

# DIVERSA

TRUSTEES LIMITED

## PRIVACY POLICY

## **Purpose of this Policy**

This policy has been developed by Diversa Trustees Limited (**Diversa Trustees**) to meet the requirements of the Australian Privacy Principles pursuant to the Privacy Amendment (Enhancing Privacy Protection) Act 2012, which amends the Privacy Act 1988.

The adoption of these principles supports our management philosophy that promotes mutual trust, respect, equity and fair treatment for all our clients and will ensure that we handle your personal information in an open and transparent way.

We are committed to ensuring that your privacy is protected and understand your concerns regarding confidentiality and security of personal information you provide to us in all our business dealings. We acknowledge the importance of keeping your personal details confidential and secure.

We also support:

- fair and open collection practices;
- processes that ensure information is accurate, complete and current;
- clients' rights to see and where necessary correct information about themselves;
- limiting the use of information; and,
- the ability for you to lodge a complaint about any breach of the Australian Privacy Principles.

## **What Personal Information does Diversa Trustees collect?**

Personal information is information about you from which you can be reasonably identified. In each Fund where Diversa Trustees has been appointed Trustee, our service provider holds and uses personal information about each Fund member so that we can provide you with our products and services and comply with our legal obligations such as those under superannuation laws, taxation laws and the Anti-Money Laundering and Counter-Terrorism Financing Act.

Typically, this information includes a member's name, address, date of birth, gender, tax file number, employment, financial details and any other required information. This information is needed to maintain the Fund's records in a format that identifies the member. These records are essential to the proper management of the Fund and to enable the Fund to provide members with superannuation benefits. The Fund might also collect health information about a member to enable it to obtain, death or disability insurance cover from the Fund's insurer or to process a member's disability claim. Information about a member's potential beneficiaries is also held by the Fund.

Diversa Trustees may also collect personal information to keep you up to date with the products and services that we or our related body corporates offer. This may include the use of direct marketing however you are able to request not to receive direct marketing communications from us.

## **Collection of Information**

Depending on how you choose to interact with us, we may collect your personal information when you contact us or our service providers by telephone, email, through our or the Fund's website, complete an application form, or when you meet one of our representatives face to face.

Diversa Trustees may also collect information about you from third parties. For example, we may collect personal information from your authorised representative and/or advisor, your sponsoring employer(s) or other superannuation fund providers in the event your benefit is rolled over.

In some circumstances, such as collection of health information for disability claim or insurance cover purposes, it may be collected from yourself, the insurer, administrator or healthcare professional. Information about potential beneficiaries of a member's death benefit is collected from the member and is not generally used until the member's death.

If a member decides not to provide Diversa Trustees or the Fund with the information needed, or not allow third parties to provide that information, then Diversa Trustees or the Fund administrator may not be able to provide superannuation benefits or attend to your enquiry.

Should Diversa Trustees or the Fund receive any personal information that is unsolicited, it will be determined if the information could have been collected in accordance with the above disclosure. If this is not the case and if lawful to do so, the unsolicited personal information will be destroyed or de-identified.

## **Disclosure of Information**

In undertaking its obligations to its members, Diversa Trustees outsources various services to other organisations. For this purpose, a member's personal information may, as required, be collected by, transferred to or be handled by:

- the Fund's administrator;
- the Fund's custodian;
- the Fund's investment managers;
- Registry and platform providers;
- the Fund's auditors;
- the Fund's insurer;
- your employer;
- Trustees of other superannuation funds where your superannuation is transferred to or from the other fund;
- Government bodies such as law enforcement agencies, the Australian Taxation Office or Australian Prudential Regulation Authority;
- the Fund's legal and other professional advisers; and
- other business support providers, including document storage, printing and collating companies.

Diversa Trustees will only disclose a member's personal information to these organisations, including any of its' related body corporates, to enable them to undertake specified services to assist in the operation and management of the Fund and your superannuation benefit. At times, these organisations may engage a sub-contractor and disclose your personal information to the sub-contractor.

