

# AFFINIA PRIVACY POLICY

May 2019

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# 1 PURPOSE OF THE AFFINIA PRIVACY POLICY

At Affinia we understand that the privacy of your information is important to you and we respect the confidentiality of the information that you entrust to us. This Privacy Policy aims to provide you with an open and transparent description of our information collection and handling practices. This Privacy Policy explains:

- Who we are and why we need to collect your information;
- What information we collect and how we will collect your information;
- How we will use and disclose your information;
- How we store and secure your information;
- How you can obtain access to information we hold about you and how you can correct that information;
- Where to direct any enquiries or complaints you may have in relation to our information handling practices.

If you require a succinct guide you can view a summary of our Privacy Policy either online at [www.affinia.com.au](http://www.affinia.com.au), or on request using the contact details below.

Our Privacy Policy applies to all organisations which are part of the TAL Group of Companies. A full list of these organisations is set out in section 9 below. References throughout this Privacy Policy to “we” “us” and “our” are to the relevant organisation/s in the TAL Group of Companies.

From time to time we may provide additional disclosures in relation to specific products and services. Please

note that in the event of any difference and/or inconsistency between the provisions of this Privacy Policy and any product or service terms and conditions or subsequent disclosures, those disclosures will apply.

Affinia is obligated to act in accordance with all relevant privacy legislation including the Privacy Act 1988 (Cth) and subsequent amendments, which includes the thirteen Australian Privacy Principles and any registered Australian Privacy Principle Code.

The Australian Privacy Principles set out how organisations must handle information during the entire life cycle of collection, use and disclosure of personal information. This Privacy Policy is designed to comply with relevant privacy legislation and is specifically based on the Australian Privacy Principles and relevant guidance materials published by the Office of the Australian Information Commissioner (OAIC).

This policy is effective as of 1 March 2019. We reserve the right to review and amend this Privacy Policy from time to time, particularly to take into account any changes to legislative or regulatory requirements. Updated versions will be made available on our website or are available free of charge on request.

By visiting our website, applying for, renewing or using any of our products or services, applying for insurance, making a claim or providing us with your personal information, you agree to your personal information being collected, held, used and disclosed as set out in this Privacy Policy.

## 2 COLLECTION OF PERSONAL INFORMATION

### Why do we collect personal information?

It is important that you understand why Affinia collects, uses and/or discloses your personal information.

We collect information in a range of circumstances including when you contact us regarding the services we provide including the provision of financial advice. This contact may be direct between you and us or between us and your intermediary or representative such as your financial adviser, the trustee or administrator of your superannuation fund, your employer or your legal representatives.

At all times we try to only collect the information we need for the particular function or activity we are carrying out. The main way we collect information about you is when you give it to us by phone, email, online and by post. In most instances, we collect information from you when we undertake a Fact Find or make enquiries on your behalf, complete an application form or personal statement or when we review your circumstances.

We also collect information about you when you

have consented to or authorised us to obtain that information from another person, business and other organisations in connection with providing our functions and activities. Our functions and activities include:

- Providing you with information about financial products or services, including but not limited to, life insurance products, superannuation and retirement income products, investment products and financial planning advice;
- Complying with our legal obligations, including assisting law enforcement or other regulatory authorities where required by law;
- Complying with our contractual obligations, including business arrangements with other individuals, organisations and entities, including, where relevant, organisations that are involved in corporate re-structures such as merger and acquisition activity;
- To provide you with the product or service that you have requested from us;
- For any other purpose that has been authorised by you.

## Collecting information that is required or authorised by law

In addition to the above reasons, there are a range of laws which require us to collect your information, including:

- the AntiMoney Laundering and Counter-Terrorism Financing Act 2006 (Cth) and
- the U.S Foreign Account Tax Compliance Act 2010 (USA).

Under these laws, we may be required to collect certain information from you, or about you, to prove your identity such as when we provide financial advice on investment products and we may need to ask if you are a U.S. resident for tax purposes.

