

## ***Privacy Policy***

We are committed to the protection of your personal information in accordance with the Australian Privacy Principles set out in the *Privacy Act 1988 (Cth)*. This policy sets out how we collect, use, manage and store personal information.

### **1. Terminology**

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In this Policy:

**personal information** means any information or opinion about a natural person (whether or not true) which is reasonably identifiable;

**sensitive information** means (without limitation) information about an individual's race, political opinions, religious beliefs, philosophical beliefs, membership of a trade union, sexual preference, criminal record, or health, genetic or biometric information;

**“we” “us” and “our”** are reference to APD Projects Pty Ltd and APD Capital Pty Ltd and APD Real Estate Pty Ltd;

**“you” and “your”** means a natural person whose personal information we have knowingly collected.

### **2. What personal information we collect**

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**2.1** Personal information is information that can reasonably be used to identify a specific person. Personal information we collect or hold may include your name, telephone or mobile phone number, addresses, banking details, driver's licence number, tax file number, and any other personal information you or a person ostensibly authorised by you submits to us, as well any other information that we consider is necessary (such as information about your opinions) to perform our functions and activities.

### **3. How we collect personal information**

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**3.1** We collect personal information in a number of ways, including:

- (a) where you provide information directly to us on a hardcopy form;
- (b) where you interact directly with our employees and such other persons acting for us or on our behalf, such as our customer service team, including from electronic queries sent to us;
- (c) where you provide information directly to us during a recruitment process;
- (d) from third parties, such as our service providers;
- (e) through referrals from individuals or other entities;
- (f) through marketing and business development events;
- (g) where you provide feedback to us;
- (h) from related entities in our corporate group; and
- (i) from publicly available sources of information.

- 3.2** We do not generally collect sensitive information about individuals. Where we collect, use and disclose sensitive information about you, we will only do so where it is reasonably necessary to conduct our business and either we have obtained your consent or it is permitted by law.
- 3.3** If you do not wish for your personal information to be collected in a way anticipated by our Privacy Policy, we will use reasonable endeavours to accommodate your request. If we do comply with your request, or you provide us with inaccurate or incorrect information, we may not have sufficient information to conduct our business and we may be limited:
- (a) in our ability to keep you informed of company updates and services information;
  - (b) in our ability to properly conduct our operations, including managing investments and property developments;
  - (c) in considering your application to invest with us;
  - (d) in considering your application for employment with us; and
  - (e) in our ability to respond to your inquiry or request.
- 3.4** In limited circumstances, such as for prospective clients or investors, it may be possible for you to use a pseudonym or remain anonymous when initially dealing with us. If you wish to use a pseudonym or remain anonymous you should notify us when making first enquiries. We will use our best endeavours to deal with your request, subject to our ability to provide you with the requested services without using your name.

#### **4. Purpose of collection, use and disclosure**

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- 4.1** We collect, use and disclose personal information for the primary purpose of conducting our business, which includes:
- (a) providing and managing the delivery of our services;
  - (b) evaluating your application for an investment with us;
  - (c) delivering service and company update notices to you to inform you about future or existing investment opportunities;
  - (d) investing and managing property development projects;
  - (e) responding to an inquiry or request;
  - (f) researching and assessing our services to identify possible improvements;
  - (g) compiling and maintaining mailing lists and communicating with persons on those lists;
  - (h) collecting and disclosing personal information to our related entities in connection with our operations;
  - (i) fulfilling obligations to, and cooperating with, government authorities;
  - (j) doing something that one would reasonably expect us to do using the information;
  - (k) resolving disputes;
  - (l) in the case of potential employees, assessing a person's application for employment with us;

- (m) where you otherwise provide your consent, whether express or implied; and
- (n) where otherwise required by law.

