

Hesperia Privacy Policy

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Privacy Policy

1. Introduction

- 1.1 As part of the Hesperia Group of Companies' ("**Hesperia**") process to ensure that it continues to maintain the highest levels of professional integrity and ethical conduct, Hesperia has adopted this Privacy Policy ("**Policy**") to manage personal information in an open and transparent manner.
- 1.2 The provisions of this Policy will assist Hesperia in complying with the requirements of the *Privacy Act 1988* (Cth) ("**Privacy Act**") and the Australian Privacy Principles in protecting the personal information Hesperia holds about its clients.

2. When does this policy apply?

- 2.1 This Policy applies to all representatives and employees of Hesperia at all times and the requirements remain in force on an ongoing basis.

3. Definitions

- (a) **APP entity** means an agency or organisation as defined in Section 6 of the Privacy Act.
- (b) **Australian law** means
 - (i) an Act of the Commonwealth or of a State or Territory; or
 - (ii) regulations, or any other instrument, made under such an Act; or
 - (iii) a Norfolk Island enactment; or
 - (iv) a rule of common law or equity.
- (c) Hesperia **collects** personal information only if Hesperia collects the personal information for inclusion in a record or generally available publication.
- (d) **Compliance Officer** means the person nominated by Hesperia to act as the compliance officer for Hesperia.
- (e) **Court/tribunal order** means an order, direction or other instrument made by:
 - (i) a court; or
 - (ii) a tribunal; or
 - (iii) a judge (including a judge acting in a personal capacity) or a person acting as a judge; or
 - (iv) a magistrate (including a magistrate acting in a personal capacity) or a person acting as a magistrate; or
 - (v) a member or an officer of a tribunal;

and includes an order, direction or other instrument that is of an interim or interlocutory nature.

- (f) **De-identified personal information** is de-identified if the information is no longer about an identifiable individual or an individual who is reasonably identifiable.
- (g) **Eligible Data Breach** occurs:
 - (i) where there has been unauthorised access or unauthorised disclosure of personal information, or a loss of personal information, that Hesperia holds; and
 - (ii) the unauthorised access or unauthorised disclosure is likely to result in serious harm to one or more clients; and
 - (iii) Hesperia is not able to prevent the likely risk of serious harm with remedial action.
- (h) **Hesperia Group of Companies** includes Hesperia Property Pty Ltd ACN 641 894 340, Hesperia Projects Pty Ltd ACN 626 002 140, Hesperia Funds Management Pty Ltd 631 092 969, its subsidiaries, its related bodies corporate or entities which it contractually is entitled to manage.
- (i) Hesperia **holds** personal information if it has possession or control of a record that contains the personal information.
- (j) **Identifier of an individual** means a number, letter or symbol, or a combination of any or all of those things, that is used to identify the individual or to verify the identity of the individual, but does not include:
 - (i) the individual's name; or
 - (ii) the individual's ABN (within the meaning of the A New Tax System (Australian Business Number) Act 1999); or
 - (iii) anything else prescribed by the regulations.
- (k) **Permitted general situation** has the meaning given to it in s16A of the Privacy Act.
- (l) **Permitted health situation** has the meaning given to it in s16B of the Privacy Act.
- (m) **Personal information** means information or an opinion about an identified individual, or an individual who is reasonably identifiable:
 - (i) whether the information or opinion is true or not; and
 - (ii) whether the information or opinion is recorded in a material form or not.
- (n) **Sensitive information** means:
 - (i) information or an opinion about an individual's:
 - (A) racial or ethnic origin; or
 - (B) political opinions; or
 - (C) membership of a political association; or
 - (D) religious beliefs or affiliations; or

- (E) philosophical beliefs; or
- (F) membership of a professional or trade association; or
- (G) membership of a trade union; or
- (H) sexual orientation or practices; or
- (I) criminal record;

that is also personal information; or

- (ii) health information about an individual; or
- (iii) genetic information about an individual that is not otherwise health information.
- (iv) biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or
- (v) biometric templates.