## What types of information about you do we collect?

Depending on the products or services being provided, we generally ask for your name, address, contact details, date of birth and gender.

We may also need to collect the following types of personal information that is specific to a particular product or service such as:

- insurance and financial details and history; occupation, income and employment information;
- tax file number and bank account/credit card details, details of your residency and citizenship status; and
- any other information which is either required for you to obtain a product or service, or is needed for the duration of the period that you have that product or service.

Personal information includes information or an opinion about an identified individual, or an individual who is reasonably identifiable.

We may also need to collect the following types of sensitive information, for example, if you are applying for, or have, a life insurance policy where we may need to underwrite an application and/or assess a claim:

- Health and medical information (for example, medical checks or consultation reports);
- Lifestyle and pastime information;
- Information regarding your physical attributes, capacity and activity;
- Information that is publically available on your social media accounts; and
- Information regarding your racial or ethnic origin.

We only collect and hold sensitive information with your consent, in limited situations which the law allows.

**Note:** All references in this Privacy Policy to personal information include both personal and sensitive information.

Having provided consent for the collection, use and disclosure of your personal information, you are able to withdraw this consent at any time by contacting us using the contact details below. Please note that withdrawing your consent for Affinia to collect, use and/or disclose your personal information or not providing accurate and complete information may lead to Affinia no longer being able to provide you with our products or services.

## Can people deal with Affinia anonymously or using a pseudonym?

We may be able to provide limited services to you without requiring you to identify yourself. This will only be possible where it is lawful and practicable to do so. For example, you may be able to visit and browse our website or obtain general information about our products and services without having to reveal any personal information. However, for most of our functions and activities we usually need your personal information before we can provide you with any of our products and services.

## How do we collect information?

We generally obtain your consent before we collect your personal information, unless otherwise permitted by law. When we collect information about individuals we take reasonable steps to provide them with access to this Privacy Policy so that they know how we collect, use and disclose information. Affinia collects personal information only by lawful and fair means.

In most instances, we collect your personal information when you fill out a hard copy or electronic application form or personal statement for one of our products or services, however we may also collect information:

- Directly from you in person when we contact you through telephone calls, emails, letters, online or via any other means of communication;
- When you use our services, including when you access or use our website or online services and tools.

In some cases we might collect your personal information from external sources. Examples of the people or organisations that may provide us with information are: employers (when a new employee joins their superannuation or insurance plan), parents or guardians in respect of children, persons authorised by you (such as family members, lawyers, and financial representatives), hospitals, medical practitioners and health services providers, public sources of information and social media and other virtual communities and network where people create, share or exchange information.

## Notification

We will take reasonable steps to inform you that we have collected your personal information, unless:

- it is not reasonable to do so; or
- it is apparent from the circumstances that you are aware of the collection; and/or
- you would expect us to have the information.

## Collecting information about other people from you

Generally we only collect personal information about an individual only from that particular individual unless it is required by law or it is unreasonable or impracticable to do so.

At times, we may need to collect information about other people from you, for example if you take out a life insurance policy for someone else. In these cases, you must not provide us with information about another individual unless:

- you have clear consent from that individual to provide the information; and
- you let them know about this Privacy Policy and make them aware of the collection of their information about them by us as disclosed by you.

If you have not done, or will not do, either of these things, you must tell us before you provide the information.

# 3 USE AND DISCLOSURE OF PERSONAL INFORMATION

We may collect, use and disclose your personal information to:

- develop and implement your financial advice, including insurance quotes, reviews and preparation of your Statement of Advice.
- develop and improve our services (such as training our personnel, research and statistical analysis, and systems development and testing); and
- prevent or investigate any fraud or crime, or suspected fraud or crime.

We may disclose your information to third parties such as:

- any person authorised by you or acting on your behalf including your financial, legal or other adviser, accountant, trustee, administrator, employer, guardian, attorney, agent or platform provider;
- affiliated product and service providers including other businesses with whom we have a business or branding arrangement;
- if required or authorised to do so, regulatory bodies and government agencies;
- insurers
- co-insureds, policy or product holders or other who are authorised or noted on an insurance policy as having a legal interest, including where you are the insured person;
- Other related bodies corporate.

