



Lucerne
Investment
Partners

Privacy Policy

Lucerne Services Pty Ltd

Company:	Lucerne Services Pty Ltd
ACN:	606 629 538
AFSL:	481217
Date Updated:	15 March 2023

1. PRIVACY POLICY

1.1 APPLICATION

In accordance with the Privacy Act 1988, Lucerne Services has implemented policies and procedures relating to personal information collected from all clients and employees. Where applicable, foreign law may override some of the requirements set out in this policy, which have not been considered when drafting this Policy.

1.2 SCOPE

The scope of this Policy is to detail Lucerne Services' commitment to ensuring compliance with the Australian Privacy Principles (APP) as detailed in the Privacy Act 1988 and to define its Policy regarding the following principles:

- Open and transparent management of personal information – Lucerne Services must have on-going practices and policies in place to ensure that they manage personal information in an open and transparent way and such policies and practices must be documented in its privacy policy which must be readily available to clients.
- Anonymity and Pseudonymity – Individuals must be given the option of not identifying themselves or of using a pseudonym (however it is noted that Lucerne Services will not be able to deal with clients on this basis as it needs to identify all its clients under the AMLCTF Act).
- Collection of solicited personal information – Lucerne Services must ensure that personal information about a client is only collected when it is necessary for one or more of its functions or activities and that personal information is collected by a lawful and fair means and not in an unreasonably intrusive way. Sensitive information may only be collected with an individual's consent.
- Dealing with unsolicited personal information – If Lucerne Services receives personal information which is not solicited it must determine whether it would be permitted to collect the information and if not must destroy it.
- Notification of the collection of personal information – Lucerne Services must make clients aware of the information contained in its Privacy Policy at or before the time, or as soon as practicable after, collecting the information.
- Use and Disclosure of personal Information – Lucerne Services must ensure personal information about a client is not used or disclosed for any other purpose than the primary purpose of collection or pursuant to this policy.
- Direct marketing – Lucerne Services may only use or disclose personal information for direct marketing purposes where the individual has either consented to their personal information being used for direct marketing or has a reasonable expectation that their personal information will be used for this purpose, and conditions relating to opt-out mechanism are met.
- Cross-border disclosure of personal information – Before Lucerne Services discloses personal information to an overseas recipient, it must take reasonable steps to ensure that the overseas recipient does not breach the APPs in relation to that information.
- Adoption, use or disclosure of government related identifiers – Lucerne Services must not adopt a government related identifier of an individual as its own identifier of the individual.

- Quality of personal information – Lucerne Services must ensure that reasonable steps have been taken to make sure that the personal information collected, used or disclosed is accurate, complete and up to date, having regards to the purpose of the use and disclosure.
- Security of personal information – Lucerne Services must ensure that reasonable steps have been taken to protect the personal information held by Lucerne Services on behalf of its clients and employees, from misuse, interference and loss, and unauthorised access, modification, and disclosure. Lucerne Services must take reasonable steps to destroy or de-identify personal information if the organisation no longer needs it for any authorised purpose.
- Access to personal information – Lucerne Services must define its policy and procedure regarding the release of personal information to clients and employees who initially provided the information.
- Correction of Personal Information – Lucerne Services must take reasonable steps to ensure it updates any request to correct personal information.

1.3 ROLES AND RESPONSIBILITIES

The Privacy Officer, Mr Stephen Moretta, or its delegate is responsible for ensuring that the collection of personal information is consistent with the Australian Privacy Principles as defined in the Privacy Act 1988. These responsibilities include:

- conducting an annual privacy audit.
- formulating and reviewing Lucerne Services' privacy policy.
- co-ordinating and implementing the privacy policy; and
- promoting the policy and scheme requirements to all affected parties.
- Every employee involved in the collection, use, disclosure, and security of personal information must ensure that:
 - all personal information is accurate and up to date at all times.
 - no personal information is disclosed or used, except as permitted by this policy; and
 - all personal information is kept secured.