4. Privacy Policy

- 4.1 Hesperia's Compliance Officer must ensure that at all times the provisions of this policy are implemented in the day to day running of Hesperia.
- 4.2 Compliance Officer must ensure that at all times this Policy:
 - (a) is current and reflects the latest applicable Australian laws; and
 - (b) contains the following information:
 - (i) the kinds of personal information that Hesperia collects and holds;
 - (ii) how Hesperia collects and holds personal information;
 - (iii) the purposes for which Hesperia collects, holds, uses and discloses personal information;
 - (iv) how an individual may complain about a breach of the Australian Privacy Principles, or other relevant legislation that binds Hesperia, and how Hesperia will deal with such a complaint;
 - (v) whether Hesperia is likely to disclose personal information to overseas recipients;
 - (vi) if Hesperia is likely to disclose personal information to overseas recipients, the countries in which such recipients are likely to be located if it is practicable to specify those countries in this policy.
- 4.3 Hesperia must ensure that the Hesperia's Privacy Policy is available free of charge and in such form as appropriate. Hesperia will make the Privacy Statement available on its website.
- 4.4 If the Privacy Policy is requested in a particular form, Hesperia will take such steps as are reasonable to provide the Privacy Policy in the form requested.

5. Personal information (other than sensitive information)

- 5.1 Clauses 5 to 9 apply to the collection of personal information that is solicited by Hesperia.
- 5.2 Hesperia must not collect personal information (other than sensitive information) unless the information is reasonably necessary for one or more of Hesperia's functions or activities.
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6. Sensitive information

- 6.1 Hesperia must not collect sensitive information about an individual unless:
- (a) the individual consents to the collection of the information and the information is reasonably necessary for one or more of Hesperia's functions or activities; or
 - (b) the collection of the information is required or authorised by or under an Australian law or a Court/Tribunal order; or
 - (c) a permitted general situation exists in relation to the collection of the information by Hesperia; or
 - (d) a permitted health situation exists in relation to the collection of the information by Hesperia.
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7. Means of collection

- 7.1 Hesperia must only collect personal information by lawful and fair means.
- 7.2 Hesperia will, wherever possible, only collect personal information about an individual from the individual (rather than someone else), unless it is unreasonable or impracticable to do so or the individual has instructed Hesperia to liaise with someone else.
- 7.3 Personal information will be collected through various Hesperia forms and from you directly, either in writing or verbally.
- 7.4 Hesperia will collect personal information in various ways including:
- (a) from correspondence and forms submitted by the individual;
 - (b) when individuals use the Hesperia website;
 - (c) as part of any registration, subscription or application process;
 - (d) in the course of Hesperia providing services;
 - (e) from third parties which Hesperia works with;
 - (f) through publicly available information services; and
 - (g) when Hesperia is required to collect the information by regulatory requirements.
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8. Information collected by Hesperia

- 8.1 The information Hesperia collects may include the following:

- (a) name;
 - (b) date of birth;
 - (c) postal or email address; or
 - (d) phone numbers;
 - (e) other information Hesperia considers necessary to their functions and activities.
-

9. Purpose of collection

- 9.1 If an individual is acquiring or has acquired a product or service from Hesperia, the individual's personal information will be collected and held for the purposes of:
- (a) checking whether an individual is eligible for Hesperia's product or service;
 - (b) verifying an individual's identity;
 - (c) providing the individual with Hesperia's product or service;
 - (d) managing and administering Hesperia's product or service;
 - (e) protecting against fraud, crime or other activity which may cause harm in relation to Hesperia's products or services;
 - (f) complying with legislative and regulatory requirements in any jurisdiction; and
 - (g) to assist Hesperia in the running of its business.
- 9.2 Hesperia may also collect personal information for the purposes of letting an individual know about products or services that might better serve their needs or other opportunities in which they may be interested.
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10. Dealing with unsolicited personal information

- 10.1 If Hesperia:
- (a) receives personal information about an individual; and
 - (b) the information is not solicited by Hesperia
- Hesperia must, within a reasonable period after receiving the information, determine whether or not it was permitted to collect the information.
- 10.2 Hesperia may use or disclose the personal information for the purposes of making the determination under clause 10.1.
- 10.3 If Hesperia:
- (a) determines that it could not have collected the personal information; and
 - (b) the information is not contained in a Commonwealth record,
- Hesperia must as soon as practicable, destroy the information or ensure that the information is de-identified, only if it is lawful and reasonable to do so.

11. Notification of collection

11.1 This clause 11 applies to:

- (a) solicited information; and
- (b) unsolicited information to which clause 10 does not apply.

