



PRIVACY POLICY

RESPECTING YOUR PRIVACY

We respect the confidentiality of information and the privacy of individuals.

This **Privacy Policy** outlines how **Blueberry Markets Group** (“**Blueberry Markets**”) manages, handles and protects the personal information and data it holds about you including information and data that Blueberry Markets collects during the course of providing its products and services to you and information and data that Blueberry Markets holds after the relationship is terminated, in compliance with the *Privacy Act 1988 (Commonwealth)* (*Privacy Act*), the *Australian Privacy Principles (APPs)* and the *General Data Protection Regulation (EU) 2016/179* (*GDPR*). This Privacy Policy also applies to information and data that Blueberry Markets collects from third parties including information and data that Blueberry Markets receives through credit reporting bodies or agencies.

This Privacy Policy contains information about how you can access and control the information Blueberry Markets holds about you, how you can ask Blueberry Markets to correct your information and how you can make a complaint if you have concerns about how Blueberry Markets has managed your information.

Any reference to ‘us’, ‘our’, ‘we’, or ‘it’ in this Privacy Policy is a reference to Blueberry Markets as the context requires unless otherwise stated. Similarly, any reference to ‘you’, ‘your’, ‘yours’ or ‘yourself’ in this Privacy Policy is a reference to any of Blueberry Markets’ customers, potential customers, shareholder and others, as the context requires unless otherwise stated.

This Privacy Policy will be reviewed from time to time to take account of new laws and technology, changes to the operations and practices of Blueberry Markets and to make sure it remains appropriate to the changing environment. Any information we hold will be governed by the most current Privacy Policy displayed on our corporate website(s). In addition, over the course of our relationship with you, we may tell you more about how we handle your information. This could be when you complete an application or form, or receive important disclosure documents from us, such as terms and conditions or a Product Disclosure Statement. You should also review these statements as they may have more specific detail.

COLLECTING YOUR PERSONAL INFORMATION

We collect personal information and data about you in order to perform various functions and activities effectively. If we do not collect your personal information, we may not be able to deal with you, or provide you with a product or service. Due to the nature of the products and services that we provide and our associated regulatory obligations, we do not have the option of allowing you to deal with us on an ‘anonymous’ basis. We also collect your personal information if the law requires us to collect it.

We obtain most of the information directly from you, through our application or other forms, and from maintaining records of information provided in the course of ongoing customer service. For example, you will need to provide us with your information when you open a trading account, fill in an application form, deal with us over the phone, send us a letter, or use our website(s).

When you apply for one of Blueberry Markets’ products or services, we may collect and hold personal information from you including (but is not limited to) your name, address, telephone number, email address, tax file number (TFN), date of birth, annual income and other financial details, employment details, credit history and your transaction history.

6 COLLECTING INFORMATION FROM THIRD PARTIES

There may be occasions when we may collect personal information about you from a third-party. We may collect personal information about you that is publicly available, including information from telephone directories, the electoral role or other relevant websites. For example, we may collect personal information about you from:

- ✓ *credit reporting bodies and/or other credit providers* – to collect information about the products they provide to you and your credit history;
- ✓ *organisations we have an arrangement with to jointly offer products;*
- ✓ *marketing companies* – to collect information about you so we can provide you with a product or service that may be of interest to you; and
- ✓ *brokers and/or other related entities who may have introduced you to us.*

We may also collect information and data about how you use our website and/or other websites to help us better tailor our services to you. For example, we may automatically do this when you click on a link from our website or visit an external website which displays a Blueberry Markets’ advertisement, or when you log onto our online portal or service (for more information see section ‘*Use of Cookies and other Tracking Technology*’). Any disclosure and/or processing of this information will be in accordance with this Privacy Policy.

6 COLLECTING SENSITIVE INFORMATION

In this Privacy Policy, ‘*Sensitive Information*’ refers to personal information about a person’s racial or ethnic origin, political opinion, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, criminal record, genetic information or health information.

