

Privacy Policy



IS Industry Fund Pty Ltd ATF Intrust Super

Revision History

The table below sets out the history of this document.

Version	Reasons for amendment	Prepared by	Date approved
1	Complete redrafting of the Privacy Policy to incorporate amendments prescribed in the Privacy Amendment (Enhancing Privacy Protection) Act 2012 effective 12 March 2014	C Beilby	6 March 2014

Purpose of Document

This document is intended to outline the philosophy and methodology adopted by Intrust Super in dealing with the information it collects from members and others in accordance with Australian Privacy Principles.

Contents

	Page
Revision History	1
1 Legislative Requirement	3
2 Australian Privacy Principles	3
2.1 APP1 – Open and transparent management of personal information	
2.2 APP 2 – Anonymity and Pseudonymity	
2.3 APP 3 – Collection of Personal Information	
2.4 APP 4 - Dealing with Unsolicited Personal Information	
2.5 APP 5 - Notification of the Collection of Personal Information	
2.6 APP 6 – Use or Disclosure of Personal Information	
2.7 APP 7 – Direct Marketing	
2.8 APP 8 – Cross-border Disclosure of Personal Information	
2.9 APP 9 – Adoption, Use or Disclosure of Government Related Identifiers	
2.10 APP 10 – Quality of Personal Information	
2.11 APP 11 – Security of Personal Information	
2.12 APP 12 – Access to Personal Information	
2.13 APP 13 – Correction of Personal Information	
3 Review of the Policy	12

1. Legislative Requirement

This Privacy Policy (Policy) has been prepared in accordance with the requirements of the Privacy Act 1988 and the Privacy Amendment (Enhancing Privacy Protection) Act 2012. The Policy adopts the 13 Australian Privacy Principles prescribed in Schedule 1 of the Privacy Amendment (Enhancing Privacy Protection) Act 2012 (the Act).

Intrust Super (The Fund) places a very high priority on the protection of member privacy and the security and use of personal information.

Intrust Super has developed this Policy to regulate the management of personal information it collects and uses. The Policy seeks to ensure that the appropriate measures are implemented to manage the collection, use and protection of the personal information held by Intrust Super.

2. Australian Privacy Principles (APPs)

The Fund will take all reasonable steps to implement practices, procedures and systems to ensure that it complies with the Australian Privacy Principles and to deal with inquiries or complaints from individuals about the Fund's compliance with those Principles.

2.1 APP 1 – Open and transparent management of personal information

Intrust Super will manage personal information in an open and transparent way.

The Fund will at all times maintain this Privacy Policy in relation to the management of personal information by the Fund.

2.1.1 The kinds of personal information that the Fund collects and holds

The Fund may collect and hold information, including sensitive information, required to conduct its usual activities and functions. Such information may include, but is not limited to:

- Identity information, including full name and date of birth
- Contact information, including residential and postal address, telephone numbers and email address
- Employment information, including occupation, employer name and income
- Health and medical information for the assessment of insurance applications or claims
- Tax File Numbers
- Details of preferred beneficiaries

2.1.2 How the Fund collects and holds personal information

Information is generally collected from members when they complete and sign an application to join the Fund. This application forms part of the relevant Fund Product Disclosure Statement. Additional information may also be collected from other Fund documentation, for example medical information may be required if a member applies for additional insurance cover or lodges an insurance claim.

Information in respect of contributions is generally provided by the member's employer. Employers may also provide salary and other related information.

All information is stored in secure physical storage facilities and/or in electronic form. Electronic data is only accessible by authorised persons for appropriate purposes and is password protected. See section 2.11 of this Policy for further details.

2.1.3 The purposes for which the Fund collects, holds, uses and discloses personal information

The Fund will only collect, hold, use and disclose the information it reasonably requires for its usual functions and activities. Further details of these are set out in section 2.3.3 of this Policy.

2.1.4 How an individual may access personal information about the individual that is held by the Fund and seek the correction of such information

As noted in sections 2.12 and 2.13, except in certain limited circumstances, individuals may access their personal information and advise the Fund of any corrections to that information.

2.1.5 How an individual may complain about a breach of the Australian Privacy Principles that binds the Fund and how the Fund will deal with such a complaint

An individual may complain about a breach of the Australian Privacy Principles using the Fund's usual complaint handling procedure. Details of this are available in the Product Disclosure Statement and on the Fund's web site.

