

Privacy Statement

Ziller Funds Management Pty Ltd

Company: Ziller Funds Management Pty Ltd
ABN: 88 688 720 578
AFSL: Corporate Authorised Representative (CAR 001317129) of Perennial Value Management Ltd ABN 22 090 879 904; AFSL 247293
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SECTION A – INTRODUCTION

• INTRODUCTION

1. The information in this document details how we, Ziller Funds Management Pty Ltd (“Ziller FM”) and the Perennial Partners Group, comply with the requirements of the *Privacy Act 1988* (Cth) and the Australian Privacy Principles (**APPs**) in protecting the personal information we hold about you. The APPs regulate the collection, use, correction, disclosure and transfer of personal information about individuals by organisations in the private sector
2. Personal information is any information or opinion about you that is capable, or reasonably capable, of identifying you, whether the information or opinion is true or not and is recorded in material form or not.
3. Sensitive information includes such things as your racial or ethnic origin, political opinions or membership of political associations, religious or philosophical beliefs, membership of a professional or trade association or trade union, sexual orientation or criminal record, that is also personal information. Your health, genetic and biometric information and biometric templates are also sensitive information.
4. We will act to protect your personal and sensitive information in accordance with the Australian Privacy Principles and the Privacy Act 1988.
5. We collect personal and/or sensitive information to provide you with the products and services you request as well as information on other products and services offered by or through us. The law requires us to collect personal and/or sensitive information.
6. Your personal and/or sensitive information may be used by us to administer our products and services, for prudential and risk management purposes and, unless you tell us otherwise, to provide you with related marketing information. We also use the information we hold to help detect and prevent illegal activity. We cooperate with police and other enforcement bodies as required or allowed by law.
7. We disclose relevant personal information to external organisations that help us provide services. These organisations are bound by confidentiality arrangements. They may include overseas organisations.
8. You can seek access to the personal information we hold about you. If the information we hold about you is inaccurate, incomplete, or outdated, please inform us so that we can correct it. If we deny access to your personal information, we will let you know why. For example, we may give an explanation of a commercially sensitive decision, or give you access to the information through a mutually agreed intermediary, rather than direct access to evaluative information connected with it.

SECTION B – COLLECTION OF PERSONAL INFORMATION

• WHY WE COLLECT INFORMATION

1. When you invest in a financial product that is offered by the Perennial Group, we collect personal information about you through our standard forms, such as our application form.
2. We will collect and hold your personal information for the purposes of:
 - providing financial products and related services to you;
 - establishing, administering and managing your investments and accounts;
 - implementing your investment instructions;
 - communicating with you about your investments or account;
 - investment performance reporting of your account;
 - letting you know about other products and services that the Perennial Group offers; and
 - complying with relevant laws and regulations.

• INFORMATION WE MAY COLLECT

1. The type of personal information collected from you includes information that is necessary to establish, administer and manage your investments and operate your account. For these purposes, we may ask you to provide the following personal information:
 - name;
 - title;
 - e-mail address;
 - residential and/or postal address; • date of birth;
 - telephone number;
 - occupation;
 - bank account details;
 - financial details; and
 - tax file number (TFN).
2. We are required by law to identify you if you are opening a new account or adding a new signatory to an existing account. Anti-money laundering laws require us to sight and record details of certain documents (i.e. photographic and non-photographic documents) in order to meet the standards set under those laws.
3. Where it is necessary to do so, we also collect information on individuals such as:
 - trustees;
 - partners;
 - company directors and officers;
 - officers of co-operatives and associations;
 - customer's agents;
 - beneficial owners of a client; and
 - persons dealing with us on a "one-off" basis.

4. We may take steps to verify the information we collect; for example, a birth certificate provided as identification may be verified with records held by the Registry of Births, Deaths and Marriages to protect against impersonation, or we may verify with an employer that employment and remuneration information provided is accurate.

- **HOW WE COLLECT THE INFORMATION**

1. The above information is primarily collected from the application forms completed by you, your use of our secure online access facilities or through ongoing communications with you.
2. We will not solicit any personal information about you except where you have knowingly provided that information to us or we believe you have authorised a third party to provide that information to us. Third parties that we may need to collect information from include your financial adviser, product issuer, employer, accountant or solicitor.
3. We will inform you of any legal requirements for us to ask for information about you and the consequences of not giving us that requested information. For example, in addition to the personal information we will obtain from you, whenever you acquire a new product or service from us, we will require documents evidencing your identity. Such evidence may include a certified copy of your driver's licence, passport or birth certificate.

- **INFORMATION COLLECTED FROM SOMEONE ELSE**

1. If it is impracticable or unreasonable for us to collect the personal information directly from you, we may collect such information from agents, or from your family members or friends. If you are not aware that we have collected the personal information, we will notify you of collection and the circumstances of collection, if we consider it is reasonable to do so.
2. The Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth) and Anti-Money Laundering and Counter-Terrorism Financing Rules Instrument 2007 (No. 1) require us to collect certain identification information about you. We will collect personal information from third parties in respect of AML/CTF checks which are required to be carried out, under AML/CTF Legislation.

