

Privacy Policy

Rights to privacy

Mitchell Asset Management Pty Ltd (ACN 123 804 491) (**Mitchell Asset Management, we, us, our**) understands the importance of protecting an individual's right to privacy.

This privacy policy sets out how we aim to protect the privacy of your personal information, your rights in relation to your personal information managed by us and the way we collect, hold, use, disclose and otherwise manage your personal information.

In handling your personal information, Mitchell Asset Management complies with the *Privacy Act 1988* (Cth) (**Privacy Act**) and the Australian Privacy Principles (**APPs**) under the Privacy Act.

Personal information has the meaning set out in the Privacy Act. In general terms, personal information is information (whether fact or opinion) about an individual who is identified or reasonably identifiable from that information or other information combined with that information.

We regularly review our practices and procedures regarding how we collect, hold, use, disclose and otherwise manage personal information. As a result, this policy may be updated from time to time. Where we update this policy we will make the updated policy available, including on our website.

What kinds of personal information does Mitchell Asset Management collect?

For the purposes of the Privacy Act, personal information is information (whether fact or an opinion), whether recorded in a material form or not, about an individual who is identified or reasonably identifiable from that information or other information combined with that information.

The kinds of personal information that we collect will vary depending on the type of dealings we have with you and how you interact with us. This can include:

1. in the case of customers procuring our products and services (for example, where you invest in a fund or other product of Mitchell Asset Management), we may collect your name, date of birth, residential and business address, contact details (such as telephone number and e-mail address), details regarding your country of residence, taxation details, bank account information and other accounting, audit and financial services related information;
2. technical information and general analytics such as web browser type and browsing preferences, Internet service provider, referring/exit pages, date/time stamps, IP address, time zone and geolocation data (if applicable), some of which is collected automatically, arising from your use of our website and/or platforms, as well as information about your usage of our website and/or platforms when browsing;
3. if you have requested to receive news about our exclusive offers, promotions or events, we may collect your name, residential and business address, and contact details (such as telephone number and e-mail address);
4. if you have contacted us to make a complaint, provide feedback, submit an enquiry or request a call-back, we may collect your name, residential and business address, and contact details (such as telephone number and e-mail address); and
5. where you are a prospective employee or contractor, we may collect information contained in your application or résumé, recorded during any interview, or obtained through any pre-employment checks, and government-issued identifiers such as tax file numbers.

We will not generally collect or hold sensitive information about you, unless we are 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.

How does Mitchell Asset Management collect personal information?

There are a number of circumstances in which Mitchell Asset Management will collect personal information from you. For example, Mitchell Asset Management may collect personal information:

1. where you apply to invest in our funds or other products;
2. where you purchase our products or services, including where we provide financial product advice and corporate advisory services to you or your business;
3. in the process of our administration of any investment you make in our funds or other products;
4. where you request information from Mitchell Asset Management regarding us or our funds, or our products and services;
5. sign up to receive news and exclusive offers, promotions or events; or
6. apply to work with us or are engaged by us as a contractor.

Generally, we will collect personal information directly from you. For example, when you submit an application form to us, or otherwise contract or interact with us directly. However, there may be other occasions when we collect your personal information from other sources, such as from a publicly maintained record, third party broker, a person authorised by you (such as your accountant or financial adviser) or our agents or service providers (such as registry service providers). For example, where you apply to invest in our funds or other products, we may collect personal information regarding you from any registry services provider or fund administrator appointed in respect of the relevant fund or product.

While we maintain robust privacy practices, we are not responsible for the privacy practices of third parties, so you should review their relevant privacy policy to satisfy yourself as to how they protect and handle your personal information.

We also use the following technologies to collect technical information and general analytics:

1. **cookies**, which are data files that are placed on your device and often include an anonymous unique identifier. For more information about cookies, and how to disable cookies, visit <http://www.allaboutcookies.org>;
2. **log files**, which track actions occurring on our website; and
3. **web beacons, tags, and pixels**, which are electronic files used to record information about how you browse our website.