**4.2** In conducting our operations, we may share some of your personal information with third parties such as outsourced service providers and contractors. Unless you have agreed, these parties are not allowed to use your personal information for any other purpose except to assist in conducting our business. In particular, we may disclose your personal information to:

- (a) third parties such as investment consultants and project managers;
- (b) real estate and sales agents and referees;
- (c) tradespeople, property inspection consultants and bodies corporate;
- (d) third party technology providers;
- (e) any other third parties incidental to us carrying out our functions as a funds manager or property developer;
- (f) other service providers or referral partners in order to provide our services to you, or to assist our functions or activities (such as law firms);
- (g) persons mentioned in your investment application submitted to us;
- (h) where you otherwise provide your consent, whether express or implied; and
- (i) where otherwise required by law.

## **5. Overseas disclosure**

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**5.1** From time to time, we may disclose your personal information to overseas recipients if it is necessary to provide our services. We also use software providers that store personal information securely in primarily in the United States of America.

**5.2** We take reasonable steps to ensure that the receiving party provides commitments to privacy and confidentiality which are at least equal to the Australian Privacy Principles or the recipient is subject to privacy protection laws that offer at least the same level of protection as required under the Privacy Act in Australia.

## **6. Storage and security of personal information**

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**6.1** Where we hold your personal information, we will take reasonable steps to ensure that the information is secure and may only be accessed by authorised persons. Where we store your personal information electronically on our database, we use secure servers and there are restrictions as to who has access to that information through password protection. All hardcopies of personal information are stored in lockable rooms.

**6.2** Although we take all reasonable measures, we are not responsible for third party circumvention of security measures on our electronic databases or at any of our premises. Please note that third party recipients of personal information may have their own privacy policies and we are not responsible for their actions, including their handling of personal information.

- 6.3** We cannot control the actions of other users with whom you share your information. Further, we cannot guarantee that only authorised persons will access your personal information. Please notify us immediately if you believe there has been any unauthorised access to your information.
- 6.4** If any personal information that we hold is no longer required for the purpose for which it was collected and no applicable law requires us to retain that information, we will take reasonable steps to de-identify or destroy the information.

## **7. Access and correction**

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- 7.1** We will use reasonable steps to ensure the personal information we hold is complete, up to date and accurate, so far as it is practicable for us to do so.
- 7.2** You may request access to the personal information we hold about you by contacting our Privacy Officer. We may, at our discretion, provide you with access to your personal information and we reserve the right to charge you an inexcessive fee for giving access.
- 7.3** Subject to paragraph 7.4, if personal information we hold about you is incorrect, we will, on your request to correct it or where we are satisfied that the information is inaccurate, out of date, incomplete, irrelevant or misleading, take such steps as are reasonable in the circumstances to ensure that the information is corrected.
- 7.4** If you request us to correct personal information that we hold about you and we refuse to do so, we will, to the extent reasonable, provide you a written response as to our reasons.

## **8. Direct marketing**

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- 8.1** From time to time, we may use your personal information for direct marketing purposes (for an indefinite period). This includes sending you updates about new investment opportunities. When we contact you, it may be by mail, telephone, email or SMS. Where we use or disclose your personal information for the purpose of direct marketing, we will:
- (a) allow you to 'opt out' or in other words, allow you to request not to receive direct marketing communications; and
  - (b) comply with a request by you to 'opt-out' of receiving further communications within a reasonable time frame.
- 8.2** You may ask to be removed from our marketing lists at any time by directly contacting us. If you don't wish to receive direct marketing materials, contact our Privacy Officer using the details set out at the end of this Privacy Policy.

## **9. Questions and complaints**

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- 9.1** If you have a question about how we handle personal information, or wish to lodge a complaint about our management of personal information, you may contact our Privacy Officer:

Attention: Privacy Officer  
 APD Projects  
 Level 1, 468 St Kilda Road,  
 Melbourne VIC 3004

- 9.2** The Privacy Officer will co-ordinate the investigation of any complaint and any potential resolution of a complaint. We will aim to resolve all complaints as soon as practicable for us to do so.

**10. Changes to this Policy**

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We may change this Privacy Policy at any time. If we make changes to this Privacy Policy we will notify you by publication on our Website. The revised version of the Privacy Policy will be effective at the time we post it.