11.2 Hesperia must notify the individual of the following matters in the Privacy Policy:

- (a) Hesperia's identity and contact details;
- (b) if Hesperia collects the personal information from a third party or the individual is not aware that Hesperia has collected the personal information, the fact that Hesperia so collects, or has collected the information and the circumstances of that collection;
- (c) if the collection of the personal information is required or authorised by or under an Australian law or a Court/Tribunal order, the fact that the collection is so required or authorised (including the details of the law or court);
- (d) the purposes for which Hesperia collects the personal information;
- (e) the main consequences (if any) for the individual if the information is not collected by Hesperia;
- (f) any other entities to which Hesperia usually discloses personal information of the kind collected by Hesperia;
- (g) that Hesperia's Privacy Statement and this Privacy Policy contains information about how the individual may access the personal information about the individual that is held by Hesperia and seek correction of such information;
- (h) that Hesperia's Privacy Statement contains information about how the individual may complain about a breach of the Australian Privacy Principles and how Hesperia will deal with such a complaint;
- (i) whether Hesperia will disclose the personal information to overseas recipients; and
- (j) if Hesperia discloses the personal information to overseas recipients – the countries in which such recipients will be located if it is practicable to specify those countries in the notification or to otherwise make the individual aware of them.

12. Use or disclosure

12.1 Where Hesperia holds personal information about an individual that was collected for a particular purpose ("**the primary purpose**"), Hesperia must not use or disclose the information for another purpose ("**the secondary purpose**") unless:

- (a) the individual has consented to the use or disclosure of the information; or
- (b) the individual would reasonably expect Hesperia to use or disclose the information for the secondary purpose and the secondary purpose is:
 - (i) directly related to the primary purpose (if the information is sensitive information); or

- (ii) related to the primary purpose (if the information is *not* sensitive information);
 - (c) the use or disclosure of the information is required or authorised by or under an Australian law or a Court/Tribunal order; or
 - (d) a permitted general situation exists in relation to the use or disclosure of the information by Hesperia; or
 - (e) Hesperia reasonably believes that the use or disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.
- 12.2 Where Hesperia uses or discloses personal information in accordance with clause 12.1(e), Hesperia will keep a copy of this disclosure (e.g.: the email or letter used to do so).
- 12.3 This clause 12 does not apply to:
- (a) personal information for the purposes of direct marketing; or
 - (b) government related identifiers.
- 12.4 If Hesperia collects personal information from a related body corporate, this clause 12 applies as if Hesperia's primary purpose for the collection was the primary purpose for which the related body corporate collected the information.

13. Who does Hesperia disclose personal information to?

- 13.1 Hesperia may disclose personal information collected from clients and prospective clients to the following:
- (a) organisations involved in providing, managing or administering Hesperia's product or service such as third-party suppliers, e.g. printers, posting services, and our advisers;
 - (b) organisations involved in maintaining, reviewing and developing Hesperia's business systems, procedures and infrastructure, including testing or upgrading Hesperia's computer systems;
 - (c) organisations involved in a corporate re-organisation;
 - (d) organisations involved in the payments system, including financial institutions, merchants and payment organisations;
 - (e) organisations involved in product planning and development;
 - (f) other organisations, who jointly with Hesperia's, provide its products or services;
 - (g) authorised representatives who provide Hesperia's products or services on its behalf;
 - (h) the individual's representatives, including your legal advisers;
 - (i) debt collectors;
 - (j) Hesperia's financial advisers, legal advisers or auditors;
 - (k) fraud bureaus or other organisations to identify, investigate or prevent fraud or other misconduct;

- (l) external dispute resolution schemes;
 - (m) regulatory bodies, government agencies and law enforcement bodies in any jurisdiction.
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14. Direct marketing

14.1 Hesperia must not use or disclose the personal information it holds about an individual for the purpose of direct marketing.

15. Exception – personal information other than sensitive information

15.1 Hesperia may use or disclose personal information (other than sensitive information) about an individual for the purposes of direct marketing if:

- (a) Hesperia collected the information from the individual; and the individual would reasonably expect Hesperia to use or disclose the information for that purpose; or
 - (b) Hesperia has collected the information from a third party; and either:
 - (i) Hesperia has obtained the individual's consent to the use or disclose the information for the purpose of direct marketing; or
 - (ii) it is impracticable for Hesperia to obtain the individual's consent; and
 - (c) Hesperia provides a simple way for the individual to opt out of receiving direct marketing communications from Hesperia;
 - (d) each direct marketing communication with the individual Hesperia:
 - (i) includes a prominent statement that the individual may make such a request; or
 - (ii) directs the individual's attention to the fact that the individual may make such a request; and
 - (e) the individual has not made a request to opt out of receiving direct marketing.
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16. Exception – sensitive information

16.1 Hesperia may 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.

17. Requests to stop direct marketing

17.1 Where Hesperia uses or discloses personal information about an individual for the purposes of direct marketing by Hesperia or facilitating direct marketing by another organisation, the individual may request:

- (a) that Hesperia no longer provide them with direct marketing communications;
- (b) that Hesperia does not use or disclose the individual's personal information for the purpose of facilitating direct marketing by another organisation;

- (c) that Hesperia provides the source of the personal information.

