

Privacy policy

Last updated: 10 September 2020

This Privacy Policy (**'Policy'**) applies to information collected by 347 Darling Pty Ltd, ABN 38 604 854 999 (**'Darling'**, **'we'** or **'us'**). It outlines how and why we collect, store, use, disclose and manage your personal information.

By providing us with your personal information you agree to your personal information being handled in accordance with this Policy.

Please read the policy to understand how Darling deals with the personal information that it may collect about you from time to time. This policy may change from time to time, so please revisit the policy periodically.

What personal information is collected?

Darling collects personal information that is reasonably necessary for us to provide you with financial products and services and to administer them. The kind of personal information we collect and hold may include your name, address, contact details, banking details and tax details.

We may also collect personal information if authorised or required by an Australian law or court or tribunal order to collect that information. We will tell you if collection is required or authorised by law and provide you with details of the law, court or tribunal order.

For example, when you make an application for a financial product, Darling is required under the Anti-Money Laundering and Counter-Terrorism Financing Act to collect certain information from you to prove your identity, such as your date of birth, driver's licence or passport details.

Darling may collect your Australian tax file number (TFN) to determine whether you are subject to withholding tax on any distribution payments you receive and for communication purposes of distribution payments to the Australian Taxation Office.

Darling may also be required to ask about your tax residency status under taxation information sharing agreements the Australian Government has in place with other countries. For example, a tax treaty between Australia and the United States formed under US law (Foreign Account Tax Compliance Act) requires Darling to ask investors whether they are US citizens or US tax residents when they make an application. If you are a tax resident of another country, the relevant treaty or law may require us to collect your relevant foreign tax identification number.

If we are provided with any personal information that we have not requested (unsolicited personal information), we will delete, destroy or de-identify such information as soon as practical after receiving it, unless we are required by law to do otherwise.

How is personal information collected?

Darling collects your personal information in a number of ways including:

- Directly from you, such as when you provide the information in person, by phone, email or in an application form or an online form;

- From our service providers including the Trustee and Administrator of managed investment schemes for which we are the investment manager;
- From third parties such as your financial adviser, if you authorise us to do so; and
- From publicly or commercially available sources for the purpose of complying with customer due diligence obligations under Australia's anti-money laundering laws.

Collection of Sensitive Information from You

Sensitive information is personal information about a person's racial or ethnic origin, political opinion, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, criminal record, genetic information or health information.

Darling will not collect, use or disclose sensitive information about you unless we need the information for one of our functions or activities and we have your consent (or we are legally required to do so).

What if you do not provide certain information?

You do not have to provide us with your personal information but if you do not, we may not be able to provide you with the product or service. If you do not provide us with your Tax File Number, we may be required to deduct withholding tax on any distribution payments at the highest marginal tax rate.

How do we use and disclose your personal information?

Darling may use and disclose your personal information for the primary purpose of providing the products and/or services requested, as well as for related purposes such as:

- To verify your identity (including the identities of beneficiaries and beneficial owners, where applicable);
- To process your applications for our products and services;
- To administer and manage the provision of our products and services;
- To respond to queries, complaints or to provide you with our general customer services;
- To comply with laws and regulatory requirements; and
- Any other purposes identified at the time of collecting your personal information from you.

We may disclose your personal information to:

- Our service providers for the purposes for which the information was provided;
- Professional service firms that provide services to us such as legal and audit;
- Your financial, legal or other adviser;
- Other entities for purpose of legislative compliance and reporting;
- Other purposes if legally required to do so, or if you have given your consent.

5. Overseas transfer of personal information

Darling does not disclose personal information to persons or entities in foreign countries.

In some cases, Darling may utilise 'Cloud' storage solutions for data storage purposes, and the relevant servers may be located overseas. Please see the 'Storage and security of information' section of this policy for further details.

Use of service providers

Personal information provided to Darling may be disclosed as necessary to our service providers for the purpose for which the information was provided.

