

Privacy Policy

1. INTRODUCTION

This Policy applies to FIRMA Foreign Exchange Corporation, Suite 8.01, Level 8 2 Bulletin Place, Sydney NSW 2000, ARBN 113 919 869, AFSL # 306556 (referred to as 'FIRMA', 'we', 'our', 'us') and covers all of our operations and functions.

All Third Parties that have access to or use personal information collected and held by FIRMA must comply with this Privacy Policy. FIRMA makes this Policy available free of charge and it can be downloaded from <http://www.firmafx.com/au/privacy-policy>.

This Policy outlines FIRMA's obligations to manage and protect personal information. FIRMA is bound by the Australian Privacy Principles ('APPs') and the Privacy Act 1988 ('Privacy Act'). This Policy also outlines FIRMA's practices, procedures and systems that ensure compliance with the Privacy Act, APPs and the Code.

In this Privacy Policy:

- 'Credit information' is personal information (other than sensitive information) that relates to an individual's credit history or credit worthiness, and is further defined in the Privacy Act. Credit information includes information that we have obtained from Third Parties, including individuals, other credit providers and credit reporting bodies ('CRBs');
- 'Disclosure' of information means providing information to persons outside FIRMA;
- 'Individual' means all persons whose personal information we collect, hold, use or disclose;
- 'Personal information' means information or an opinion relating to an individual, which can be used to identify that individual;
- 'Privacy Officer' means the contact person within FIRMA for questions regarding FIRMA's Privacy Policy. You can contact the Privacy Officer on the details set out in section 19 below;
- 'Sensitive information' is personal information that includes information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, sexual preferences and criminal record, and also includes health information;
- 'Third Parties' mean clients, suppliers, sub-contractors, agents or other people having a commercial relationship with FIRMA; and
- 'Use' of information means use of information within FIRMA.

2. WHAT KINDS OF PERSONAL INFORMATION DO WE COLLECT AND HOLD?

We may collect and hold the following kinds of personal information about individuals:

- name;
- date of birth;
- contact details;
- employment details;
- details of the individual's foreign exchange preferences and aversion or tolerance to risk;
- driver's licence, passport and other identification document details; and
- any other information that is relevant to the services that we provide.

3. HOW WE COLLECT PERSONAL INFORMATION

We generally collect personal information directly from the individual. Personal information will be collected when an individual completes applications, questionnaires or forms, visits our website, visits us in person, contacts us by telephone or sends us correspondence.

Sometimes we may need to collect personal information about an individual from a third party, such as identity verification services, third party marketing agencies, existing clients or referring firms. When we are provided with personal information by a third party, we will take reasonable steps to ensure that the individual is made aware of the matters set out in this Privacy Policy.

FIRMA will not collect sensitive information unless the individual has consented or an exemption under the APPs applies. These exceptions include if the collection is required or authorised by law or necessary to take appropriate action in relation to suspected unlawful activity or serious misconduct.

If the personal information we request is not provided, we may not be able to provide foreign exchange services to an individual, or meet an individual's needs appropriately.

FIRMA does not give individuals the option of dealing with it anonymously, or under a pseudonym. This is because it is impractical, and in some circumstances illegal, for FIRMA to deal with individuals who are not identified.

4. UNSOLICITED PERSONAL INFORMATION

FIRMA may receive unsolicited personal information about individuals. We destroy or de-identify all unsolicited personal information, unless the personal information is relevant to FIRMA's purposes for collecting personal information.

5. ABOUT WHOM DO WE COLLECT PERSONAL INFORMATION?

We may collect personal information about the following individuals:

- clients;
- potential clients;
- service providers, suppliers or contractors; and
- other Third Parties with whom we come into contact.

6. WEBSITE COLLECTION

When an individual accesses our website, we also use cookies to allow us to track usage patterns so that we can measure the level of interest in various areas of the site. Cookies do not identify the individual.

7. WHY DOES FIRMA COLLECT AND HOLD PERSONAL INFORMATION?

We may collect and hold personal information about individuals for the following purposes:

- to assist FIRMA in providing foreign exchange services to individuals;
- to verify the identity of individuals;
- to assess whether our foreign exchange services are suitable for the individual;
- to provide individuals with information about our services, upcoming events, market trends and to request feedback about our services;
- to enter into contracts with sub-contractors to conduct our business;
- to manage credit provided to our corporate clients, or collect overdue payments;
- to protect our business and other clients from fraudulent or unlawful activity;
- to conduct our business and perform other management and administration tasks;
- to comply with relevant laws, regulations and rules, including the Anti-Money Laundering and Counter-Terrorism Financing Act 2006; and
- to help us improve the products and services offered to our clients, and to enhance our overall business.

