

## Privacy Policy

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### 1 Introduction

Fife Capital Group Pty Limited (ACN 143 697 572), Fife Group Services Pty Limited (ACN 651 220 549), Fife Capital Funds Limited (ACN 130 077 735), Fife Capital Management Pty Limited (ACN 087 706 741), and our related entities and affiliates, including those entities operated or managed by us (collectively **Fife Capital, us, we, our**) maintain a policy of strict confidence concerning your (**you, your**) personal information (**Privacy Policy**). This Privacy Policy has been developed in accordance with the Commonwealth *Privacy Act 1988* (**Privacy Act**) and the Australian Privacy Principles.

The purpose of this Privacy Policy is to outline how we comply with the Privacy Act and the Australian Privacy Principles in protecting the personal information we hold about individuals. This Privacy Policy applies to the collection, storage, use and dissemination by us of your personal information.

Access to any of our websites (each referred to in this Privacy Policy as the **Site**) and any provision of information to us, is conditional on your acceptance of the terms of this Privacy Policy. This Privacy Policy applies to information provided to us whether via a Site or any other means.

Although we will comply with this Privacy Policy in respect of information provided to us by persons under the age of 18 years, those persons must obtain the consent of a parent or guardian prior to using a Site and the parent or guardian will be responsible for appropriately supervising the person's use of a Site.

If you have any further questions or if you wish to receive more information on our information practices and Privacy Policy, please contact our Privacy Officer at Fife Capital at [office.manager@fifecapital.com.au](mailto:office.manager@fifecapital.com.au), Level 12, 89 York Street, Sydney NSW 2000.

### 2 Collecting personal information

The personal information that we collect will depend on the dealings you may have with us. In this Policy, "**personal information**" has the meaning given to it in the Privacy Act and includes any information or opinion, whether true or not, about an identified individual or an individual who is reasonable identifiable.

Personal information is generally collected:

- from you, when you communicate or interact with us, including on email, phone or our website or applications we use;
- when you complete or are involved with an application or registration form in relation to an investment in one of our funds or trusts;
- when you apply for employment with us;
- when you speak to a representative of ours or make a complaint against or involving us;

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- from any surveillance systems such as CCTV; and
- from third parties such as our related companies or agents, credit reporting agencies, recruitment agencies, employment referees, your representatives or publicly available sources of information. We will take reasonable steps to inform you that we have your personal information, unless it is obvious from the circumstances.

We may collect and hold information in relation to:

- investors or potential investors (for example, when investing or considering investing in one of our funds or trusts) and their representatives;
- purchasers or potential purchasers, (for example, when purchasing, or requesting more information about one of our properties),
- tenants or potential tenants and each of their representatives;
- suppliers (for example, when establishing records and systems to enable payment for goods) and contractors;
- visitors attending our offices or any properties we manage;
- candidates and employees; and
- other individuals who may come in contact with us.

We only collect personal information which is reasonably necessary for our dealings with relevant individuals, to provide services to our clients and investment partners or is otherwise required or authorised by law. We will collect personal information, which may include, but is not limited to:

- information that identifies you (for example, name, address, contact information, date of birth, tax file number);
- financial and investment information which may include your bank account details, , income, creditworthiness and investor records;
- information about you such as your nationality and verification of identity documentation such as passport/ visa, driver's licence and proof of residency documentation
- details of your employment history, performance and related information provided as part of our on-boarding and recruitment processes;
- details in relation to your employment with us and
- information about you that is required or authorised by law;

If we receive personal information about you that we did not ask for, from someone other than you, your representatives or our agents, and we determine that we could have collected this information from you

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had we asked for it, we will notify you, as soon as is practicable, that we have received your personal information in this way. If we could not have collected this personal information or if you request, we will lawfully de-identify or destroy that personal information.

We will not typically collect from you any sensitive information revealing your: race, ethnic origin, political opinions, religious or philosophical beliefs, trade union memberships or details of health or disability. Exceptions to this may include:

- where you have given express consent to us to do so and the information is reasonably necessary for us to carry out our functions or activities. An example of this is health information that may be collected by us as a result of visitor or employee screening to prevent and/or manage the risk of COVID-19;
- where you visit one of the properties we manage where we utilise surveillance systems for security, loss prevention and incident investigation purposes;
- the use of this information is required or authorised under Australian law or a court or tribunal order; or
- when the information is necessary for the establishment, exercise or defence of a legal claim.

### 3 Cookies

A “**cookie**” is a small data file that may be placed on your computer when you use our Site. Cookies assist us in storing information on how visitors use the Site and the pages that may be of most interest. This information may be used to make assumptions about who uses your computer and to provide users of your computer with information that we think may interest the users of your computer. However, this information may be linked to personal information you may provide and may be used to identify you. If you do not wish to receive cookies you should set your browser to refuse cookies, however this may mean you may not have full use of our Site.

