

## Privacy Policy

January 2020



Pendal Fund Services Limited  
ABN 13 161 249 332,  
AFSL No 431426 (**PFSL**)

Pendal Institutional Limited  
ABN 17 126 390 627,  
AFSL No 316455 (**PIL**)

When you trust us with your personal information, you expect us to protect it and keep it safe. We are bound by the Privacy Act 1988 (Cth) (Privacy Act) and will protect your personal information in accordance with the Australian Privacy Principles. These principles govern how we can collect, use, hold and disclose your personal information, as well as ensuring the quality and security of your personal information. If you would like more information about how we protect your privacy, please contact us.

## 1 About this policy

This privacy policy explains how we manage your personal information. We may provide more details on how we manage your personal information when we collect your personal information including what we collect, what we do with your personal information and what rights that you have. In this policy “We” refers to Pental Fund Services Limited (ABN 13 161 249 332) and Pental Institutional Limited (ABN 17 126 390 627), together “Pental”. For Pental Group Limited subsidiary J O Hambro Capital Management Limited (JOHCM) and its subsidiaries refer to JOHCM’s website at [johcm.com](http://johcm.com).

## 2 What is personal information?

Personal information includes any information or opinion, about an identified individual or an individual who can be reasonably identified from their information. The information or opinion will still be personal information whether it is true or not and regardless of whether we have kept a record of it.

The information that we seek to collect about you will depend on the products or services that we provide. If you do not allow us to collect all of the information we request, we may not be able to deliver all of those services effectively.

## 3 What kinds of personal information do we collect and hold?

When you apply for our products or services we may ask for identification information. This could include your name, address, contact details and date of birth. We may also collect your tax file number if we are authorised to collect it and if you choose to supply it.

Throughout the life of your product or service, we may collect and hold additional personal information about you. This could include transaction information, information on the products and services that you use, client identifiers such as account numbers, or making a record of queries or complaints you make.

The collection of sensitive information is restricted by the Privacy Act. This includes information about your religion, racial or ethnic origin, political opinions, criminal record, and sexual orientation. It also includes health information and biometric information.

Generally, we only collect this sort of information if it is necessary to provide you with a specific product or service and you have consented to that collection. For example, we may collect information relating to criminal convictions or offences as part of anti-money laundering verification or collect voice biometric information to verify your identity or authorise transactions.

## 4 For what purposes do we collect, hold, use and disclose personal information?

The main reason we collect, use, hold and disclose personal information is to provide you with products and services. This includes:

- on-boarding processes, including to verify your identity and to conduct legal and other regulatory compliance checks (for example, to comply with anti-money laundering regulations and prevent fraud).
- checking whether you are eligible for the product or service;
- assisting you where online applications are not completed;
- providing and improving the product or service; and
- helping manage the product or service.

We may also use your information to comply with legislative or regulatory requirements in any jurisdiction, prevent fraud, crime or other activity that may cause harm in relation to our products or services and to help us run our business. We may also use your information to tell you about products or services we think may interest you.

## 5 How do we collect personal information?

We collect most personal information directly from you. For example, we will collect your personal information when you apply for or use a product or service or talk to us in person or on the phone.

We also collect information from you electronically. For instance, when you visit our website (see [‘Do we collect personal information electronically?’](#)).

Sometimes we collect personal information about you from other people or organisations. This may happen without your direct involvement. For instance, we may collect personal information about you from:

- publicly available sources of information, such as public registers;
- your representatives (including your legal adviser, financial adviser, executor, administrator, guardian, trustee, or attorney);
- your employer;
- other organisations, who jointly with us, provide products or services to you;
- commercial information service providers, such as companies that provide fraud prevention reports.