We WILL NOT collect, use or disclose sensitive information about you unless we need the information for one of our functions or activities (or when we are legally required to do so) and we have already obtained your consent.

If you provide us with personal information that we have not requested, then we will only retain the information that we are otherwise entitled to hold because of the products and services we provide. However, if this additional information is surplus to our requirements but is provided to us in a manner where it is combined with information that we are either required or entitled to retain then you acknowledge that this unsolicited information may be held by us in the same manner as the balance of your personal information.

6 COLLECTING INFORMATION REQUIRED BY LAW

We may collect personal information about you because we are required or authorised by an Australian law or court or tribunal order to collect that information. We will inform you if collection is required or authorised by law and provide you with details of the law, court or tribunal order.

For example, when you set up a trading account with us and make a fund deposit, we are required under the *Anti-Money Laundering and Counter-Terrorism Financing Act* to collect certain information from you to prove your identity (i.e. your driver’s licence or passport). In limited circumstances, we may collect information about you in order to verify your identity prior to your entry into an agreement with us. We may also collect your Australian *Tax File Number (TFN)*. We will only collect your TFN to determine whether you are subject to withholding tax on any payments you receive and for no other purpose. If we collect your TFN, we will handle your TFN in accordance with the *Privacy Act* and the *TFN Rule* issued by the Commissioner.

Likewise, we may be required to ask about your tax residency status under taxation information sharing agreements the Australian government has in place with other countries. For example, a tax treaty between Australia and the United States formed under US law (*Foreign Account Tax Compliance Act*) requires us to ask you whether you are a US citizen or US resident for tax purposes when you apply for a trading account. If you are a tax resident of another country, the relevant treaty or law may require us to collect your relevant foreign tax identification number.

USING YOUR PERSONAL INFORMATION

We may use personal information we collect about you where there is a legal basis to do so, where that information is necessary to carry out obligations arising from agreements between you and Blueberry Markets, or where it is within our legitimate interest to do so.

We may use your personal information for several purposes including:

- ✓ to consider your request for a product or service;
- ✓ to enable us to provide a product or service;
- ✓ to tell you about other products and services that may be of interest to you;
- ✓ to assist in arrangements with other organisations in relation to a promotion or provision of a product or service;
- ✓ to manage accounts or perform other administrative and operational tasks (including risk management, systems development and testing, credit scoring and staff training, collecting debts and market or customer satisfaction research);
- ✓ to consider any concerns or complaints you raise against Blueberry Markets and/or to manage any legal action between you and Blueberry Markets;
- ✓ to prevent or investigate any actual or suspected fraud, unlawful activity or misconduct;
- ✓ to identify you or establish your tax status under any Australian or foreign legislation, regulation or treaty pursuant to an agreement with any tax authority; and
- ✓ as required by relevant laws, regulations, codes of practice and external payment systems.

As part of our service to you, we may use personal information we have collected about you to let you know about products and services or promotions and other opportunities in which you may be interested.

We may contact you from time to time to let you know about new or existing products or services. We may also disclose your personal information to related entities or business partners to enable them to tell you about a product or service. Depending on the situation, and where these activities do not arise from our legitimate interests, your consent to our activities will be required.

You may contact Blueberry Markets at any time if you do not wish to receive such communications. Please note that we do not use any information we have received about you through the credit reporting system for marketing purposes.

SHARING YOUR PERSONAL INFORMATION

Depending on the product or service concerned and particular restrictions on sensitive information, when it is necessary, we may need to share or disclose personal information about you to the following organisations:

- ✓ any related entities of Blueberry Markets in Australia and elsewhere in the world which provide financial and other services for Blueberry Markets;
- ✓ service providers and specialist advisers who we have contracted to provide Blueberry Markets with administrative, financial, taxation, insurance, research or other services;
- ✓ credit reporting or reference agencies;

- ✓ if you were introduced to Blueberry Markets by a third-party, we may disclose personal and account information about you to them, their related companies and licensee or authorised representatives;
- ✓ credit providers, courts, tribunals and regulatory authorities as agreed or authorised by law; and
- ✓ anyone authorised by an individual, as specified by that individual or the contract.