8. HOW MIGHT WE USE AND DISCLOSE PERSONAL INFORMATION?

FIRMA may use and disclose personal information for the primary purposes for which it is collected, for reasonably expected secondary purposes which are related to the primary purpose and in other circumstances authorised by the Privacy Act.

We use and disclose personal information for the purposes outlined in section 7 above. Sensitive information will be used and disclosed only for the purpose for which it was collected or a directly related secondary purpose, unless the individual

agrees otherwise, or where certain other limited circumstances apply (e.g. where required by law).

We engage other people to perform services for us, which may involve that person handling personal information we hold. In these situations, we prohibit that person from using personal information about the individual except for the specific purpose for which we supply it. We prohibit that person from using the individual's information for the purposes of direct marketing their products or services.

In relation to sensitive information held by us, wherever possible, FIRMA will attempt to destroy or de-identify the information. We also undertake to destroy or de-identify all personal information about an individual when it is no longer needed or relevant.

9. TO WHOM MIGHT WE DISCLOSE PERSONAL INFORMATION?

We may disclose personal information to:

- a related entity of FIRMA;
- an agent, contractor or service provider we engage to carry out our functions and activities, such as identity verification services, our lawyers, accountants, compliance consultants, or other advisors;
- organisations involved in a transfer or sale of all or part of our assets or business;
- organisations involved in managing our payments, corporate risk and funding functions, including banks and other financial institutions;
- transaction counterparties;
- regulatory bodies, government agencies, law enforcement bodies and courts;
- a person who manages credit provided by us to corporate clients, or assesses a corporate client's application for credit; and
- anyone else to whom you authorise us to disclose it or is required by law.

If we collect personal information from these organisations and individuals we will deal with that information in accordance with this Policy.

10. SENDING INFORMATION OVERSEAS

We are likely to store individuals' personal information on data servers that are located in Canada and the United Kingdom. We will not send personal information to recipients outside of Australia unless:

- we have taken reasonable steps to ensure the recipient does not breach the Privacy Act and the APPs;
- the recipient is subject to an information privacy scheme similar to the Privacy Act; or
- the individual has consented to the disclosure.

11. MANAGEMENT OF PERSONAL INFORMATION

The APPs require us to take all reasonable steps to protect the security of personal information. FIRMA employees must respect the confidentiality of the personal information we collect.

FIRMA takes reasonable steps to protect personal information held from misuse, loss or interference and unauthorised access, modification or disclosure. All personal information contained in hard copy documents held by FIRMA is stored in locked cabinets. All personal information stored on FIRMA's computer system is backed up regularly, and back-up copies are held in a secure location. In relation to our client database, we apply the following guidelines:

- data ownership is clearly defined within FIRMA ;
- passwords are routinely checked;
- we change employees' access capabilities when they are assigned to a new position;
- employees have restricted access to certain sections of the system;
- the system automatically logs and reviews all unauthorised access attempts;
- the system automatically limits the amount of personal information appearing on any one screen;
- unauthorised employees are barred from updating and editing personal information;
- all personal computers which contain personal information are secured, physically and electronically;
- data is encrypted during transmission over the network;
- print reporting of data containing personal information is limited;

12. Notifiable Data Breach Scheme

FIRMA is obligated by the Privacy Amendment (Notifiable Data Breaches) Act 2017, to notify the Office of the Australian Information Commissioner (OAIC) and affected individuals of eligible data breaches.

A data breach is defined as personal information held by FIRMA that is lost or subjected to unauthorised access, modification, disclosure, or other misuse or interference, and where serious harm would result based on the breach.

FIRMA actively takes measures to ensure the security of personal information. In the unlikely event that there is a data breach, we will notify the OAIC and individuals affected when the following criteria are satisfied;

1. there is unauthorised access to or unauthorised disclosure of personal information, or a loss of personal information, that FIRMA holds,
2. this is likely to result in serious harm to one or more individuals, and
3. FIRMA has not been able to prevent the likely risk of serious harm with remedial action.