We may also disclose your information to third parties which:

- are undertaking reviews of our systems and operations;
- are a third party with which we have an arrangement with to provide us with a product or service;
- are involved in providing, managing or administering your product or service such as third party suppliers, , printers, posting services, call centres, information technology support, and our advisers;
- are involved in maintaining, reviewing and developing our business systems, procedures and infrastructure including testing or upgrading our computer systems;
- are involved in corporate re-structures such as merger and acquisition activity, or are involved in a transfer of all or part of the assets or business of an Affinia or TAL organisation
- are involved in the payments system including financial institutions, merchants and payment organisations.

In all circumstances, third parties are required to keep your personal information confidential and only use it for the same purposes as we are permitted to use it.

There are circumstances where Affinia may also disclose your personal information where it is:

- Required or authorised by an Australian law or a court order (such as to the Australian Taxation Office); or
- Where an emergency or permitted general situation applies, such as serious threats to life.

Where we hold your personal information in conjunction with that of another individual/s (e.g. joint policy owners), we allow each individual access to their own personal information and to common information (e.g. premium payments and status of policy), but not to the personal information of the other individual(s).

### **Do we share or send personal information to overseas recipients?**

Some of the entities that we share and send your personal information to may be located in, or have operations in, other countries outside Australia. When this occurs we take reasonable steps to ensure that the overseas entity protects that information against unauthorised access or loss, such as carrying out due diligence on them, entering into a contract with them and carrying out periodic checks on their information handling practices.

When entrusting your personal information to overseas recipients we make sure that they have reasonable data handling and security arrangements in place and we periodically review our arrangements with these entities.

As at 1 March 2019 we transact with entities based in the following countries:

Japan, United States of America, New Zealand, India, China, Singapore, South Africa, Philippines, United Kingdom, Switzerland, Germany, France, and other EU countries.

## **4 SECURITY AND RETENTION OF PERSONAL INFORMATION**

### **Security**

We understand the importance of the personal information that is entrusted to us to ensure it is safe and secure. We take reasonable steps to protect the personal information we hold about you from unauthorised access, unauthorised disclosure, loss, misuse or interference by implementing a range of electronic, physical and technological safeguards.

We have processes in place to identify, manage and remediate privacy and data breaches in accordance with our obligations under the notifiable data breach regime. We have a data breach response plan in place and processes to investigate and, if relevant, to report breaches to impacted individuals and the OAIC in cases where there is a likelihood of a real risk of serious harm given the circumstances of the breach. We require our outsourced service providers that handle personal and sensitive information, to promptly notify us of any privacy and data type breaches and periodically obtain assurances that they have done so.

The steps that we take to protect your information include, but are not limited to:

- educating our personnel about the importance of protecting your information and requiring them to securely access information on our systems;
- restricting access to your personal information;
- physical access controls for our premises; and / or
- entering into confidentiality agreements with relevant employees and third parties.

If you have reason to believe that your interaction with us is no longer secure (for example, if you feel that the security of any personal information you might have with us has been, or will be, compromised), please notify us immediately.

Steps that individuals can take to protect their own personal information are set out in the Security section of our website at <https://www.affinia.com.au/security> or on the website of the OAIC at [www.oaic.gov.au](http://www.oaic.gov.au). For example, many of our customers corresponding with us by phone and/or email prefer to provide us with a phone number and/or email address to which they have sole access to prevent others from obtaining the information sent using those methods of communication.

### **Retention**

We have processes in place to only retain your personal information for as long as is reasonably required unless we are required or authorised by law to retain it for longer or prescribed periods. Where relevant, information that is retained by us is de-identified.

## 5 HOW TO ACCESS AND CORRECT YOUR INFORMATION

### Access to information

Individuals are generally entitled to access the personal information we hold about them. If you wish to access your personal information, please let us know the type of information to which you are requesting access and any relevant details such as your policy number and how you would like to receive the information.

