



Privacy Policy

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Privacy Policy

Policy of protecting the personal information of investors

Introduction

Fawkner Property is committed to protecting the privacy of personal information in accordance with its obligations under the Privacy Act 1988 (Cth) (Privacy Act) and, in particular, the Australian Privacy Principles (APPs). The APPs are the cornerstone of the privacy protection framework. A breach of a principle is an 'interference with the privacy of an individual' and can lead to regulatory action and penalties.

Under the Privacy Act, personal information is broadly defined. In simple terms it means any information about an individual (i.e. a natural person) who can be identified from the information, whether the information is true or not and whether recorded in a material form or not.

This Privacy Policy is subject to the law. We may be required to disclose personal information or sensitive information to the Australian Taxation Office (ATO), AUSTRAC or other government agencies, or when we are ordered to provide information by a Court.

Handling of Personal Information

What Personal Information do we collect and how do we use/manage this information:

Fawkner Property collects personal information as reasonably necessary to provide its services and to manage its relationships with investors and other parties. Fawkner Property only collects information in a lawful and fair way. If practical, Fawkner Property will collect this information from you personally and not from third parties.

The types of personal information we collect will depend on the services being provided or the circumstances of collection. For example, for an application to purchase units in a property trust, Fawkner Property may collect the following types of personal information from you:

- name, Address, email address, phone numbers, fax number;
- bank account details;
- tax file number (TFN);
- date of birth;
- information about previous investment transactions and dealings you have had with us;

- information from enquiries you have made; and
- communications between us.

We collect personal information from you in a variety of ways, including:

- when you interact with us electronically or in person;
- when you access our website; and
- when we transact or deal with you in the ordinary course of our business operations.

There are situations where Fawkner Property are allowed to collect information about you from third parties. These include:

- where you would reasonably expect it or where you've consented to your personal information being shared;
- a law enforcement agency may collect personal information about an individual who is under investigation without asking the individual directly because to do so may jeopardise the investigation; and
- if a legal or official document mailed to an individual is returned to the sender, then the sender may need to get the individual's current contact details from another source

Fawkner Property holds and uses personal information to provide services to investors, to manage relationships with investor's financial adviser firms and accounting firms. We also hold and use personal information for security purposes (refer to section below for Anti-Money Laundering and Counter-Terrorism Financing Act) and to conduct marketing activities, including keeping individuals informed about our services.

Fawkner Property is required to obtain personal information to comply with the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth) to identify an individual. If it is reasonably necessary to collect sensitive information from an individual, their consent will be obtained first.

Fawkner Property take all reasonable steps to securely destroy or permanently de-identify TFN information where it is no longer required by law to be retained, or necessary for a purpose under **taxation law, personal assistance law** or **superannuation law** (including the administration of such law).

Disclosure of Personal Information for Primary Purpose

Fawkner Property may collect or disclose personal information to another party only if the individual has consented to the disclosure of information or the sensitive information is directly related to the primary purpose. For example, Fawkner Property is required to provide their accounting firms with investors bank details for the accounting firm to facilitate the transfers of distributions to be paid into the investors bank account on either a monthly or quarterly basis.

Personal information may also be disclosed to advisers, financial institutions, government and statutory bodies and accounting services. Where we disclose this personal information to another party, we will require the party to use the personal information only for the specific purposes for which we supply the information (such as to complete a transaction or provide a requested service).

At times Fawkner Property may be required to engage or employ other companies and individuals to perform functions on our behalf. Some examples are:

- using mailing services;
- providing marketing assistance;
- providing legal or accounting advice; and/or
- providing information technology and related services.

The information is provided solely to these persons to perform their specific function and no other purpose.

Protecting and Securing Your Personal Information

Personal information received by Fawkner Property is held securely, either in electronic files on Fawkner Property's computer systems or in physical files held on Fawkner Property's premises. Our computer server is located in Melbourne, Victoria, Australia. We endeavour to keep our server free from unauthorised access and use means of physical security at the premises in which the server is housed, and by using protocols and measures to prevent unauthorised remote access to the server. Fawkner Property has technological and operational processes and procedures in place to protect personal information from misuse, interference and loss, unauthorised access, modification and disclosure.