1.4 DEFINITIONS

Personal information—information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

Sensitive information means:

- information or an opinion about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices, criminal record or that is also personal information; or
- health information about an individual; or
- genetic information about an individual that is not otherwise health information.
- Health information means:
 - individuals or an opinion about the health or a disability (at any time) of an individual, an individual's expressed wishes about the future provision of health services to him or her, a health service provided, or to be provided, to an individual or that is also personal information; or

- other personal information collected to provide, or in providing, a health service; or
- other personal information about an individual collected in connection with the donation, or intended donation, by the individual of his or her body parts, organs or body substances; or
- genetic information about an individual in a form that is, or could be, predictive of the health of the individual or a genetic relative of the individual.

Employee record – in relation to an employee, means a record of personal information relating to the employment of the employee. Examples of personal information relating to the employment of the employee are health information about the employee and personal information about all or any of the following:

- the engagement, training, disciplining or resignation of the employee.
- the termination of the employment of the employee.
- the terms and conditions of employment of the employee.
- the employee's personal and emergency contact details.
- the employee's performance or conduct.
- the employee's hours of employment.
- the employee's salary or wages.
- the employee's membership of a professional or trade association.
- the employee's trade union membership.
- the employee's recreation, long service, sick, personal, maternity, paternity, or other leave; and
- the employee's taxation, banking, or superannuation affairs.

1.5 COLLECTION OF PERSONAL INFORMATION

Australian Privacy Principle No.3 deals with the collection of personal information and allows for the collection of personal information by a business only when it is necessary for one or more of its functions or activities.

Lucerne Services collects personal information from its clients as part of the account opening process and its employees and contractors as part of its due diligence when offering them employment. The management of Lucerne Services is committed to ensuring that all personal information collected from its clients and employees is afforded an appropriate level of privacy in accordance with the Privacy Act and the Australian Privacy Principles, by which Lucerne Services is bound.

Personal information can only be collected under the following circumstances:

- the information collected is relevant to that purpose and is up to date and complete.
- the collection of the information does not intrude to an unreasonable extent upon the personal affairs of the individual concerned.
- for lawful purposes; and
- for purposes directly related to the functions and activities of Lucerne Services.
- Prior to or as soon as practicable after the information is collected, Lucerne Services is to take reasonable steps to ensure that the individual concerned is aware of:
 - the purpose for which the information is being collected.
 - if the collection of the information is authorised or required by or under law – the fact that the collection of the information is so authorised or required; and
 - any person to whom, or any body or agency to which, it is the collector's usual practice to disclose personal information of the kind so collected, and (if known by the collector) any

person to whom, or any body or agency to which, it is the usual practice of that first-mentioned person, body or agency to pass on that information.

- A number of methods can be utilized to collect personal information. Lucerne Services will only use the following methods to collect Personal Information:
- upon application for services – verbally via telephone line or in writing by completing an application form.
- upon request to update records maintained by Lucerne Services – all such requests must be in writing, either by email (if email address can be verified against the records maintained by Lucerne Services) or by letter or facsimile. If updated details are provided verbally, then all reasonable efforts must be made to verify the identity of the caller; and
- from public records, for example details relating to directors, shareholders, and officeholders of a corporation.

1.6 COLLECTION OF SENSITIVE INFORMATION

Australian Privacy Principle No.3.3 details the circumstances under which an organisation can collect sensitive information from clients. Lucerne Services can only collect sensitive information if:

- the individual has consented in writing; or
- the collection of such information is required by law; or
- the collection of such information is necessary for the establishment, exercise, or defence of a legal or equitable claim.

1.7 COLLECTION OF TAX FILE NUMBERS

Tax file numbers shall not be collected, recorded, used, or disclosed in an unauthorized manner and, in particular, shall not be used as a means of matching personal information about a person.