Keeping us up-to-date

Personal information such as your contact details may change from time-to-time and we ask that you keep us informed of any changes. Where you have previously provided information about another person related to your investment (such as a beneficial owner) and the information is no longer current, we ask that you provide up-to-date information.

Changes to some details, such as a change of name, may require additional documentation to verify the change.

Please see the 'Contacting us' section of this policy if you would like to request an update to the personal information we hold about you.

Storage and security of information

Darling stores personal information in a combination of computer storage facilities, paper-based files and other records. These are held on our premises and systems as well as offsite using trusted third parties. Some personal information may be held by data service providers located overseas (such as 'Cloud' service providers for data storage and management purposes) and Darling maintains effective control of the information through contractual arrangements. We will take reasonable steps to protect personal information from loss, interference or misuse, and unauthorised access, modification or disclosure.

Where personal information is no longer required to be retained, we will take such steps as are reasonable in the circumstances to de-identify the information or put it beyond use.

Openness

This policy sets out Darling's approach to the management of personal information and is available on our website, or in hardcopy if requested.

Access and correction

Generally, Darling will provide you with access to your personal information that we hold, unless a particular exception applies, such as where:

- It would be unlawful to provide the information;
- Providing access would be likely to prejudice an investigation of possible unlawful activity;
- The information is relevant to legal proceedings and would not be accessible in the normal discovery process;

- Giving access would have an unreasonable impact on the privacy of other individuals;
- It would pose a serious and imminent threat to the life or health of any individual; or
- The request is frivolous or vexatious.

If a request for access would divulge a commercially sensitive decision-making process, then Darling may provide an explanation rather than direct access to the information.

If we become aware that the personal information we hold about you is inaccurate, incomplete, misleading or irrelevant, then we will take reasonable steps to amend it. If we receive a request from you to correct your information, then we will seek to correct it within 30 days. If you and Darling disagree about the accuracy, completeness or currency of our records, then you have the right to request that we note your disagreement on those records.

Please see the 'Contacting us' section of this policy if you would like to request an update or seek access to the personal information we hold about you.

Identifiers

Darling does not use any government-issued identifiers (such as a Tax file number, Medicare number or Drivers Licence number) for use as its own identifier.

Anonymity and pseudonymity

Given legal requirements on financial institutions to identify their customers, in most situations Darling is unable to allow you to transact with it on the basis of anonymity (including the use of pseudonym). Access to the Darling public website and some other interactions with Darling may be done anonymously, or in the case of general enquiries, using a pseudonym. However, we may not be able to respond to your queries unless you provide us with certain information.

Direct marketing

If Darling uses your personal information for direct marketing of its products or services, it will provide you with the opportunity, at the point of our first contact and at any time afterwards at your request to decline receipt of any further marketing information.

Use of our website

The only personal information which we collect about you when you use our website is what you tell us about yourself when completing an enquiry through the "contact" section.

Investor Login site

If you access the "investor login" section of our website, you will be redirected to an Apex Group website. You should refer to Apex Group's privacy policy for information on how any personal information will be handled.

Contacting us

If you would like more information about how we manage your personal information, we can be contacted via email at Operations@darlingmacro.fund. Alternatively, you can write to us at the following address:

The Privacy Officer
347 Darling Pty Ltd
Suite 3, 347 Darling Street
Balmain NSW 2041

Complaints about your privacy

If you wish to raise any concerns about any breach or potential breach of your privacy, please contact our Privacy Officer and we will make every effort to resolve your complaint internally. If you wish to raise a concern, you should be aware of the following;

- Your complaint should be made in writing to the Privacy Officer (via post or email);
- We will attempt to respond within 30 days from receipt of your request;
- If you feel your concerns have not been resolved, the complaint may be taken to the Office of the Australian Information Commissioner (OAIC).

For more information on how you may lodge a complaint with the OAIC, please contact the OAIC hotline service on 1300 363 992 or through their “contact us” page at: <https://www.oaic.gov.au/about-us/contact-us/>.

Changes to our Privacy Policy

Darling may make changes to this policy from time to time for any reason and we will update the website in a timely manner.