17.2 Where Hesperia receives a request from an individual under clause 17.1, Hesperia will:

- (a) give effect to the request under clause 17.1(a) or 17.1(b) within a reasonable period after the request is made and free of charge; and
- (b) notify the individual of the source of the information, if the individual requests it, unless it is impracticable or unreasonable to do so.

17.3 Clause 14 to 17 do not apply to the extent that the following laws apply:

- (a) the Do Not Call Register Act 2006;
- (b) the Spam Act 2003; or
- (c) any other Act of the Commonwealth of Australia.

18. Disclosing personal information to cross border recipients

18.1 Where Hesperia discloses personal information about an individual to a recipient who is not in Australia and who is not Hesperia or the individual, Hesperia must ensure that the overseas recipient does not breach the Australian Privacy Principles (with the exception of APP1).

18.2 Clause 18.1 does not apply where:

- (a) Hesperia reasonably believes that:
 - (i) information is subject to a law or binding scheme that has the effect of protecting the information in a way that is at least substantially similar to the way in which the Australian Privacy Principles protect the information; and
 - (ii) there are mechanisms that the individual can access to take action to enforce that protection of the law or binding scheme; or
- (b) both of the following apply:
 - (i) Hesperia has informed the individual that if they consent to the disclosure of information Hesperia will take reasonable steps to ensure the overseas recipient does not breach the Australian Privacy Principles; and
 - (ii) after being so informed, the individual consents to disclosure;
- (c) the disclosure of the information is required or authorised by or under an Australian law or a Court/Tribunal order; or
- (d) a permitted general situation (other than the situation referred to in item 4 or 5 of the table in subsection 16A (1) Privacy Act) exists in relation to the disclosure of the information by Hesperia.

19. Adoption of government related identifiers

19.1 Hesperia must not adopt a government related identifier of an individual as its own identifier unless:

- (a) Hesperia is required or authorised by or under an Australian law or a Court/Tribunal order to do so; or
 - (b) the identifier, Hesperia and the circumstances of the adoption are prescribed by regulations.
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20. Use or disclosure of government related identifiers

20.1 Before using or disclosing a government related identifier of an individual, Hesperia must ensure that such use or disclosure is:

- (a) reasonably necessary for Hesperia to verify the identity of the individual for the purposes of the organisation's activities or functions; or
 - (b) reasonably necessary for the organisation to fulfil its obligations to an agency or a State or Territory authority; or
 - (c) required or authorised by or under an Australian law or a Court/Tribunal order; or
 - (d) within a permitted general situation (other than the situation referred to in item 4 or 5 of the table in subsection 16A (1) Privacy Act; or
 - (e) reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or
 - (f) the identifier, Hesperia and the circumstances of the adoption are prescribed by regulations.
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21. Quality of personal information

21.1 Hesperia will ensure that the personal information it collects and the personal information it uses or discloses is, having regard to the purpose of the use or disclosure, accurate, up to date, complete and relevant.

22. Security of personal information

22.1 Hesperia will ensure that it protects any personal information it holds from misuse, interference, loss, unauthorised access, modification and disclosure.

22.2 Hesperia will take reasonable steps to destroy or de-identify any personal information it holds where:

- (a) Hesperia no longer needs the personal information for any purpose for which the information may be used or disclosed by Hesperia;
 - (b) the information is not contained in a Commonwealth record;
 - (c) Hesperia is not required to retain that information under an Australian law, or a Court/Tribunal order.
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23. Storage of personal information

23.1 Hesperia stores personal information in different ways, including:

- (a) hard copy on site at Hesperia's head office; and
 - (b) electronically secure data centres which are owned by either Hesperia or trusted third party external service providers based in Australia and overseas.
- 23.2 The third party external service providers are subject to both Australian and overseas laws that may require the disclosure of your information (in limited circumstances) to government authorities in Australia and overseas.
- 23.3 The third party external services do not have access to, nor do they use, your information for any purpose other than providing the services required by Hesperia and its customers and for the service providers to maintain their own services.
- 23.4 In order to ensure Hesperia protects any personal information it holds from misuse, interference, loss, unauthorised access, modification and disclosure, Hesperia implements the following procedure/system:
- (a) access to information systems is controlled through identity and access management;
 - (b) employees are bound by internal information securities policies and are required to keep information secure;
 - (c) all employees are required to complete training about information security; and
 - (d) Hesperia regularly monitors and reviews its compliance with internal policies and industry best practice.
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24. Access