## 6 What laws require or authorise us to collect personal information?

We are required or authorised to collect:

- certain identification information about you by the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth) and Anti-Money Laundering and Counter-Terrorism Financing Rules Instrument 2007 (No. 1);
- your Tax File Number, if you choose to provide it, by the Income Tax Assessment Act 1936 (Cth);

## 7 How do we hold personal information?

Much of the information we hold about you will be stored electronically in secure data centres. Some information we hold about you will be stored in paper files. We use a range of physical and electronic security measures to protect the security of the personal information we hold. For example:

- access to information systems is controlled through identity and access management;
- employees are bound by internal information security policies and are required to keep information secure;
- all employees are required to complete training about information security; and
- we regularly monitor and review our compliance with internal policies and current industry practices.

We will retain your personal data for the longer of the period required in order to comply with applicable laws, regulations or regulatory guidance, and the period we have determined is appropriate for the type of data. We determine the retention period for documentation with regard to our operational and legal requirements, such as proper account maintenance, facilitating client relationship management and improvements to services, and responding to legal claims or regulatory requests.

We take reasonable steps to destroy or permanently de-identify any personal information after the information is no longer necessary following the appropriate retention period.

## 8 Who do we disclose your personal information to, and why?

We may provide personal information about our customers to organisations which provide services to us. To protect personal information, we enter into contracts with our service providers that require them to comply with the Privacy Act. These contracts oblige them to only use the personal information we disclose to them for the specific role we ask them to perform.

Generally, we disclose personal information to organisations that help us with our business. These may include:

- Between Pandal Group Limited entities to allow us to ensure that the services and products we may provide or receive can be distributed across our Group;
- our agents, contractors and external service providers (for example, mailing houses and technology service providers);
- authorised representatives who sell products and services on our behalf;
- payment systems operators (for example, merchants receiving card payments);
- other organisations, who jointly with us, provide products or services to you;
- other financial services organisations, including banks, superannuation funds, stockbrokers, custodians, fund managers and portfolio service providers;
- debt collectors;
- our financial advisers, legal advisers or auditors;
- your representatives (including your legal adviser, accountant, mortgage broker, financial adviser, executor, administrator, guardian, trustee, or attorney);

- fraud bureaus or other organisations to identify, investigate or prevent fraud or other misconduct;
- external dispute resolution schemes; and
- regulatory bodies, government agencies and law enforcement bodies in any jurisdiction.

We may also disclose your personal information to others where:

- we are required or authorised by law or where we have a public duty to do so;
- you may have expressly consented to the disclosure or the consent may be reasonably inferred from the circumstances; or
- we are otherwise permitted to disclose the information under the Privacy Act.

## 9 Do we disclose personal information overseas?

We may disclose your personal information to a recipient which is located outside Australia. This includes:

- service providers which are likely to be located in United States, United Kingdom, Japan or other overseas jurisdictions; and
- for international transactions, such as currency exchanges, we may need to disclose your information to the corresponding international party in order to process the transaction.

The countries we disclose your information to will depend on the details of the transaction you ask us to carry out.

Where the recipients of your personal information referred to above are located outside Australia, except where the relevant country has been determined by the relevant public authority to provide an adequate level of protection, Pental requires such recipients to comply with appropriate measures designed to ensure such transfers are permitted under applicable data protection laws.

## 10 Do we use or disclose personal information for marketing?

We will use your personal information to offer you products and services we believe may interest you, but we will not do so if you tell us not to. We may offer you products and services by various means, including by mail, telephone, email, SMS or other electronic means, such as through social media or targeted advertising through websites.

We may also disclose your personal information to companies who assist us to market our products and services to you.

If you don't want to receive marketing offers from us please contact us.

## 11 Do we collect personal information electronically?

We will collect information from you electronically, for instance through internet browsing, mobile or tablet applications.

Each time you visit our website, we collect information about your use of the website, which may include the following:

- the date and time of visits;
- which pages are viewed;
- how users navigate through the site and interact with pages (including fields completed in forms and applications completed);

- location information about users;
- information about the device used to visit our website;
- product readership; and
- IP addresses.

We use technology called cookies when you visit our site. Cookies are small pieces of information stored on your hard drive or in memory. They can record information about your visit to the site, allowing it to remember you the next time you visit and provide a more meaningful experience.

