the Privacy Policy for Baccus Investments Limited ACN 095 832 072 (**Baccus**) and *Kremnizer Mortgage Fund* ARSN 101 518 067 (**Fund**). It applies to us in our capacity as the responsible entity for the Fund as well as in our personal capacity.

### 1. Your Privacy

- 1.1 Your privacy is important to us and we are committed to managing your personal information responsibly and in accordance with our legal obligations including the requirements of the *Privacy Act 1988* and with the Australian Privacy Principles. These laws and principles regulate, among other things, the way we collect, use, disclose, keep secure, and give you access to your personal information.
- 1.2 This Privacy Policy sets out the type of information we collect and how we collect, store, use and disclose your personal information. We recommend that you read it carefully.
- 1.3 You are not required to provide us with your personal information, but if you do not do so we may not be able to provide you with our products or services.
- 1.4 If you apply for or accept any of our products or otherwise provide us with your personal information, you agree to your information being collected, held, used and disclosed as set out in this Privacy Policy. We may revise this Privacy Policy from time to time by placing the revised Privacy Policy on our website or otherwise notifying you of the change.

### What kind of information do we collect?

- 1.5 In order to provide our products and services including establishing and administering your investment in a mortgage or if you are a borrower, the mortgage provided by us, and to comply with relevant legislation, we may collect the following information:
  - 1) full name, date of birth, gender and contact details including telephone, postal and residential address, e-mail and fax;
  - 2) a copy of your driver licence and/or passport or other identification documentation for the purpose of verifying identity and to ensure compliance with the Anti-Money Laundering and Counter-Terrorism

Financing Act (AML/CTF Act) and/or other legislation and regulations regarding identification verification, and tax reporting and withholding;

- 3) copies of any relevant trust deeds, partnership agreements or constitutions, which may be relevant to comply with the Anti-Money Laundering and Counter-Terrorism Financing Act.
- 1.6 For investors, this will include your tax file number (TFN); US Taxpayer Information Number (TIN) if you are a US citizen or resident for tax purposes, bank account details for the purpose of administering investor accounts and tax reporting and withholding; investor contribution details and investment choice including the source and the purpose of your investment funds; details about authorised signatories on your investments or accounts with us; detailed contact information about your financial adviser.
- 1.7 For borrowers, in relation to applications for loans or other financial accommodation, details of your assets and liabilities, your financial affairs and credit history; bank account details for the purpose of collecting the interest; detailed contact information about your finance broker and / or financial advisor and / or solicitor and all the necessary information to assess your suitability and your creditworthiness for a loan as well as for us to properly manage your loan with us.
- 1.8 It may, on occasion also be necessary to obtain other details, including information relating to powers of attorney or for probate and estate administration and in relation to beneficial owners or controlling persons.

#### **How do we collect and hold personal information?**

- 1.9 We may collect your personal information in various ways including by telephone, our website, from documents or correspondence and by email. Wherever practicable, we will collect information about you and in relation to beneficial owners or controlling persons from you personally.
- 1.10 However, it will be necessary in many instances to collect information about you from other external sources, such as:
- 1) a financial adviser or broker;
  - 2) authorised representatives, such as solicitors, executors or administrators; and
  - 3) identification verification service providers.
- 1.11 If you use our website, our web server (i.e. the computers that house our website) has the capacity to collect the following types of information for statistical purposes:
- 1) the number of users who visit the website;
  - 2) the number of pages viewed; and
  - 3) traffic patterns.

- 1.12 This is anonymous statistical data and no attempt is made to identify users or their browsing activities. This data is used only to evaluate our website performance and to improve the content we display to you.
- 1.13 Other information, such as browser type, is included in a 'cookie' that is sent to your computer when you complete certain tasks on our website. A cookie contains bits of information that enables our servers to identify and interact efficiently with your computer. Cookies are designed to provide a better, more customised website experience, and to make it easier for you to use our website. You can configure your computer to accept or reject cookies.
- 1.14 All personal information we collect will be held securely and in accordance with this Privacy Policy.
- 1.15 Your information is protected from unauthorised access through the use of secure passwords, user logins or other security procedures. Developments in security and encryption technology are reviewed regularly.
- 1.16 Where necessary, we will remind you that the Internet is an insecure medium.