2.1.6 Disclosure of personal information to overseas recipients

The Fund may disclose personal information to an overseas recipient where such disclosure is part of the Fund's normal business activities. Such disclosure will only be made in accordance with the provisions outlined in section 2.8 of this Policy.

2.1.7 Countries in which recipients of personal information are likely to be located

The Fund uses the services of specialist service providers to assist in its activities. A number of these providers may perform some of these functions overseas. In general, this would not involve the disclosure of personal information.

Certain administration services, including the processing of new member applications, contribution receipting and benefit payments, are provided by Australian Administration Services Pty Ltd (AAS).

2.1.8 Availability of the Policy

The Policy will be available on the Fund's website and may also be obtained free of charge from the Fund in any reasonable form.

2.2 APP 2 – Anonymity and Pseudonymity

When dealing with the Fund in relation to a particular matter, individuals have the option of not identifying themselves, or of using a pseudonym, where it is practical and lawful to do so.

Given the nature of the Fund's activities and its interactions with members, it is generally impractical for the Fund to deal with individuals who have not identified themselves or who have used a pseudonym.

2.3 APP 3 – Collection of Personal Information

2.3.1 Personal information other than sensitive information

The Fund will not collect personal information (other than sensitive information) unless the information is reasonably necessary for one or more of the Fund's functions or activities.

2.3.2 Sensitive Information

The Fund will not collect sensitive information about an individual unless the individual consents to the collection of the information and the information is reasonably necessary for one or more of the Fund's functions or activities. Exceptions may apply where the collection of the information is required or authorised by or under an Australian law or a court/tribunal order.

2.3.3 Functions and activities of the Fund

Functions and activities that the Fund engages in in relation to a particular individual may include:

- Setting up one or more superannuation benefit accounts
- Collecting Tax File Numbers as required by superannuation legislation
- Receiving and posting contributions paid on behalf of Fund members, either by the member themselves, their employer or their spouse
- Collecting and assessing health/medical information for the purpose of assessing an application for insurance
- Collecting and assessing health/medical information for the purpose of assessing a claim for a benefit provided by the Fund
- Obtaining salary and income information in relation to superannuation benefits
- Rolling over or paying benefits to the member, their beneficiaries, other superannuation funds, Retirement Savings Accounts, successor funds, Eligible Rollover Funds and other rollover entities in accordance with relevant legislation
- Processing enquiries or complying with court orders in relation to Family Law matters

- Assist in locating lost superannuation accounts and re-establishing contact with lost members.

2.3.4 Means of collection

The Fund will only collect personal information by lawful and fair means. Wherever it is reasonable and practical to do so, the Fund will only collect personal information about an individual from that individual. In practice, some information is usually provided to the Fund by an individual's employer in the normal course of business.

2.4 APP 4 - Dealing with Unsolicited Personal Information

If the Fund receives personal information and the Fund did not request that information (unsolicited information) the Fund will, within a reasonable period after receiving the information, determine whether or not Fund could have collected the information under Australian Privacy Principle 3, if the Fund had solicited the information.

If the unsolicited information could not have been collected under APP3, the Fund will, as soon as practicable but only if it is lawful and reasonable to do so, destroy the information or ensure that the information is de-identified.

2.5 APP 5 - Notification of the Collection of Personal Information

At or before the time or, if that is not practicable, as soon as practicable after, the Fund collects personal information about an individual, the Fund will take such steps as are reasonable in the circumstances to advise the individual:

- The identity and contact details of the Fund
- The fact that the Fund has collected the personal information and the circumstances of that collection
- The purposes for which the Fund collects the personal information
- The main consequences (if any) for the individual if all or some of the personal information is not collected by the Fund
- The name of any other entity subject to the Privacy Act, body or person, or the types of any other such entities, bodies or persons, to which the Fund usually discloses personal information of the kind collected by the Fund
- That the Fund's Privacy Policy contains information about how the individual may access the personal information about the individual that is held by the Fund and seek the correction of such information
- That the Fund's Privacy Policy contains information about how the individual may complain about a breach of the Australian Privacy Principles and how the Fund will deal with such a complaint
- Whether the Fund is likely to disclose the personal information to overseas recipients and if this is so, the countries in which such recipients are likely to be located if it is practicable to

specify those countries in the notification or to otherwise make the individual aware of them

- 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 name of the Australian law, or details of the court/ tribunal order, that requires or authorises the collection).