You can obtain further information about how to request access to the information we hold about you by contacting us. We will deal with your request to access your personal information as soon as possible and aim to provide you with a prompt response for straightforward requests and within 30 days for more complex requests. An access charge may apply such as photocopying costs, but not for processing the request itself.

Your access to your personal information is subject to some exceptions allowed by law. These circumstances include where we reasonably believe that:

- providing access would pose a serious threat to the life, health or safety of an individual, in these circumstances we may provide you access to information you have requested via an intermediary such as a treating doctor;
- access would have an unreasonable impact on the privacy of others;

- the information is protected by disclosure by law;
- release of the information would be prejudicial to us in relation to a dispute or complaint; and
- the information is commercial-in-confidence.

If we do not agree to provide access to your personal information, where reasonable to do so, we will provide you with a written notice setting out the reasons for the refusal. The written notice will also set out the mechanism available to you to complain about the refusal.

### Correction of information

We take reasonable steps to ensure that the personal information we collect is accurate, up to date and complete.

Please let us know as soon as possible if any of the details you have provided change or if you believe that the information we have about you is not accurate, complete or up-to-date. To update your details, please contact your Affinia Adviser (Authorised Representative).

If we believe the information we hold is incomplete or out of date, we may also seek to correct or complete our records by gathering data from other sources such as public records and other organisations.

## 6 DIRECT MARKETING AND OPTING OUT

We may disclose your personal information for the purposes of direct marketing if we collected the information and/or we believe you would reasonably expect that we would disclose your information for that purpose. We may also disclose your personal information for direct marketing purposes if we did not collect that information from you, but you gave your consent, or it is impractical to obtain that consent.

Personal information is shared between us and other companies with which we have a business relationship. We and they may provide you with information on their products and services which we consider may be of interest to you.

Please contact us using the details provided below if you do not want your personal information to be used in this way or to opt-out of receiving marketing information altogether. All our direct marketing communications include an opt-out option; for example, direct marketing emails will include an "unsubscribe" link you can click. If you opt out of direct marketing communications, we will no longer be able to share your personal information for that purpose.

If you do opt out of receiving direct marketing communications with us, but we need to communicate with you about an existing product you have or a service you are using, you will still receive communications about those products and services. This is so you can be informed about important information.

# 7 WEBSITE ANALYTICS AND COOKIES

## Website analytics

We collect information about you when you use our website and mobile device applications. The main purpose of doing this is to enhance your user experience. The types of data that we collect include:

- The Internet Service Provider (ISP) address of the devices you use to access our websites;
- Device type, size, operating system and browser information;
- Geographical information; and
- Domain details, search terms, pages visited and date and times when visited.

## Cookies

Cookies are small data files transferred onto devices or computers by websites for record-keeping purposes and to allow ease of browsing on websites. When you use one of our websites, we may send you a cookie that gives you a unique identification number. When you return to websites, or visit websites that use the same cookies, they recognise these cookies and your browsing device. Cookies do not identify individual users, although they do identify a user's browser type and your ISP which we use to provide you with a more relevant and effective experience on our website.

You can configure your browser to accept all cookies, reject all cookies, or notify you when a cookie is sent. Please refer to your browser instructions or help screens to learn more about these functions. If you choose to disable cookies, you may not be able to use parts of our website.

## Internet and social media generally

There are inherent risks in transmitting information across the internet and we do not have the ability to control the security of information collected and stored on third party platforms. We recommend that our customers take care when using the internet and disclosing their personal information.

Please note that during your visits to our website you may notice some cookies that are not related to Affinia. When you visit a page with content embedded from, for example, YouTube or Flickr, you may be presented with cookies from these websites. We do not control the dissemination of these cookies. You should check the third party websites for more information about these.

We may allow certain widgets (e.g., social media share buttons) on our websites that enable users to easily share information on another platform, such as a social media platform. The third parties that own these widgets may have access to information about your browsing on pages of our sites where these widgets are placed. You may wish to review information at the third party site, such as social media platforms where you have an account, to determine how these third parties collect and treat such information.