### 4 Use and disclosure of information

Our policy is to only use personal information for the purpose which was either specified or reasonably apparent at the time when the information was collected. Personal information we collect about you will only be held, used and disclosed as is reasonably necessary for our business purposes and as permitted by law. We use your personal information for the following purposes:

- providing the products or services that you have requested or the entity you represent has requested;
- communicating with you;
- helping us to manage and enhance our products and services, including analysing customer feedback and future customer needs;
- providing ongoing offers and information about our products and services to you that we believe you may be interested in;

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- complying with regulatory and legal obligations; and
- recruiting employees and contractors.

Personal information of employees and contractors may be disclosed on a confidential basis to key stakeholder or investment partners for reporting purposes, however, to protect any personal information disclosed in this manner, we will require that party to only use the information for the purposes it was provided and we will de-identify the personal information where practicable.

## *Anti-Money Laundering and Counter Terrorism Legislation*

The *Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth)* (**AML/CTF Act**) is aimed at deterring, detecting and disrupting money laundering, the financing of terrorism and other serious financial crimes in Australia. This legislation requires us to collect identification information about investors in our investment products and to verify your identity from original or certified copies of specified documents. Details of what identification information and documentation you are required to provide are set out in transactional based forms. We may also contact you to follow up and clarify certain information.

Under the AML/CTF Act we are also required to monitor transactions to identify any suspicious activity within any of our investment products.

As required under the AML/CTF Act, we may, in our absolute discretion and without notice to you, disclose or otherwise report details of any transaction or activity, or proposed transaction or activity (including any personal information) to the relevant reporting body.

We may disclose your personal information within Fife Capital for the purposes for which we collected it, or for reasonably connected purposes, in the context of providing services to you (or the entity you represent) or in connection with your employment with us. We will not disclose your personal information to any third party other than as set out in this Privacy Policy, or as required or authorised under law. In order to deliver the services that we provide to you (or the entity you represent), or in connection with your employment with us, we may disclose your personal information to third parties. We take reasonable steps to ensure that these third parties are bound by privacy obligations in relation to the protection of your personal information. The third parties to whom we may disclose your personal information to include:

- other investment vehicles managed by Fife Capital;
- contractors and service providers who assist us in the operation of our business or in the management of our funds, or who provide you with customer service (for example, a company that helps us maintain our computer systems and sends out our emails);
- joint venture partners for the purposes of seeking relevant regulatory approvals;
- third party lenders and insurers;
- the Australian Securities and Investments Commission (**ASIC**), Australian Transaction Reports and Analysis Centre (**AUSTRAC**), Office of the Australian Information Commission

(OAIC) and to other government agencies, regulatory bodies or authorities, as agreed to or required by law;

- to persons in the course of protecting our rights or property, or to avoid injury to any person, by law;
- anyone authorised by you; and
- relevant parties in situations where we are required by law to provide the information.

If we wish to use or disclose your personal information in other circumstances, we will obtain your consent before we do so. We may provide certain information about you including your personal information to our related bodies corporate.

## 5 Direct marketing

We may use personal information about you for the primary purpose of providing you with our services, and for which you would reasonably expect us to use that information for, including sending you information about new developments, products, services and special offers by post, telephone or any form of electronic communication. We may use any email address or other personal information you provide to us at any time for this purpose.

You can, at any time, opt out of receiving marketing material by advising us through the relevant method provided for in the electronic marketing message sent to you or by contacting our Privacy Officer. You agree and acknowledge that even if you opt out of receiving marketing material, we will still send you essential information that we are legally required to send you relating to the services we provide. Once you opt out of receiving marketing material from us, you agree and acknowledge that this removal from our distribution lists may take up to 15 business days after the date of your request to be removed.

## 6 Accuracy of your information

All reasonable steps are taken by us to ensure that your personal information held by us is accurate, complete and up to date. If you believe that any of your personal information is inaccurate, please contact us (see below) and we will take all reasonable steps to correct it within 14 business days.

## 7 Linked Sites

Although a Site may link directly to websites operated by third parties (**Linked Sites**), you acknowledge that Linked Sites are not operated by us. We encourage you to always read the applicable privacy policy of any Linked Site on entering the Linked Site. We are not responsible for the content or practices of the Linked Sites, nor their privacy policies regarding the collection, storage, use and dissemination of your personal information.

## 8 Disclosure of Information Overseas

We may sometimes disclose personal information overseas to allow external parties to perform their services for us, but we will only do so in accordance with the Privacy Act.