2.6 APP 6 – Use or Disclosure of Personal Information

Information about an individual that the Fund collects for a particular purpose (the primary purpose), will not be used or disclosed for another purpose (the secondary purpose) unless the individual has consented to the use or disclosure of the information. The primary purpose in relation to the Fund is to establish and administer superannuation accounts.

The Fund uses the services of a number of specialist service providers to assist in the operation of the Fund. These service providers are appointed in accordance with the Fund's Outsourcing Policy. External service providers are subject to the same Australian Privacy Principles as the Fund and are required to confirm that they have appropriate mechanisms in place to maintain and enforce their own privacy policy.

The consent of the individual to the use or disclosure of information other than for the primary purpose may not be required where:

- The individual would reasonably expect the Fund to use or disclose the information for the secondary purpose and the secondary purpose is:
 - if the information is sensitive information—directly related to the primary purpose; or
 - if the information is not sensitive information—related to the primary purpose.
- The use or disclosure of the information is required or authorised by or under an Australian law or a court/tribunal order
- A permitted general situation (as defined in section 16A of the Act) exists in relation to the use or disclosure of the information by the Fund
- A permitted health situation (as defined in section 16B of the Act) exists in relation to the use or disclosure of the information by the Fund
- The Fund 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. In such cases, the Fund will make a written note of the use or disclosure.

2.7 APP 7 – Direct Marketing

The Fund will not use or disclose personal information for the purpose of direct marketing except where:

- The Fund collected the information from the individual, and
- The individual would reasonably expect the Fund to use or disclose the information for the purpose of direct marketing, and
- The information is not sensitive information.

Unless the individual requests otherwise, the Fund may from time to time use personal information to:

- Conduct member research to find out views on existing and proposed products and services; or
- Provide information about Fund products and services, superannuation and retirement planning issues, financial planning, member seminars or any other Fund related products.

The Fund will at all times provide a simple means by which an individual may easily request not to receive direct marketing communications from the Fund. Where such a request has been received, the Fund will cease to use or disclose personal information for the purpose of direct marketing.

Individuals that do not wish to receive direct marketing communications should advise Intrust Super via one of the following means:

Telephone: 132 467

Fax: 1800 603 234

In writing: Intrust Super PO Box 1416 Brisbane Qld 4000

Email: info@intrust.com.au

The Fund will never disclose an individual's personal information to a third party for the purposes of direct marketing unless that individual has given their express consent for such disclosure and use.

2.8 APP 8 – Cross-border Disclosure of Personal Information

The Fund will not disclose personal information about an individual to a person or organisation that is not in Australia (or one of its territories) without taking reasonable steps to ensure that the overseas recipient does not breach the Australian Privacy Principles in relation to the information.

The Fund may disclose personal information to an overseas recipient in one or more of the following circumstances:

- The overseas recipient of the information is subject to conditions that have the effect of protecting the information in a way that, overall, is at least substantially similar to the way

in which the Australian Privacy Principles protect the information and there are mechanisms that the individual can access to take action to enforce that protection

- The individual is informed that, in the normal course of business, information may be disclosed to an overseas recipient and consents to the disclosure
- The disclosure of the information is required or authorised by or under an Australian law or a court/tribunal order
- A permitted general situation (as defined in section 16A of the Act) exists in relation to the disclosure of the information.

2.9 APP 9 – Adoption, Use or Disclosure of Government-related Identifiers

2.9.1 Adoption of government related identifiers

The Fund will not use a government-related identifier of an individual as its own identifier of the individual.

2.9.2 Use or disclosure of government-related identifiers

The Fund will not use or disclose a Government-related identifier of an individual unless:

- The use or disclosure of the identifier is reasonably necessary for the Fund to verify the identity of the individual for the purposes of the Fund’s activities or functions, or
- The use or disclosure of the identifier is reasonably necessary for the Fund to fulfil its obligations to a Government agency or a State or Territory authority, or
- The use or disclosure of the identifier is required or authorised by or under an Australian law or a court/tribunal order, or
- A permitted general situation (other than the situation referred to in item 4 or 5 of the table in subsection 16A(1) of the Act) exists in relation to the use or disclosure of the identifier, or
- The Fund reasonably believes that the use or disclosure of the identifier is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

2.10 APP 10 – Quality of Personal Information

The Fund will take such steps (if any) as are reasonable in the circumstances to ensure that the personal information that the Fund collects is accurate, up to date and complete.