- **INCOMPLETE OR INACCURATE INFORMATION**

1. You are not obligated to give us the information that we request. However, if you do not give us the information that we require or where the information you provide is incomplete or inaccurate, this may:
 - prevent or delay the processing of your application;
 - prevent us from implementing your investment instructions;
 - prevent us from contacting you; or
 - impact the taxation treatment of your account.
2. For example, we are required to ask for your TFN when you become a member of one of our registered schemes. If you choose to not give us your TFN, you may be subject to higher tax charges on your investment.

- **SENSITIVE INFORMATION**

1. In addition to the above conditions of collecting personal information, we will only collect sensitive information about you if we obtain prior consent to the collection of the information or if the collection is required or authorised by law.

- **DEALING WITH UNSOLICITED PERSONAL INFORMATION**

1. If we receive personal information that is not solicited by us, we will only retain it, if we determine that it is reasonably necessary for one or more of our functions or activities and that you have consented to the information being collected or given the absence of your consent that it was impracticable or unreasonable for us to obtain it under the circumstances.
2. If these conditions are not met, we will destroy or de-identify the information.
3. If such unsolicited information is sensitive information, we will obtain your consent to retain it regardless of what the circumstances are.

SECTION C – PROTECTION OF THE PERSONAL AND SENSITIVE INFORMATION THAT WE HOLD

- **HOW DO WE PROTECT THE SECURITY OF YOUR INFORMATION?**

1. We use commercially reasonable physical, electronic, and procedural safeguards to protect your personal information from loss, misuse, and unauthorised access, disclosure, alteration, and destruction in accordance with applicable Privacy laws.
2. We may use cloud storage or third-party servers to store the personal information we hold about you. These services are subject to regular audit and the people who handle your personal information have the training, knowledge, skills and commitment to protect it from unauthorised access or misuse.
3. If you use the secure online facilities such as the investor or adviser portal located on our websites, we will verify your identity by your username and password. Once verified, you will have access to secured content. We recommend that if you are using our online facilities, that you take steps to protect against unauthorised access to your password, phone, and computer by, among other things, signing off after using a shared computer, choosing a robust password and keeping your log-in and password secure and private.

- **RISKS OF USING THE INTERNET**

1. You should note that there are inherent security risks in transmitting information through the internet. You should assess these potential risks when deciding whether to use the online facilities. If you do not wish to transmit information through our website, there are other ways in which you can provide this information to us. You can, for example, contact our Client Services team.

- **COOKIES**

1. A “cookie” is a small text file that may be placed on a computer by a web server. Our websites may use cookies which may enable us to identify you or your browser while you are using our site, but do not otherwise collect your personal information.
2. Cookies may be either permanently stored on a computer or are temporary session cookies. They are used for a variety of purposes, including security and personalisation of services and to measure traffic patterns. Cookies are frequently used on websites and you can choose if and how a cookie will be accepted by configuring your preferences and options in your browser.
3. All browsers allow you to be notified when you receive a cookie and you may elect to either accept it or not. If you wish not to accept a cookie, this may impact the effectiveness of the website. Your internet service provider or other IT service provider should be able to assist you with setting your preferences.

- **HOW LONG DO WE RETAIN YOUR PERSONAL INFORMATION**

1. We are required by law to retain certain records of information for varying lengths of time and, in certain circumstances, permanently. Where your information is not required to be retained under law, we will take reasonable steps to irrevocably destroy or de-identify your personal information when it is no longer required for the purpose for which it was collected.

- **ELIGIBLE DATA BREACH**

1. Our third-party service providers are required to notify us of any unauthorised access, disclosure or loss of personal information.
2. In such circumstances, we will perform an assessment to determine if there has been an ‘eligible data breach’ whereby the access or disclosure of the personal information is likely to result in serious harm to the individuals to whom the information relates. If we determine that there has been an ‘eligible data breach’, then the individuals affected will be notified as soon as practicable of the details of the breach. If required, we will also inform the Office of the Australian Information Commissioner at the same time.
3. The Perennial Group has developed a Data Breach Response Plan to ensure the timely reporting, communication and treatment of an eligible data breach.

SECTION D – USE OF PERSONAL INFORMATION

1. We use your personal information for the purpose for which it has been obtained. We collect your personal information so that we are able to act on your request, such as to:
 - establish, administer and manage your investments and account;
 - implement your investment instructions;
 - communicate with you about your investment or account;
 - report the investment performance of your account;
 - keep you up to date on other products and services offered by us; and
 - comply with relevant laws and regulations such as the Anti-Money Laundering and Counter-Terrorism Financing Act.

2. Under the Privacy laws, the personal information we collect may be used for secondary purposes such as for the provision of promotional and marketing materials. If at any time you do not wish to receive marketing materials from us, you can contact us, and we will ensure that marketing materials are no longer sent to you.
3. Where we collect your personal information for a specific purpose not contemplated by this Privacy Policy, you will be provided with a collection notice which explains the primary purpose (and any related secondary purposes), for which your personal information is being collected.
4. Unless it is necessary for a business purpose, we will not actively seek to collect sensitive information about you (such as information about your health, racial or ethnic origin, criminal record or professional membership associations). In the event that we do need to collect your sensitive information, we will only collect, use and disclose it in accordance with Privacy laws.