However, no Internet server nor any data transmitted over the Internet can be assured of security and there is always a risk of unauthorised access to information.

Although we will take all reasonable steps to maintain security of information provided, we cannot be held liable for events arising from unauthorised access.

If a data breach were to occur, Fawkner Property has contingency plans in place to swiftly deal and mitigate any risk of harm that the breach may cause, and you will be notified.

Our Website and Social Networking Services

We may send descriptive electronic messages about investment opportunities to individuals we believe may be interested in the information. If you do not wish to receive any further information of this nature you can reply to the email using the word "unsubscribe" in the body of the reply. We only obtain personal information from publicly available information or databases and any electronic messages will comply with the *Spam Act 2003* (Cth).

Cookies are small pieces of information stored by your Internet browser on your computer's hard drive. Their use allows your browser to remember certain information related to your use of the Site and store information about your preferences. Cookies are not used to retrieve information from your computer that was not originally sent by us. We use cookies to provide product information or a service requested from the Site. This enables us to gain a better understanding of user preferences and requirements, so as to further develop and improve the Site and to notify users about changes to the Site, and to inform them of our services. In all instances, if you do not want to receive such offers, you will be able to "unsubscribe" from receiving them.

With the exception of other sites owned by us, we do not control the information collected by any sites reached through links from this Site. We use social networking services such as Facebook and LinkedIn to communicate with the public about our work. When you communicate with us using these services, we may collect your personal information, but we only use it to help us to communicate with you and the public. The social networking service will also handle your personal information for its own purposes. These services have their own privacy policies. If you require details of the information collection policies of those sites, then you should contact directly the companies controlling those sites.

Unsolicited Electronic Messages and Direct Marketing

We may send descriptive electronic messages about investment opportunities to individuals we believe may be interested in the information. If you do not wish to receive any further information of this nature you can reply to the email using the word "unsubscribe" in the body of the reply. We only obtain personal information from publicly available information or databases and any electronic messages will comply with the *Spam Act 2003* (Cth).

Staff

All staff at Fawkner Property are required to receive regular training and follow practices, procedures and systems to ensure compliance with relation to protecting an individuals privacy under the Privacy Act and the Australian Privacy Principles.

Disclosure of Your Personal Information Overseas

Fawkner Property does not hold any relationships or dealings with overseas entities or parties.

How to Get More Information or Make a Complaint

Under the Privacy Act, you have the right to seek access to personal information we hold about you, subject to some exceptions. To access or to correct or update personal information, or to obtain more information about Fawkner Property's privacy policy, please direct any questions to our privacy officer. You don't have a right under Australian privacy law to access other kinds of information, such as commercial information. Fawkner Property will respond to a request for access within a reasonable period of time. A reasonable period of time is within 30 days.

You also have rights to access government records which contain your personal information under the Freedom of Information Act 1982 (FOI Act).

If you want to access records the police hold about you, please contact the Australian Federal Police or the criminal records section of your state or territory police service.

Where we refuse access, we will provide you with a written notice setting out our reasons for the refusal and the avenues for complaint about the refusal.

A valid reason to refuse access would include the following that:

- Fawkner Property believes that giving you access may endanger the life, health or safety of any individual, or endanger public health or safety;
- giving you access would have an unreasonable impact on the privacy of other individuals;
- your request is frivolous or vexatious; and/or
- your personal information is part of existing or anticipated legal proceedings between you and Fawkner Property.

Fawkner Property can rely on any of the exemptions in the FOI Act to refuse you access also.

We may, at our discretion, request a reasonable charge for time spent in providing access.

Please also direct any complaints about a breach of privacy by Fawkner Property Ltd to Fawkner Property Ltd Privacy Officer who can be contacted:

By telephone: 03 9856 4577

By letter to:
The Privacy Officer,
Fawkner Property Pty Ltd,
PO Box 6314,
MELBOURNE VIC 3004

By email info@fawknerproperty.com.au

Fawkner Property Pty Ltd takes complaints very seriously and will respond shortly after receiving written notice of your complaint.

The logo consists of a white circle centered on a dark blue background. Inside the circle, the words "FAWKNER" and "PROPERTY" are stacked vertically in a black, serif, all-caps font. A thin horizontal line separates the two words.

FAWKNER

PROPERTY