All employees receiving information relating to an individual's tax file number shall take all reasonable steps in the circumstances to ensure that the manner of collection takes account of the rights of persons to control the accumulation and dissemination of information relating to them.

All reasonable steps in the circumstances must be taken to ensure that:

- security safeguards and procedures are in place to prevent unauthorized access to, modification or disclosure of, and loss of, such information, whether that information is stored in physical or electronic form; and
- access to records which contain tax file number information for authorized purposes is confined to persons who have a need for access to such information for the purpose of carrying out tax-related functions for the person the tax file number belongs to.

1.8 WEBSITE PRIVACY POLICY

Lucerne Services may obtain personal information:

- when an individual knowingly gives that information when requesting forms or other information on Lucerne Services' website or contacting Lucerne Services via its website, including email; and
- by cookies when a person visits Lucerne Services' website.
- The personal information collected via the website is solely collected for the following reasons:
 - to respond to queries or requests for information.
 - to keep a record of its dealing with clients.

- to develop a data profile to enable it to tailor services to its clients and to enhance the content of its website; and
- to send notices to clients about financial products and services Lucerne Services offers.

When an individual gives Lucerne Services personal information, that person consents to these uses, although in the case of receiving marketing material, the person will have the option to opt out by emailing or otherwise contacting Lucerne Services' Privacy Officer.

1.9 RECORDING OF PERSONAL INFORMATION

Lucerne Services will maintain records detailing personal information:

- of its previous and current clients to ensure that it can identify its clients and for the purpose of providing financial products and services to its clients; and
 - of its previous and current employees to the extent necessary and required by governing law and for any other purpose associated with your employment at Lucerne Services.
 - All client and employee records are kept indefinitely.
 - The following persons within Lucerne Services will have access to the records:
 - only those persons directly involved in providing the product or service to a client have access to such information relating to clients or as agreed by the client in writing; and
- only senior management and persons in the Human resources department are entitled to have access to personal information maintained on behalf of employees or as agreed by the employee in writing.

1.10 USE OF PERSONAL INFORMATION

Australian Privacy Principle No.6 details the circumstances under which an organisation can use the personal information it collects and the entities to which and the circumstances under which it can disclose the personal information. Lucerne Services will use personal information about individuals as follows:

- as the individual consents.
- for the purpose of providing the financial products and services the individual requests and for other purposes for which the information was given to Lucerne Services.
- for purposes related to the reason the individual gave Lucerne Services the information, but only if that person would reasonably expect Lucerne Services to use it for that purpose.
- as required for law enforcement, public health, or public safety reasons; and
- for product development and for marketing purposes from time to time.

1.11 USE OF PERSONAL INFORMATION FOR DIRECT MARKETING

If Lucerne Services sends direct marketing material to an individual, Lucerne Services will give that person an opportunity to refuse receipt of further information, at that time. Any concerns regarding how to and to whom Direct Marketing can be issued should be directed to Lucerne Services' Privacy Officer.

1.12 DISCLOSURE OF PERSONAL INFORMATION

The disclosure of sensitive information collected by Lucerne Services is prohibited under all circumstances.

In providing clients with the financial products and services, Lucerne Services may need to disclose personal information to others. For example, disclosure of personal information to parties that are

contracted by Lucerne Services to provide a particular service, such as auditors, compliance consultants and lawyers.

Lucerne Services ensures that those contractors are bound by the same privacy rules it follows and that those contracting parties are not authorised to use personal information for anything other than the purpose for which Lucerne Services supplies that information to them.

During the course of its operation, Lucerne Services may be required to disclose personal information to third parties. The circumstances under which such disclosure is acceptable is as follows:

- Sometimes, the law requires Lucerne Services to disclose personal information to third parties. For example, in response to a subpoena issued by a court or to a Government agency.
- The Privacy Act permits Lucerne Services to share the personal information that it holds with its related companies. If Lucerne Services' related companies are entitled to use that personal information, they may only do so for the purposes for which Lucerne Services collected the personal information unless the person concerned otherwise agrees.