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We may transfer your personal information to foreign countries to fulfil the purposes set out in this Privacy Policy, for example to:

- third party lenders and insurers with offshore offices;
- our related entities based in Australia or overseas;
- anyone authorised by you;
- government and regulatory bodies in Australia and overseas;
- law enforcement agencies;
- entities who wish to be involved in our business, or acquire an interest in our business; and/or
- contractors and third party service providers who are involved with, or assist us in the operation of our business or to provide you with customer service.

In many cases the transfer of personal information overseas will be necessary for the performance of our contract with you or for the implementation of pre-contractual measures taken in response to a request by you or for the performance of a contract with a third party which is concluded in your interests. If we engage any overseas parties which is likely to lead to the disclosure of personal information held by us, we intend to manage this engagement by implementing contractual arrangements with the overseas party to ensure personal information is safeguarded and to ensure that these parties comply with standards at least equivalent to the Australian Privacy Principles.

## 9 Your consent

By your use of a Site and/or provision of your personal information to us, you consent to the collection, storage, use and dissemination of your personal information in accordance with this Privacy Policy and as otherwise permitted under the Privacy Act.

## 10 Data breach

A “**data breach**” is any unauthorised access to, unauthorised disclosure of, or loss of, personal information held by Fife Capital that is likely to result in serious harm to you. If Fife Capital reasonably suspects that a data breach may have occurred, it will conduct an investigation within 30 days, or as otherwise required by law. If, following such an investigation, or otherwise, Fife Capital becomes aware of a data breach, or reasonably believes that one has occurred, we will:

- assess, remediate, contain, mitigate and manage the data breach, and implement reasonable preventative actions to protect against future data breaches; and
- tell you and the Australian Information Commissioner about the data breach as required under the Privacy Act, and

We will take these steps in accordance with our Cyber Security Policy and Data Incident and Cyber Security Incident Plan, and the Privacy Act.

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In the context of a data breach “**serious harm**” to an individual may include serious physical, psychological, emotional, financial, or reputational harm.

## 11 Storage and security

We will use all reasonable endeavours to keep your personal information in a secure environment. Personal information is held on secure cloud servers and any hard copy documentation containing personal information is kept in a controlled and secure. We implement appropriate physical, administrative and technical measures to protect personal information. Our employees are required to maintain the confidentiality of any personal information we hold. These measures are designed to assist us in protecting personal information that we hold from being accessed by unauthorised personnel or loss, misuse, modification or disclosure of the personal information. If you reasonably believe that there has been unauthorised use or disclosure of your personal information, please contact our Privacy Officer (see Section 12 below).

Where we no longer require your personal information for business reasons (including document retention policies) or legal reasons, we will take reasonable steps to destroy or de-identify the personal information.

## 12 Access to and/or correction of information we hold about you

You have specific rights under Australian law in relation to requesting access to and correction of personal information we hold about you and making a privacy complaint. If you request access to the personal information we hold about you, we will respond to your request within a reasonable period of time and, where reasonable and practicable, give access to the information in the manner you request. This will be subject to any exemptions allowed under the Privacy Act. You may request this information by contacting the Privacy Officer at Fife Capital in writing, by phone or fax or by sending an email using the details below:

Privacy Officer, Fife Capital  
Level 12  
89 York Street  
Sydney NSW 2000

Phone: +61 2 9251 2777

Fax: +61 2 9251 2877

Email: [office.manager@fifecapital.com.au](mailto:office.manager@fifecapital.com.au)

We take measures to ensure that the personal information we collect, use and disclose is accurate, complete and up to date. The Privacy Act gives you the right to request correction of the personal information we hold if you believe that the personal information we have is incorrect. All requests for correction can be made to the Privacy Officer using the contact details above.

You have the option to either not identify yourself or to use a pseudonym when you contact us, unless it is impracticable for us to communicate with you in that manner or unless we are required or authorised under Australian law, or a court or tribunal order, to deal with individuals who have identified themselves.

## **13 Complaints**

If you have a complaint about our Privacy Policy or the collection, use or safe disposal or destruction of your personal information, you can contact the Privacy Officer at Fife Capital using the contact details set out above in section 12 of this Policy.

We will acknowledge your complaint as soon as practicable, investigate it and report back to you as soon as practicable (usually within 30 days). If you are dissatisfied with the response then you may raise the matter directly with the Australian Information Commissioner on 1300 363 992 (or via [www.oaic.gov.au](http://www.oaic.gov.au)).

## **14 Variation and consent to variation**

We may at any time vary the terms of this Privacy Policy. You should check this Privacy Policy regularly so that you are aware of any variations made to this Privacy Policy. You will be deemed to have consented to such variations by your continued use of the Site and/or our services following such changes being made.

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