Diversa Trustees will also disclose a member's personal information in circumstances where we are required by law to do so.

## **Transfer of Information Overseas**

In some circumstances, personal information may be disclosed in jurisdictions including India, New Zealand, United States and the United Kingdom. Australian superannuation

funds are required to meet Trans-Tasman portability requirements and may on request transfer your benefit to New Zealand as per these requirements. This may also apply to transfer of benefits from the United Kingdom to Australia under the Qualifying Recognised Overseas Pension Schemes (QROPS).

At times, the organisations engaged by Diversa Trustees or the Fund may utilise service providers based overseas and this may lead to personal information being disclosed to overseas recipients.

Before disclosing information overseas, reasonable steps will be taken to ensure the recipient does not breach the Australian Privacy Principles or the effect is that the information will be protected in at least a substantially similar way in which the Australian Privacy Principles protect the information.

### **Family Law Requirements**

The *Family Law Act 1975* (Cth) enables certain persons to request information about the member's interest in a superannuation fund. Diversa Trustees may, if requested, be required to provide information about a member's interest in a superannuation fund to their spouse or a person who intends to enter into an agreement with the member about splitting their superannuation interest in the event of separation of marriage. The request must be in a form prescribed by law. The law prevents us from telling the member about any such request for information and from providing the member's address to the person requesting the information.

### **Access to and Correction of Personal Information**

A member can access his or her own personal information by contacting the Fund's Administrator. Requests for access to your personal information will be responded to within a reasonable period after the request is made. Access to the information will be given in the manner requested by you, if it is reasonable and practical to do so. A fee for providing the requested access may apply.

There are some circumstances in which the Fund is entitled to deny a member access to information. These include circumstances where such information is used in confidential trustee decisions or in a commercially sensitive decision making process, where the privacy of others may be breached if the information was accessed or where the law requires or authorizes such access to be denied.

If the information held by the Fund is inaccurate, out of date, incomplete, irrelevant or misleading or a member requests the Fund to correct the information, Diversa Trustees will take reasonable action to correct the information to ensure that, having regard to the purpose for which it is held, the information is accurate, up to date, complete, relevant and not misleading.

If access to requested information is refused or not provided in the manner requested, or there is a refusal to correct the information, then written notice will be provided setting out reasons for the refusal and mechanisms available to complain about the refusal.

### **Security of your Personal Information**

Diversa Trustees considers confidentiality of information as extremely important. Diversa Trustees' computer systems are protected with passwords and firewalls as appropriate. Our offices are locked securely and we destroy information securely when required. It does not

sell or rent out any of the information it holds on its members and protects the security of that information in accordance with regulatory requirements and industry practice. Administrators and other service providers have their own Privacy Procedures.

### **Resolution of Privacy Concerns**

If a member is concerned about privacy related matters or a breach of the Australian Privacy Principles, the member should contact the Fund Administrator who will respond to the concerns raised. If the member's concerns are not resolved to the satisfaction of the member, the matter can be referred to the Office of the Australian Information Commissioner ([www.oaic.gov.au](http://www.oaic.gov.au))

### **Notifiable Privacy Data Breaches**

The Notifiable Data Breaches (NDB) scheme requires organisations to notify individuals affected by a data breach that is likely to result in serious harm to the individual(s). Where it is uncertain if a data breach is likely to result in serious harm, there is an obligation on Diversa Trustees to conduct an assessment of the breach.

In the event that Diversa Trustees assesses that it has reasonable grounds to believe that an eligible data breach has occurred, it will take appropriate action to notify the affected individual(s) and the Australian Information Commissioner about the breach. Diversa Trustees may however choose to publish information about an eligible data breach on its' website if it is not practicable to provide direct notification to affected individuals.

### **How do you Contact Us?**

If you have any questions, complaints, feedback, or would like further information about Diversa Trustees' Privacy Policy, you can contact us at:

GPO Box 3001  
Melbourne VIC 3001  
P. 03 9616 8600  
Email: [trustees@diversa.com.au](mailto:trustees@diversa.com.au)