Lucerne Services will not disclose any personal information unless:

- the individual concerned is reasonably likely to have been aware, or was made aware, that information of that kind is usually passed to a third party, for example, a related body corporate or a supplier used to provide the financial product or service to the client or employee; or
- as required by law or for law enforcement, public health, or public safety reasons; or
- the individual concerned has consented to the disclosure.

1.13 SECURITY OF PERSONAL INFORMATION

Australian Privacy Principle No. 11 requires each business to ensure that it has appropriate systems and processes in place to keep personal information secured and to dispose of such information when it is no longer required.

Lucerne Services will take all reasonable steps in its power to protect the personal information it holds from misuse, loss, modification, disclosure, and unauthorised access and to prevent unauthorised use or disclosure of information contained in records given to a person in connection with the provision of a service.

Some of the steps taken by Lucerne Services to protect personal information and prevent the unauthorised disclosure of information include:

- Restricting the access to its computer systems and physical records to authorised persons and prevent users from accessing information they have no need to access.
- Requiring employees to use unique passwords to gain access to systems. These passwords are changed regularly.
- Encrypting data sent from other computers to Lucerne Services' systems during internet transactions.
- Employing firewalls, intrusion detection services and virus scanning tools to prevent unauthorised persons and viruses from entering its systems.
- Providing secure storage for physical records.

- Preventing unauthorised access to Lucerne Services' offices by providing security keys to authorised persons.

1.14 ACCESS TO PERSONAL INFORMATION

Australian Privacy Principle No.12 details the circumstances under which it can give to a person access to the information it holds about them.

Only employees of Lucerne Services and those who perform services on Lucerne Services' behalf are authorised to handle or have access to personal information provided by a client. As all of Lucerne Services' Representatives are bound both by Lucerne Services' AFS Licensee Handbook and by confidentiality clauses in their employment agreements or agency deed they are not permitted to use, disclose, or access such personal information except as permitted by this policy.

Only those employees of Lucerne Services permitted by this policy are authorised to handle or have access to personal information provided by employees of Lucerne Services. Those who perform services on Lucerne Services' behalf and require access to such information will be authorised to have access. Such persons are also bound by privacy and confidentiality agreements.

Individuals can access most of the personal information Lucerne Services holds about them. If access is restricted or refused, Lucerne Services will provide the reason why. All requests for access to personal information should be directed to Lucerne Services' Privacy Officer. A reasonable charge may apply to gain access to the information. The client should be advised of any charges that may apply when they make a written request.

1.15 KEEPING INFORMATION ACCURATE, COMPLETE AND UP-TO-DATE

Australian Privacy Principle No.10 requires a business to take reasonable steps to ensure that the information it collects is complete and up to date.

Lucerne Services takes all reasonable steps to ensure that the personal information it holds is accurate, complete and up to date. Any issues should be directed to the attention of Lucerne Services' Privacy Officer.

1.16 PROVISION OF PRIVACY POLICY TO CLIENTS

Australian Privacy Principle No.1 requires a business to clearly describe its policies relating to the management of personal information and to ensure that such document is readily available to clients.

Lucerne Services provides information relating to its Privacy Policy in the following documents:

- its Financial Services Guide (FSG);
- on its website; and
- in writing when requested by a client.

1.17 COMPLAINTS

If a client or an employee has a complaint regarding the treatment of any information collected, used or disclosed by Lucerne Services, all relevant details should be forwarded to Lucerne Services' Privacy Officer. The Privacy Officer will review the complaint in accordance with Lucerne Services' Internal Dispute Resolution Procedure.

1.18 PRIVACY AUDITS

Lucerne Services conducts a Privacy Audit as a means of establishing what sort of information is collected and held as an organisation. The Audits are also useful in ascertaining how the information is used and who it is shared with. The Privacy Audit is conducted by the Privacy Officer on an annual basis.