SECTION E – DISCLOSURE OF PERSONAL INFORMATION

1. We may provide your personal information to other related companies within the Perennial Group or to external service providers. Where your personal information is disclosed, there are strict controls in place to ensure that information is held, used and disclosed in accordance with the APPs.
2. The types of external organisations to which we may disclose your personal information include:
 - organisations involved in providing, managing or administering our products or services such as actuaries, custodians, external dispute resolution services, insurers, investment managers, or mail houses;
 - your financial adviser;
 - funds (administrators or trustees) to which your investment is to be transferred; and
 - financial institutions that hold accounts for you.
3. The Perennial Group uses a number of third party investment administrators and registries to support the administration of our financial products. We have contractual arrangements in place with all third party providers to ensure they comply with the Privacy laws when dealing with your personal information.
4. Like other financial services organisations, there are situations where we may be required to disclose your personal information to governmental or regulatory bodies and agencies. Such situations include where we are :
 - required to by law (such as to the Australian Taxation Office or pursuant to a court order);
 - authorised by law (such as where we are obliged to disclose information in the public interest or to protect our interests);
 - necessary in discharging obligations (such as to foreign governments for the purposes of foreign taxation); or
 - required to assist in law enforcement (such as to a police force).

- **OUTSOURCING**

1. We disclose personal information when we outsource certain functions, including bulk mailing, card and cheque book production, market research, direct marketing, statement production, debt recovery and information technology support. We also seek expert help from time to time to help us improve our systems, products and services.
2. We use banking agents, for example, local businesses, to help provide you with face-to-face banking services. These agents collect personal information on our behalf.
3. In all circumstances where personal information may become known to our contractors, agents and outsourced service providers, there are confidentiality arrangements in place. Contractors, agents and outsourced service providers are not able to use or disclose personal information for any purposes other than our own.
4. We take our obligations to protect customer information very seriously we make every effort to deal only with parties who share and demonstrate the same attitude.

- **DISCLOSURE REQUIRED BY LAW**

1. We may be required to disclose customer information by law e.g. under Court Orders or Statutory Notices pursuant to taxation or social security laws or under laws relating to sanctions, anti-money laundering or counter terrorism financing.

SECTION F – CROSS BORDER DISCLOSURE OF PERSONAL INFORMATION

- **DISCLOSING PERSONAL INFORMATION TO CROSS BORDER RECIPIENTS**

1. We will only disclose your personal information to a recipient who is not in Australia and who is not our related entity after we take reasonable steps to ensure that any overseas recipients of your personal information are subject to appropriate contractual obligations to safeguard and protect your information and comply with applicable privacy obligations. Any overseas disclosure does not affect our commitment to safeguarding the personal information that we collect and we will take reasonable steps to ensure overseas recipients comply with the APPs to the furthest extent possible.

SECTION G – ACCESS TO PERSONAL INFORMATION

- **ACCESS**

1. You may request access to the personal information we hold about you. We may charge you an administrative fee to cover the associated costs of providing this information to you.
2. There may be circumstances where we are unable to give you access to the information that you have requested. If this is the case, we will inform you and explain the reasons why.
3. We will take reasonable steps to ensure that the personal information we collect, hold, use or disclose is accurate, complete, up to date, relevant and not misleading.

SECTION H – CORRECTION OF PERSONAL INFORMATION

• CORRECTION

1. You have a right to ask us to correct any information we hold about you if you believe it is inaccurate, incomplete, out of date, irrelevant or is misleading. If we do not agree with the corrections you have supplied and refuse to correct your personal information, we are required to give you written notice to that effect, and a statement if requested. We will also notify you of what you can do in the event that you are not satisfied with our response.
2. If you wish to access or correct your personal information, you may contact us through our offices or by writing to the Privacy Officer, whose contact details are set out in the 'How do I contact the Privacy Officer or Client Services' section below.

SECTION H – CONTACT US AND COMPLAINTS

• CONTACT

- You can contact the Privacy Officer by:

Mail: The Privacy Officer

- PO Box R1709
- SYDNEY NSW 1225

Email: PrivacyOfficer@perennial.net.au

[Telephone:](tel:1300730032) 1300 730 032

• MAKING A PRIVACY COMPLAINT

1. If you believe that we have breached the APPs by mishandling your information, you may lodge a written complaint addressed to the Privacy Officer, whose contact details are set above.
2. The Privacy Officer will respond to your complaint within thirty (30) days of its receipt.
3. In the event that the Privacy Officer is unable to resolve your complaint, you may refer the complaint to the Office of the Australian Information Commissioner (**Information Commissioner**).
4. You can lodge a written complaint with the Information Commissioner by:
 - submitting an online form through the Information Commissioner's website: www.oaic.gov.au;
 - submitting a hard copy form which can be obtained at <https://www.oaic.gov.au/privacy/privacy-complaints/lodge-a-privacy-complaint-with-us>
 - registered post, GPO Box 5218, Sydney NSW 2001
 - fax, (02) 9284 666;or
 - email enquiries@oaic.gov.au