You may disable your web browser from accepting cookies and other tracking technologies used to collect technical information and general analytics when browsing our website. If you do so, you can still access our website, but it may impact your user experience.

In addition to our cookies, certain third parties may deliver cookies to your device for a variety of reasons. For example, we sometimes use various web analytics tools that help us to understand how visitors engage with our website. Any third party links or advertising on our website may also use cookies; you may receive these cookies by clicking on the link to the third party site or advertising. We do not control the collection or use of information by these third parties, and these third party cookies are not subject to this Privacy Policy. You should contact these companies directly if you have any questions about their collection and/or use of information. When linking to any other site, you should always check the relevant website's privacy policy before providing any personal information.

You may also opt out of targeted advertising by using these links: [Facebook](#), [Google](#) and [Bing](#). Additionally, you can opt out of some of these services by visiting the Digital Advertising Alliance's [opt-out portal](#).

Why does Mitchell Asset Management collect your personal information?

We collect, hold, use and disclose your personal information for purposes relating to our funds management business and operations, including for the purposes of:

1. processing your application for investment in our funds or other products, and establishing your investment in our funds or products;
2. administering any investment you have with us in our funds or other products, including communicating with you about your investment;
3. providing access to our website and other online services;
4. responding to queries you submit to us;
5. facilitating our internal business operations;
6. providing you with information about our products or services that may be of interest to you;
7. accounting, billing and other internal administrative purposes;
8. communicating with you, and to address any issues or complaints regarding our products and services;
9. identifying opportunities to improve our products and services, and to improve our service to you;
10. direct marketing; and
11. complying with any legal requirements which we are subject to.

We 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 2006* (Cth) or any other relevant laws. For certain investors, we 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).

You are under no obligation to provide your personal information to us. You can also notify us that you wish to deal with us using a pseudonym. However, without receiving certain information from you, we may not be able to provide our products or services to you and may not be able to process any application by you for investment in our funds or other products.

In addition to the purposes set out above, we may collect, use and disclose your personal information for direct marketing communications (either via mail, SMS or email), including to inform you of products, services or offers of Mitchell Asset Management which may be of interest to you where you have consented for us to do so. Where you are an investor in a fund or other product of Mitchell Asset Management, this may include providing you with direct marketing information regarding the other funds or products of Mitchell Asset Management or its related companies.

If you do not want to receive this information or do not want us to use or disclose your personal information for direct marketing purposes, you can opt out by letting us know that you wish to opt out of receiving this information by contacting us or using the opt-out facilities provided in the direct marketing communications.

Who does Mitchell Asset Management disclose your personal information to?

Generally we will only disclose your personal information to third parties for a purpose related to those described above. We may also disclose your personal information to third parties for other purposes with your consent, or for any purposes if the disclosure is required or authorised by law.

The types of organisations to which we may disclose your personal information to include:

1. your financial advisers or other professional advisers;
2. related companies of Mitchell Asset Management (such as subsidiaries or holding companies of Mitchell Asset Management);
3. any registry service provider, fund administrator or other similar service provider appointed by us in relation to our funds or other products;
4. our employees, contractors and any third party service providers which we may engage to provide custody, administration, technology, auditing, mailing, printing or other services;
5. Government authorities where required to by law;
6. organisations authorised by us to conduct promotional, research or marketing activities; and
7. our professional advisers (including legal and accounting firms, auditors, consultants and other advisers).

If we disclose your personal information to third parties, we will use reasonable commercial efforts to ensure that such third parties only use your personal information as reasonably required for the purpose of disclosure and in a manner consistent with applicable laws, for example (where commercially practical) by including suitable privacy and confidentiality clauses in our agreement with a third party service provider to which we disclose your personal information.

Security of your personal information

We may hold your personal information in both hard copy and electronic forms.