- 24.1 Hesperia must give an individual access to the personal information it holds about the individual if so requested by the individual.
- 24.2 Hesperia must respond to any request for access to personal information within a reasonable period after the request is made.
- 24.3 Hesperia must give access to the information in the manner requested by the individual, if it is reasonable and practicable to do so and must take such steps as are reasonable in the circumstances to give access in a way that meets the needs of Hesperia and the individual.
- 24.4 Hesperia must not charge an individual for making a request and must not impose excessive charges for the individual to access their personal information.
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25. Exceptions

- 25.1 Hesperia is not required to give an individual access to their personal information if:
- (a) Hesperia reasonably believes that giving access would pose a serious threat to the life, health or safety of any individual, or to public health or public safety; or
 - (b) giving access would have an unreasonable impact on the privacy of other individuals; or
 - (c) the request for access is frivolous or vexatious; or

- (d) the information relates to existing or anticipated legal proceedings between Hesperia and the individual, and would not be accessible by the process of discovery in those proceedings; or
 - (e) giving access would reveal intentions of Hesperia in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
 - (f) giving access would be unlawful; or
 - (g) denying access is required or authorised by or under an Australian law or a Court/Tribunal order; or
 - (h) Hesperia has reason that unlawful activity, or misconduct of a serious nature, that relates to our functions or activities has been, or may be engaged in and giving access would be likely to prejudice the taking of appropriate action in relation to the matter; or
 - (i) giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or
 - (j) giving access would reveal evaluative information generated within Hesperia in connection with a commercially sensitive decision-making process.
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26. Refusal to give access

- 26.1 If Hesperia refuses to give access in accordance with clause 24 or to give access in the manner requested by the individual, Hesperia will give the individual a written notice that sets out:
- (a) the reasons for the refusal except to the extent that, having regard to the grounds for the refusal, it would be unreasonable to do so; and
 - (b) the mechanisms available to complain about the refusal; and
 - (c) any other matter prescribed by the regulations.
- 26.2 Where Hesperia refuses to give access under clause 25.1(j), Hesperia may include an explanation of the commercially sensitive decision in its written notice of the reasons for denial.
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27. Correction of information

- 27.1 Hesperia must take reasonable steps to correct all personal information, having regard to the purpose for which the information is held where:
- (a) Hesperia is satisfied the information is inaccurate, out of date, incomplete, irrelevant or misleading; or
 - (b) the individual requests Hesperia corrects the information.
- 27.2 Where Hesperia corrects personal information about an individual that Hesperia previously disclosed to another APP entity and the individual requests Hesperia to notify the other APP entity of the correction, Hesperia must take reasonable steps to give that notification, unless it is impracticable or unlawful to do so.

28. Refusal to correct information

- 28.1 If Hesperia refuses to correct personal information as requested by the individual, Hesperia will give the individual a written notice that sets out:
- (a) the reasons for the refusal except to the extent that it would be unreasonable to do so; and
 - (b) the mechanisms available to complain about the refusal; and
 - (c) any other matter prescribed by the regulations.

29. Request from a client to associate a statement with their information

- 29.1 If:
- (a) Hesperia refuses to correct personal information as requested by the individual; and
 - (b) the individual requests that Hesperia associate a statement noting that the information is inaccurate, out of date, incomplete, irrelevant or misleading, with the individual's information,

Hesperia must take such steps as are reasonable in the circumstances to associate the statement (as described in clause 29.1(b)) with the individual's personal information. The statement should be associated with the information in such a way that will make the statement apparent to users of the information.

30. Dealing with requests

- 30.1 Hesperia must:
- (a) respond to requests under clause 27 within a reasonable period after the request is made; and
 - (b) must not charge the individual for the making of the request, for correcting the personal information or for associating the statement with the personal information.