One of the reasons for using cookies is to offer you increased security. The cookies we send to your computer cannot read your hard drive, obtain any information from your browser or command your computer to perform any action. They are designed so that they cannot be sent to another site, or be retrieved by any site.

We won't ask you to supply personal information publicly over Facebook, Twitter, or any other social media platform that we use. Sometimes we may invite you to send your details to us via private messaging, for example, to answer a question about your account. You may also be invited to share your personal information through secure channels to participate in other activities, such as competitions and to provide feedback on our products and services.

## 12 Access to and correction of personal information

You can request access to the personal information we hold about you. You can also ask for corrections to be made. To do so, please contact us by phone at 1800 813 886 or by mail at Pental Fund Services Limited, GPO Box 2675, Sydney, NSW, 2001.

If you are unsatisfied with the response please contact [pendalcomplaints@pendalgroup.com](mailto:pendalcomplaints@pendalgroup.com) or Client Services, Level 14, The Chifley Tower, 2 Chifley Square, Sydney, NSW 2000.

There is no fee for requesting that your personal information is corrected or for us to make corrections. In processing your request for access to your personal information, a reasonable cost may be charged. This charge covers such things as locating the information and supplying it to you.

There are some circumstances in which we are not required to give you access to your personal information.

If we refuse to give you access to or to correct your personal information we will give you a notice explaining our reasons except where it would be unreasonable to do so.

If we refuse your request to correct your personal information, you also have the right to request that a statement be associated with your personal information noting that you disagree with its accuracy.

If we refuse your request to access or correct your personal information, we will also provide you with information on how you can complain about the refusal.

## 13 Resolving your privacy concerns and complaints - your rights

If you are concerned about how your personal information is being handled or if you have a complaint about a breach by us of the Australian Privacy Principles, please contact us at [pendalcomplaints@pendalgroup.com](mailto:pendalcomplaints@pendalgroup.com). You can also refer to Pental's Complaints Handling Policy available on the Pental website for details on how Privacy Complaints will be handled ([Find out how we deal with complaints](#)).

We will acknowledge your complaint as soon as we can after receipt of your complaint. We will let you know if we need any further information from you to resolve your complaint.

We aim to resolve complaints as quickly as possible. We strive to resolve complaints within five business days but some complaints take longer to resolve.

If your complaint is taking longer, we will let you know what is happening and a date by which you can reasonably expect a response.

If you are unhappy with our response, there are other bodies you can go to Australian Financial Complaints Authority (AFCA).

AFCA can consider most privacy complaints involving providers of financial services.

AFCA can be contacted at:

Australian Financial Complaints Authority Limited  
GPO Box 3  
Melbourne VIC 3001  
Phone: 1800 931 678  
Facsimile: (03) 9613 6399  
Email: [info@afca.org.au](mailto:info@afca.org.au)

Under the Privacy Act you may complain to the Office of the Australian Information Commissioner about the way we handle your personal information.

The Commissioner can be contacted at: GPO Box 5218  
Sydney NSW 2001  
Phone: 1300 363 992  
Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)  
Web: [www.oaic.gov.au](http://www.oaic.gov.au)

## 14 Changes to the Privacy Policy

We may change the way we handle personal information from time to time for any reason. If we do so, we will update this Privacy Policy. An up-to-date version is available on [pendalgroup.com](http://pendalgroup.com).

## 15 Meaning of words

'We', 'us' or 'our' means:

Pendal Fund Services Limited (ABN 13 161 249 332)  
Pendal Institutional Limited (ABN 17 126 390 627)

You can contact us by calling 1800 813 886, email [clientservices@pendalgroup.com](mailto:clientservices@pendalgroup.com) or visit [pendalgroup.com](http://pendalgroup.com).

Our Complaints Officer can also be contacted in relation to privacy concerns by writing to:

Pendal Fund Services Limited  
GPO BOX 7072  
Sydney NSW 2001

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