If there is disclosure of your personal information to an organisation not listed above, we will first obtain your free and informed consent. In some circumstances, the nature of the product or service you request may require us to disclose your information overseas and the countries to which we may disclose your information will depend on your particular circumstances.

When we disclose your information (including cross-border disclosures), we are required to take measures to ensure your information is treated in accordance with the standards that apply in Australia, and where applicable, with data regulation legislation. The foregoing standards apply to our disclosure of your personal information, unless in rare cases we have legally obtained your free and informed consent not to take these measures or are otherwise not required to do so.

Please keep in mind that our ability to enforce the APPs or any other contractual privacy obligation against overseas recipients and to act in relation to any breach may be very limited and/or far less effective than it would be if such recipients were Australian based. Because the APPs may not apply or be enforceable against some overseas recipients, we understand that you may choose not to disclose your personal information. However, if you choose not to provide the information, we need to fulfil your request for a specific product or service, we may not be able to provide you with the requested product or service.

OBTAINING YOUR CONSENT

We may require your consent to use and/or disclose personal information about you in particular ways. For example, we need your further consent if we need to use your information for a purpose that is not related to the purpose for which we collected your information in the first place.

Depending on your circumstances, the consent may be express (for example, you expressly agree to the specific use of your information by ticking a box) or implied by some action you take or do not take (for example, your agreement is implied by the fact that you have agreed to your product terms and conditions which contains information about the use or disclosure).

Under the GDPR, you are given the right to object to us processing your personal data and where we have obtained your consent to process your personal information for certain activities to withdraw this consent at any time. We will honour these rights unless we consider an alternative legal basis to justify our continued processing of your personal information for that purpose.

USE OF COOKIES AND OTHER TRACKING TECHNOLOGY

Our website(s) have links to external third-party websites that may benefit you. Please keep in mind that these third-party websites are not covered by this Privacy Policy and these sites are not subject to our privacy standards and procedures.

We also use cookies to give you access to certain pages of our website(s) without having to log in each time you visit. Likewise, we may use independent external service providers to track the traffic and usage on our website(s).

Please note that 'cookies' are small pieces of text stored on your computer to help us determine the type of browser and settings you are using, where you have been on our website(s), what you've downloaded, where you came from, and to ensure your information is secure. The purpose of cookies is to provide you with a more relevant and effective experience on our website(s), including presenting web pages according to your needs or preferences.

Cookies are frequently used on many websites on the internet and you can choose if and how a cookie will be accepted by changing your preferences and options in your browser. Please note however that you may not be able to access some parts of our website(s) if you choose to disable the cookie acceptance in your browser, particularly the secure parts of the website(s). We therefore recommend you have the cookies enabled to benefit from all the services on the website(s).

Please also note that we are constantly improving the functionality on our website(s). This may mean a change to the way in which personal information is collected or used. The impact of any technology changes which may affect your privacy, will be notified in this Privacy Policy as it may be updated from time to time.

MANAGING YOUR PERSONAL INFORMATION

Blueberry Markets takes all reasonable precautions to protect your personal information and data from misuse and loss, and from unauthorised access, modification and disclosure by ensuring that your personal information can only be accessed by people properly authorised to have access.

We train staff who handle your personal information to respect the confidentiality of customer information and the privacy of individuals. We regard breaches of customer privacy very seriously and will impose appropriate penalties, including dismissal.

Your personal information is stored in a combination of secure computer storage facilities and paper-based files and other records, and irrespective of the format of the information, we take steps to protect the personal information we hold from interference, misuse, loss, unauthorised access, modification or disclosure. We maintain physical security, such as locks and security systems, over our paper and electronic data stores and premises. We also maintain computer and network security. For example, we use firewalls (security measures for the internet) and other security measures such as identification codes and passwords to control access to computer systems. We continually maintain and monitor our online security systems to ensure that our online services are secure and that your personal information is appropriately protected when you use these services.