From time to time we analyse our customer data (some in machine-readable format) against other data lists and when this is done it is through a secure information technology environment and wherever logistically possible we de-identify the personal information when these data transfers or data washes occur. Affinia may use technology advances to analyse information about customers for purposes such as improving our services. Affinia may analyse customer information that it holds against information that we are permitted to use from external sources such as statistical data. Generally this information is based on aggregated data that does not contain information that identifies individuals.

External websites should contain their own privacy statements and we recommend you review them when using their websites. Please note, however, that third party websites are not covered by this Privacy Policy, and Affinia does not accept responsibility for the accuracy of the content, the privacy or security of those websites or your reliance of any information contained on those sites.



## 8 PRIVACY COMPLAINTS AND ENQUIRIES

We aim to promptly and fairly handle any complaints and enquiries you may have that relate to privacy issues, including how your personal information has been handled. We have an internal complaints management process and we are a member of relevant external complaints resolution bodies. We aim to deal with all complaints within a reasonable timeframe and in a fair and efficient manner. This dispute resolution mechanism is free of charge to you.

To lodge a complaint you can contact us using the contact details in section 9 below. We may require details of your complaint including any supporting evidence and/or information. If we cannot deal with your issue straight away we will acknowledge your complaint, normally within five working days. Some complaints take longer than others to investigate

and resolve and we will keep you updated of progress regarding our response and any proposed solution.

In the event that Affinia is unable to resolve your complaint to your satisfaction, we will inform you as to how you can escalate the complaint to the appropriate external dispute resolution body. In cases of privacy related complaints, this is generally the Office of the Australian Information Commissioner (OAIC). There is specific information about the OAIC complaints and investigation process on the OAIC website at <http://www.oaic.gov.au/> and the contact details are set out below:

**Office of the Australian Information Commissioner**  
GPO Box 5218 Sydney NSW  
Phone: 1300 363 992  
Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

## 9 OUR CONTACT DETAILS

You may wish to contact us regarding any aspect of this Privacy Policy and any of our information handling practices using the details below.

Affinia may be contacted by post, phone, fax, email, via social media and online:

### Postal

GPO Box 5380 Sydney NSW 2001

### Telephone

1300 233 464

### Email

[compliance@affinia.com.au](mailto:compliance@affinia.com.au)

### Websites

[www.affinia.com.au](http://www.affinia.com.au)

The following organisations are our related body corporate and are all part of the TAL Group of Companies:

- TAL Dai-ichi Life Australia Pty Limited [ABN 97 150 070 483]
- TAL Dai-ichi Life Group Pty Limited [ABN 15 150 070 509]
- TAL Life Limited [ABN 70 050 109 450, AFSL 237848]

- Asteron Life & Superannuation Limited [ABN 87 079 979 530, AFSL 229880]
- TAL Superannuation Limited [ABN 69 003 059 407, AFSL 237851, RSE L0000642]
- TAL Direct Pty Limited [ABN 39 084 666 017, AFSL 243260]
- Lifebroker Pty Limited [ACN 115 153 243, AFSL 400209]
- Affinia Financial Advisers Limited [ACN 085 335 397, AFSL 237875]
- TAL Distribution Holdings Limited [ABN 26 095 839 179]
- TAL Services Limited [ABN 60 076 105 130]
- TAL Australia Distribution Limited [ABN 45 002 037 452, AFSL 237854]

Note that we have a number of business partners and affiliates that have their own privacy policies.

If you have a privacy related complaint, please contact our Privacy Officer:

Privacy Officer  
GPO Box 5380, Sydney, NSW, 2001

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## More information

If you have any questions about this Privacy Policy, you can contact Affinia's Privacy Officer. In addition, there is a great deal of useful information about the privacy rights of individuals and privacy obligations imposed on organisations on the website of the Office of the Australian Information Commissioner ("OAIC") <http://www.oaic.gov.au/> or by contacting the Commissioner on the privacy hotline: 1300 363 992.