31. Complaints

- 31.1 Hesperia offers an internal complaint resolution scheme to all customers. Should a client have a privacy complaint, they are to contact Hesperia to discuss their concerns using the following contact details:
- (a) Email: privacy@hesperia.com.au
 - (b) Post: Privacy Compliance Officer
Hesperia
Level 3, 338 Barker Road
SUBIACO WA 6008
- 31.2 To assist Hesperia in helping customers, Hesperia asks customers to follow a simple two-step process:

- (a) gather all supporting documents relating to the complaint; and
 - (b) contact Hesperia to review your situation and if possible, resolve your complaint immediately.
- 31.3 Hesperia will rectify any breach if the complaint is justified and takes necessary steps to resolve the issue.
- 31.4 In certain situations, to deal with a complaint it may be necessary to consult with third parties. However, any disclosure of Personal Information to third parties will be provided with the customer's authority and consent.
- 31.5 After a complaint has been received, Hesperia sends the customer a written notice of acknowledgement setting out the process. The complaint is investigated, and the decision sent to the customer within thirty (30) days unless the customer has agreed to a longer time. If a complaint cannot be resolved within the agreed time frame or a decision could not be made within thirty (30) days of receipt, a notification will be sent to the customer setting out the reasons and specifying a new date when the customer can expect a decision or resolution.
- 31.6 If the customer is not satisfied with Hesperia's internal privacy practices or the outcome in respect to complaint, the customer may approach the OAIC with their complaint:

Office of the Australian Information Commissioner
Address: GPO Box 5218, Sydney NSW 2001
Phone: 1300 363 992
Email: enquiries@oaic.gov.au
Website: oaic.gov.au

32. Notifiable data breaches scheme

- 32.1 Under the *Privacy Amendment (Notifiable Data Breaches) Act 2017* ("**Privacy Amendment Act**") Hesperia is required to notify the Office of the Australian Information Commissioner ("**OAIC**") in relation to all eligible data breaches.
- 32.2 Hesperia must notify the OAIC by lodging a Notifiable Data Breach Form soon as practicable. The Notifiable Data Breach Form is available at the following link: <https://forms.business.gov.au/smartforms/landing.htm?formCode=OAIC-NDB>.
- 32.3 Under the Privacy Amendment Act, Hesperia must also promptly inform clients whose personal information has been compromised by the eligible data breach that a breach of their personal information has occurred.

33. Anti-Money Laundering and Counter Terrorism Legislation

- 33.1 The *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (**AML/CTF Act**) is aimed at addressing money laundering in Australia and the threat to national security caused by terrorism.
- 33.2 This legislation requires Hesperia to collect identification information from investors and to verify the individual's identify from original or certified copies of specified documents or perform electronic verification.
- 33.3 Details of what identification information and documentation an individual is required to provide are set out in transactional based forms.

- 33.4 Hesperia may also contact you to follow up and clarify certain information. Under this legislation, Hesperia is also required to monitor transactions to identify any suspicious activity within any of our investment products.
- 33.5 As required under the AML/ CTF Act, Hesperia may, in its absolute discretion, 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.
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34. Cookies

- 34.1 Hesperia may use cookies on its website from time to time. Cookies are text files placed in your computer's browser to store your preferences. Cookies, by themselves, do not tell Hesperia an individual's email address or other personally identifiable information.
- 34.2 If and when an individual chooses to provide Hesperia's website with personal information, this information may be linked to the data stored in the cookie.
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35. Policy breaches

- 35.1 Breaches of this Policy may lead to disciplinary action being taken against the relevant party, including dismissal in serious cases and may also result in prosecution under the law where that act is illegal. This may include re-assessment of bonus qualification, termination of employment and/or fines (in accordance with the Privacy Act).
- 35.2 Staff are trained internally on compliance and their regulatory obligation to Hesperia. They are encouraged to respond appropriately to and report all breaches of the law and other incidents of non-compliance, including Hesperia's policies, and seek guidance if they are unsure.
- 35.3 Staff must report breaches of this Policy directly to the Compliance Officer.
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36. Retention of forms

- 36.1 The Compliance Officer will retain the completed forms for seven (7) years in accordance with Hesperia's document retention policy. The completed forms are retained for future reference and review.
- 36.2 As part of their training, all staff are made aware of the need to practice thorough and up to date record keeping, not only as a way of meeting Hesperia's compliance obligations, but as a way of minimising risk.
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37. Policy review

- 37.1 Hesperia's Privacy Policy will be reviewed on at least an annual basis by the Compliance Officer of Hesperia, having regard to the changing circumstances of Hesperia. The Compliance Officer will then report to the directors of Hesperia on compliance with this Policy.

Issued by Hesperia

23/03/2022