Your personal information may also be processed by us and/or our third-party service providers (including storage and transfer) outside Australia or the European Economic Area (EEA) i.e. the Member States of the European Union, together with Norway, Iceland and Liechtenstein. If you are based in the EU, we will only process and/or transfer data where it is compliant with relevant data protection legislation, where the means of transfer provide adequate safeguards in relation to your personal information. For example, by way of a data transfer agreement with a third-party, incorporating the current standard contractual clauses adopted by the European Commission for the transfer of personal data by controllers in the EEA to controllers and processors in jurisdictions without adequate data protection laws.

Please note that we may need to maintain your personal information for a significant period of time. When we are no longer permitted to keep your information, we will remove and/or destroy your personal information accordingly. If you are a subject of applicable data regulation legislation, you hold the right to request to us to erase certain personal information.

PROTECTING YOUR PRIVACY

You can help Blueberry Markets to protect your privacy by staying informed about our security requirements and contacting us immediately if your contact details change.

We also require you to keep your personal customer information such as passwords and user details confidential and secure at all times. This means that you should not disclose your personal user information to any other person. You should contact Blueberry Markets immediately if you believe that your personal user information may have been disclosed to another person or if you would like to change your password or user details.

ACCESSING YOUR PERSONAL INFORMATION

Under the Privacy Act and GDPR (subject to certain exceptions), you have the right to find out what personal information we hold about you, including what information we have obtained through the credit reporting system. You should contact Blueberry Markets if you wish to find out about the personal information we hold about you (please note that your request should be made in writing for security reasons and we may need to verify your identity before giving you access).

We are generally able to deal with your request immediately. However, if the request is complex, then such request will be dealt with within 14 to 30 business days. Further, depending on the complexity of your request, we may need to charge a fee to cover the cost of verifying the application and locating, retrieving, reviewing and copying any material requested. If the information sought is extensive, we will advise and disclose the likely cost in advance and can help to refine your request if required. To honor your right under the GDPR, if you make a request to transfer your personal data to another third-party, we will ordinarily provide you with your personal data in a commonly used machine-readable format.

CORRECTING YOUR PERSONAL INFORMATION

If you believe that the personal information Blueberry Markets holds about you is inaccurate, incomplete or out-of-date as a result of changes of address and other personal circumstances, you should contact us as soon as possible. We will promptly update any personal information that is inaccurate, incomplete or out-of-date.

We can update your personal information over the telephone or by email from your registered email address (please note that we will need to confirm your identity before making any amendments).

EXPRESSING YOUR PRIVACY CONCERN

If you consider or believe that any of our action breaches this Privacy Policy and/or the Privacy Act, the GDPR or any applicable legislation or otherwise doesn't respect your privacy, you are entitled to make a complaint. This will be acted upon promptly.

You may lodge your complaint online on our website(s) or by contacting our Support team using the following methods:

- ✓ Phone: +61 2 8039 7480
- ✓ Email: support@blueberrymarkets.com

If you make a complaint, we will endeavour to respond within 48 business hours to let you know who is responsible for managing your complaint and will try to resolve your complaint within 10 business days. When this is not possible, we will contact you within that time to let you know how long it will take to resolve your complaint.

We will investigate your complaint thoroughly and where necessary, consult with other credit providers or credit reporting bodies about your complaint then decide how we will resolve your complaint and write to you explaining our decision.

If you are not satisfied with the response given by us to resolve your complaint, you have the right to access an external dispute resolution service or apply to the *Office of the Australian Information Commissioner* ("OAIC") to have the complaint heard and determined. When we write to you about our decision, we will also explain how you may access an external dispute resolution scheme or make a complaint to the OAIC.