The Fund will also take such steps (if any) as are reasonable in the circumstances to ensure that the personal information that the Fund uses or discloses is, having regard to the purpose of the use or disclosure, accurate, up to date, complete and relevant.

2.11 APP 11 – Security of Personal Information

The Fund will take such steps as are reasonable in the circumstances to protect the personal information it collects from misuse, interference and loss, and from unauthorised access, modification or disclosure. Fund records are kept either in the secured office of the Fund or one of its service providers appointed in accordance with the Fund's Outsourcing Policy, or in an electronic form which is password protected.

Where the Fund holds personal information about an individual and:

- The Fund no longer needs the information for any purpose for which the information may be used or disclosed by the Fund, and
- The information is not contained in a Commonwealth Government record, and
- The Fund is not required by or under an Australian law, or a court/tribunal order, to retain the information,

the Fund will take such steps as are reasonable in the circumstances to destroy the information or to ensure that the information is de-identified.

2.12 APP 12 – Access to Personal Information

Where the Fund holds personal information about an individual, the Fund will, on request by the individual, give the individual access to that information. Such a request can be made by the means set out on section 2.7. The Fund will take reasonable steps to confirm the identity of the individual before providing access to personal information.

2.12.1 Denying access to information.

The Fund may deny access to personal information where:

- The Fund 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
- Giving access would have an unreasonable impact on the privacy of other individuals; or
- The request for access is frivolous or vexatious; or
- The information relates to existing or anticipated legal proceedings between the Fund and the individual, and would not be accessible by the process of discovery in those proceedings; or
- Giving access would reveal the intentions of the Fund in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
- Giving access would be unlawful; or
- Denying access is required or authorised by or under an Australian law or a court/tribunal order; or
- Both of the following apply:

- the Fund has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to the Fund's functions or activities has been, is being or may be engaged in; and
- Giving access would be likely to prejudice the taking of appropriate action in relation to the matter; or
- Giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or
- Giving access would reveal evaluative information generated within the Fund in connection with a commercially sensitive decision-making process.

2.12.2 Providing access to information

The Fund will respond to a request for access within a reasonable period after the request is made and will give access to the information in the manner requested by the individual if it is reasonable and practicable to do so.

If the Fund declines to give access to personal information because of one of the conditions noted in section 2.12.1, or declines to give access in the manner requested by the individual, it will take such steps (if any) as are reasonable in the circumstances to give access in a way that meets the needs of the entity and the individual. This may include providing access through the use of a mutually agreed intermediary. The Fund will also provide:

- 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
- The mechanisms available to complain about the refusal; and
- Any other information required to be given by law.

Where the Fund imposes a charge for an individual to access personal information, such charge will be reasonable and will not apply to the making of the request.

2.13 APP 13 – Correction of Personal Information

Where the Fund holds personal information about an individual and it is found that, having regard to a purpose for which the information is held, the information is inaccurate, out of date, incomplete, irrelevant or misleading, or the individual requests that the Fund correct the information, the Fund will take such steps (if any) as are reasonable in the circumstances to correct that information to ensure that it is accurate, up to date, complete, relevant and not misleading.

If the Fund corrects personal information about an individual that the Fund has previously disclosed to another party and the individual requests that the Fund notify the other party of the correction, the Fund will take such steps (if any) as are reasonable in the circumstances to give that notification unless it is impracticable or unlawful to do so.

Where appropriate, the Fund may request that the individual provides suitable evidence that the information subject to correction is inaccurate, out of date, incomplete, irrelevant or misleading.

If the Fund refuses to correct the personal information as requested by the individual, the Fund will give the individual a written notice that sets out:

- The reasons for the refusal except to the extent that it would be unreasonable to do so; and
- The mechanisms available to complain about the refusal; and
- Any other matter prescribed by law.

If the Fund refuses to correct the personal information as requested by the individual and the individual requests the Fund associates with the information a statement that the information is inaccurate, out of date, incomplete, irrelevant or misleading, the Fund will take such steps as are reasonable in the circumstances to associate the statement in such a way that will make the statement apparent to users of the information.

The Fund will deal with a request to correct personal information within a reasonable period after the request is made and will not charge the individual for the making of the request, for correcting the personal information or for associating the statement with the personal information (as the case may be).

Review of the Policy

This Policy will be reviewed at least annually or earlier if required by changes to relevant legislation or by the lawful direction of an appropriate regulatory authority.