#### **For what do we use personal information?**

- 1.17 Generally, we only use and disclose information for the purpose for which it was disclosed to us or related purposes which would reasonably be expected. Those purposes include:
  - 1) to establish and administer your investment or loan account and your relationship with us;
  - 2) for communication purposes including surveys and questionnaires;
  - 3) to comply with our record-keeping, reporting, and tax obligations;
  - 4) to protect legal rights and comply with legal obligations;
  - 5) to prevent fraud and abuse;
  - 6) for quality assurance and training purposes;
  - 7) to enable us to provide information about new and existing products and services that will enhance our relationship with you. However, we do respect the right of individuals to ask us not to do this; and
  - 8) to handle any relevant enquiries or complaints.
- 1.18 We may be required by law to disclose personal information. For instance, we may be required to provide details to:
  - 1) Australian Government regulators such as the Australian Securities and Investments Commission, the Australian Tax Office, the Australian Transaction Reports and Analysis Centre and to other regulatory or government entities;
  - 2) the Australian Financial Complaints Authority (AFCA) or other external dispute resolution service;

- 3) as required by a court order (including in Family Law matters);
  - 4) other regulatory or governmental entities outside of Australia.
- 1.19 In order to meet our investors' needs and provide some investor services (such as administration of accounts and mailing of investor distribution statements) or if you are a borrower, to meet the our obligations to properly administer your loan with us, it may be necessary to release information or provide access to external service providers, for instance:
- 1) to any organisations involved in providing, managing or administering our products systems or services such as custodians, registries, administrators, mail houses and software and information technology providers;
  - 2) to auditors, consultants and other professional advisers;
  - 3) to your financial adviser or broker;
  - 4) to a legal personal representative, attorney or any other person who may be entitled to receive the proceeds from your investment or account with us;
  - 5) to a legal personal representative, attorney or any other person who has been instructed by you to assist with the settlement, enforcement or discharge of borrower loan account.
  - 6) to other financial institutions who hold an account in an investor's or borrowers name, for example, where amounts have been transferred to or from that account;
  - 7) to authorities investigating (or who could potentially investigate) alleged fraudulent or suspicious transactions in relation to an investment or borrower loan account.
- 1.20 Information about you or your dealings with us is not and will not be sold to any other company, individual, or group.

### **Can you access and amend your personal information?**

- 1.21 You may request access to any personal information we hold about you. Generally, if it is incorrect, we will correct it at your request.
- 1.22 Your right to access is subject to some exceptions allowed by law. We will notify you of the basis for any denial of access to your personal information.

### **Can you complain?**

- 1.23 Yes. If you have a complaint about a breach of this Privacy Policy including the manner in which we have collected, held, used, disclosed, kept, or given people access to your personal information, then you may make a complaint to us using the contact details set out below. You will need to provide us with sufficient details regarding your complaint and any supporting evidence.

- 1.24 Your complaint will be referred to our Privacy Officer who will investigate the issue and determine the steps we will take to resolve your complaint. We may ask you to provide additional information.
- 1.25 We will notify you in writing of our determination, generally within 30 days. If you are not satisfied with our determination or you do not receive a response within 30 days, you can contact us to discuss your concerns and you can refer the complaint to the Office of the Australian Information Commissioner [www.oaic.gov.au](http://www.oaic.gov.au)

#### **Will your information be sent overseas?**

- 1.26 We do not anticipate that we will need to disclose information to overseas recipients.

#### **Are copies of this Privacy Policy available?**

- 1.27 Yes. A copy of our current Privacy Policy (this document) is available from us free of charge as follows:

- 1) You can download a copy in document format from our website [www.baccus.com.au](http://www.baccus.com.au);
- 2) You can request a copy be emailed to you by emailing your request to [admin@baccus.com.au](mailto:admin@baccus.com.au);
- 3) You can telephone us and request a copy be mailed or emailed to you by calling (02) 9327 7911 (+612 9327 7911 for international callers);
- 4) You can write to us and request a copy be mailed or emailed to you. Our postal address is:

PO Box 191  
Double Bay NSW 1360

- 1.28 If you would like a copy of this Privacy Policy in a particular format (for example, on audio disc) please contact us at the telephone number or postal address set out above and we will accommodate any reasonable request.

#### **Any Questions?**

If you have any further questions relating to this Privacy Policy, or concerns about the way in which we have handled your personal information, please do not hesitate to contact us by email, telephone or letter.