We will take reasonable steps to ensure that the personal information we hold is protected against misuse, loss, unauthorised access, modification or disclosure.

[We maintain physical security over paper and electronic data stores, such as through [monitored 24-hour alarmed locks and security systems at our premises, and swipe card and fob-reader panels at all entry points](#). We also maintain computer and network security, for example, we use firewalls (security measures for the internet) and other security systems such as user identifiers and passwords to control access to our computer systems.]

Personal information is held on secure servers or in storage located in controlled, access restricted environments. Our employees are required to maintain the confidentiality of any personal information held by us.

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

In respect of electronic data stores in particular and since the Internet is inherently insecure, we cannot guarantee the security of transmission of personal information disclosed to us online. Accordingly, you transmit your personal information to us online at your own risk and are encouraged to exercise care in sending personal information via the internet. Please notify us immediately if you know or reasonably suspect that your personal information has been subject to any data breach, breach of security or other unauthorised activity.

Does your personal information leave Australia?

We store personal information in [secure, remote](#) servers located in Australia. Your personal information will not be disclosed to recipients outside Australia without your express consent. Except where an exception applies under the Privacy Act or other relevant legislation, we will take commercially reasonable steps to ensure that overseas recipients to whom we disclose personal information do not breach the Privacy Act and the APPs in relation to such personal information.

How long do we keep your personal information?

Generally, we will retain your personal information for the period necessary for the purposes for which your personal information was collected (as outlined in this policy) unless a longer retention period is required by law or if it is reasonably necessary for us to comply with our legal obligations, resolve a dispute or maintain security.

Can you access or correct the personal information that we hold about you?

Mitchell Asset Management takes steps reasonable in the circumstances to ensure that the personal information it collects, holds, uses and discloses about an individual is accurate, complete, up-to-date, relevant and not misleading.

Under the Privacy Act, you have a right to request access to or correction of your personal information that is collected and held by us.

If at any time you would like to request access to or correction of the personal information we hold about you, or you would like more information on our approach to privacy, please contact our Privacy Compliance Officer, using the contact details set out below.

To obtain access to or correction of your personal information, we may request that you provide us with proof of your identity. This is necessary to ensure that personal information is provided only to the correct individuals and that the privacy of others is protected.

Upon receiving a request for access to or correction of personal information we will review the request, make a decision regarding the request and notify you of that decision.

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

In some circumstances, a fee may be charged for the cost of providing you with access to your personal information (for example where providing access requires a detailed retrieval of your personal information). Such a fee will not exceed the cost to Mitchell Asset Management of providing access.

How to contact us

For further information or enquiries regarding your personal information or to request access to or correction of personal information or to make a privacy complaint, please contact Mitchell Asset Management's Privacy Compliance Officer using any of the following contact details:

Brett Walker
Privacy Compliance Manager
Email: brett@fsi.net.au
Telephone: + 61 3 98260003
Post: Lvl 2, 414 Toorak Road, Toorak. VIC 3142

Privacy complaints

If you believe that we have not dealt with your personal information in a manner that complies with the Privacy Act or the APPs, you can make a privacy complaint to us.

Please direct all privacy complaints to Mitchell Asset Management's Privacy Compliance Officer in writing using the contact details set out above.

At all times, privacy complaints:

1. will be treated seriously;
2. will be dealt with promptly;
3. will be dealt with in a confidential manner; and
4. will not affect your existing obligations or affect the commercial arrangements between you and us.

Upon receipt of your complaint, we will commence an investigation into your complaint.

You will be informed of our response to your complaint following the completion of the investigation. We will seek to respond to privacy complaints within 30 days of the date of the complaint.

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, whose contact details are set out below:

Office of the Australian Information Commissioner

GPO Box 5218

Sydney NSW 2001

Phone: 1300 363 992

Online: www.oaic.gov.au

Email: enquiries@oaic.gov.au

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