13. DIRECT MARKETING

FIRMA does not use personal information for the purposes of direct marketing, unless:

- the personal information does not include sensitive information; and
- the individual would reasonably expect us to use or disclose the information for the purpose of direct marketing; and
- we provide a simple way of opting out of direct marketing; and
- the individual has not requested to opt out of receiving direct marketing from us.

If the individual would not reasonably expect us to use or disclose the information for the purpose of direct marketing, we may only use or disclose that information for direct marketing if the individual has consented to the use or disclosure of the information for direct marketing or it is impracticable to obtain that consent.

In relation to sensitive information, FIRMA may only use or disclose sensitive information about an individual for the purpose of direct marketing if the individual has consented to the use or disclosure of the information for that purpose.

Individuals can opt out of direct marketing by contacting us, and we must give effect to the request within a reasonable period of time. Individuals may also request that FIRMA provides them with the source of their information. If such a request is made, FIRMA must notify the individual of the source of the information free of charge within a reasonable period of time.

14. CONTRACTUAL ARRANGEMENTS WITH THIRD PARTIES

FIRMA must ensure that all contractual arrangements with third parties adequately address privacy issues. FIRMA will make third parties aware of this Privacy Policy. Third parties will be required to implement policies to ensure they comply with the Privacy Act, including:

- regulating the collection, use and disclosure of personal and sensitive information;
- de-identifying personal information wherever possible;
- ensuring that personal information is kept securely, with access to it only by authorised employees or agents of the third parties; and
- ensuring that the personal information is only disclosed to organisations which are approved by FIRMA.

15. IDENTIFIERS

We will not use identifiers assigned by the Government, such as a tax file numbers or passport numbers for our own file recording purposes, unless one of the exemptions in the Privacy Act applies. FIRMA endeavours to avoid data-matching.

16. ACCURACY OF PERSONAL INFORMATION

FIRMA takes reasonable steps to ensure that the personal information it collects, uses and discloses is relevant, accurate, complete and up-to-date.

We encourage individuals to contact us in order to update any personal information we hold about them. If we correct information that has previously been disclosed to another entity, we will notify the other entity within a reasonable period of the correction. Where we are satisfied information is inaccurate, we will take reasonable steps to correct the information within 30 days, unless the individual agrees otherwise. We do not charge individuals for correcting the information.

17. ACCESS TO PERSONAL INFORMATION

Subject to the exceptions set out in the Privacy Act, individuals may gain access to the personal information which FIRMA holds about them by contacting the FIRMA Privacy Officer. We will provide access within 30 days of the individual's request. If we refuse to provide access, we will provide reasons for the refusal.

The individual will be able to look at his or her personal information at the offices of FIRMA. We will require identity verification and specification of what information is required. An administrative fee for search and photocopying costs may be charged for providing access.

18. UPDATES TO THIS POLICY

This Policy will be reviewed from time to time to take account of new laws and technology, changes to our operations and the business environment.

19. PRIVACY TRAINING

All new employees are provided with timely and appropriate access to FIRMA's Privacy Policy. Employees must read and understand this Policy and ensure that they understand the privacy issues that relate to FIRMA's business activities.

20. COMPLAINTS HANDLING

FIRMA has an effective complaints handling process in place to manage privacy risks and issues, which involves:

- identifying (and addressing) any systemic compliance problems; and
- handling individual complaints about privacy quickly and effectively.

Individuals can make a complaint to FIRMA about the handling of their personal information by lodging a complaint with the Privacy Officer. If you have any questions

about our privacy procedures, or if you wish to make a complaint about how we have handled your personal information you may lodge a complaint with us in any of the following ways:

- by telephoning – 1300 456 239
- by writing to – FIRMA Privacy Officer, Suite 8.01, Level 8, 2 Bulletin Place, Sydney NSW 2000
- by emailing – privacy.officer@firmafx.com

If you are not satisfied with the result of your complaint to FIRMA you can also refer your complaint to the Office of the Australian Information Commissioner. You can contact the Office of the Australian Information Commissioner:

- by telephoning - 1300 363 992
- by writing to - Director of Complaints, Office of the Australian Information Commissioner, GPO Box 5218, SYDNEY NSW 2001
- by emailing - enquiries@oaic.gov.au