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## PRIVACY POLICY AND COLLECTION STATEMENT

### 1. Introduction

Lumiere Private Advisory Pty Ltd A.C.N. 626 673 032 (referred to as **Lumiere, we, our, us**) is bound by the Privacy Act 1988 (**Privacy Act**), including the Australian Privacy Principles (**APPs**) and recognises the importance of ensuring the confidentiality and security of your personal information.

All third parties (including clients, suppliers, sub-contractors, or agents) that have access to or use personal information collected and held by Lumiere must abide by this Policy and Collection Statement. Lumiere makes this Policy and Collection Statement available free of charge and can be downloaded from its website [www.lumierepa.com.au](http://www.lumierepa.com.au)<sup>1</sup>.

In this Policy and Collection Statement:

- **Disclosure** of information means providing information to persons outside of Lumiere;
- **Personal information** means information or an opinion relating to an individual, which can be used to identify that individual;
- **Privacy Officer** means the contact person within Lumiere for questions or complaints regarding Lumiere's handling of personal information;
- **Sensitive information** is personal information that includes information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, sexual preferences and criminal record, and also includes health information; and
- **Use** of information means use of information within Lumiere.

### 2. What kind of personal information do we collect and hold?

We may collect and hold a range of personal information about you to provide you with our services, including:

- your name, address, telephone number, email address and date of birth;
- health information;
- financial information about your assets, occupation and income, account balances, bank account details, account activities, trust arrangements, payment history and transactions with us and third parties;
- tax information including your tax file number, tax returns and related information;
- professional and business information about your membership of a professional association, partnerships, directorships, business names and trust arrangements; and
- Estate planning information including Wills, Powers of Attorneys and Statement of Wishes.

### 3. How we collect personal information

We generally collect personal information directly from you. For example, personal information will be collected through our application processes, forms and other interactions with you in the course of providing you with our products and services, including when you visit our website, use a mobile app from us, call us or send us correspondence.

We may also collect personal information about you from an information services provider, publicly maintained record or third parties such as your family members or professional advisers where we are authorised to do so. If so, we will take reasonable steps to ensure that you are made aware of this Policy and Collection Statement. We may also use third parties to analyse traffic at our website, which may involve the use of cookies. Information collected through such analysis is anonymous.

We will not collect sensitive information about you without your consent unless an exemption in the APPs applies. These exceptions include if the collection is required or authorised by law or necessary to take appropriate action in relation to suspected unlawful activity or serious misconduct.

If the personal information we request is not provided by you, we may not be able to provide you with the benefit of our services or meet your needs appropriately.

We do not give you the option of dealing with them anonymously, or under a pseudonym. This is because it is impractical, and in some circumstances illegal, for Lumiere to deal with individuals who are not identified.

#### 4. Unsolicited personal information

We may receive unsolicited personal information about you. We destroy or de-identify all unsolicited personal information we receive, unless it is relevant to our purposes for collecting personal information. We may retain additional information we receive about you if it is combined with other information we are required or entitled to collect. If we do this, we will retain the information in the same way we hold your other personal information.

#### 5. Who do we collect personal information about?

The personal information we may collect and hold includes (but is not limited to) personal information about:

- clients;
- potential clients;
- service providers or suppliers;
- prospective employees, employees and contractors; and
- other third parties with whom we come into contact.

#### 6. Website collection

We collect personal information from our website ([www.lumierepa.com.au](http://www.lumierepa.com.au)) when we receive emails and online forms. We may also use third parties to analyse traffic at that website, which may involve the use of cookies. Information collected through such analysis is anonymous. Our website privacy policy can be accessed by clicking on the privacy button on our website.

#### 7. Why do we collect and hold personal information?

We may use and disclose the information we collect about you for the following purposes:

- providing services to you, including providing:
  - tax, accounting and superannuation services including tax audit insurance;
  - estate and succession planning services;
  - services in accordance with any agreement you enter into with Lumiere;
- accounting, billing and other administrative purposes;
- identifying and informing you of services that may be of interest to you from Lumiere or other selected third parties; and
- any legal requirements, including Lumiere's obligations under:
  - applicable taxation law;
  - the Corporations Act 2001 (Cth);
  - the Australian Securities and Investments Commission Act 2001 (Cth); and
  - the Bankruptcy Act 1966 (Cth).

We may use and disclose your personal information for any of these purposes. We may also use and disclose your personal information for secondary purposes which are related to the primary purposes set out above, or in other circumstances authorised by the Privacy Act.

Sensitive information will be used and disclosed only for the purpose for which it was provided (or a directly related secondary purpose), unless you agree otherwise or an exemption in the Privacy Act applies.

## 8. Who might we disclose personal information to?

Generally, Lumiere will only disclose your personal information for the purposes of providing its products and services to you. This may include disclosing your personal information to a related party of Lumiere and third parties where necessary to provide you with our products and services. These third parties may include government departments or other regulatory authorities and professional associations, our lawyers, your authorised investment advisors, lenders, credit providers, insurers and audit insurance providers, certain software and IT providers, third parties engaged to perform administrative tasks, professional advisers or, if authorised by you, your staff, family members, and associated entities. This disclosure is always on a confidential basis. Lumiere may also disclose your personal information with your consent or if disclosure is required or authorised by law.

## 9. Sending information overseas

We will not send personal information to recipients outside of Australia unless:

- we have taken reasonable steps to ensure that the recipient does not breach the Act, the APPs;
- the recipient is subject to an information privacy scheme similar to the Privacy Act; or
- the individual has consented to the disclosure.

If you consent to your personal information being disclosed to an overseas recipient, and the recipient breaches the APPs, we will not be accountable for that breach under the Privacy Act, and you will not be able to seek redress under the Privacy Act.

## 10. Management of personal information

We recognise the importance of securing the personal information of our clients. We will take steps to ensure your personal information is protected from misuse, interference or loss, and unauthorised access, modification or disclosure.

Your personal information is generally stored in our computer database. Any paper files are stored in secure areas. The protection measures in place include:

- confidentiality requirements for employees;
- confidentiality statements on all outgoing correspondence including email;
- document storage security policies;
- security measures including encryption, firewalls, site monitoring and intrusion detection;
- providing a discreet environment for confidential discussions; and
- only allowing access to personal information where the individual seeking access has satisfied OPC's identification requirements.

However, Lumiere cannot guarantee the security of personal information provided to us electronically via the internet, email or text nor can it guarantee the safe delivery of personal information via ordinary post and as such any communication is made at your own risk. The security arrangements are reviewed and tested regularly.

## 11. Direct marketing

We may only use personal information we collect from you for the purposes of direct marketing without your consent if:

- the personal information does not include sensitive information; and
- you would reasonably expect us to use or disclose the information for the purpose of direct marketing; and
- we provide a simple way of opting out of direct marketing; and
- you have not requested to opt out of receiving direct marketing from us.

If we collect personal information about you from a third party, we will only use that information for the purposes of direct marketing if you have consented (or it is impracticable to obtain your consent), and we will provide a simple means by which you can easily request not to receive direct marketing communications from us. We will draw your attention to the fact you may make such a request in our direct marketing communications.

You have the right to request us not to use or disclose your personal information for the purposes of direct marketing, or for the purposes of facilitating direct marketing by other organisations. We must give effect to the request within a reasonable period of time. You may also request that we provide you with the source of their information. If such a request is made, we must notify you of the source of the information free of charge within a reasonable period of time.

## 12. How do we keep personal information accurate and up to date?

We are committed to ensuring that the personal information Lumiere collects, uses and discloses is relevant, accurate, complete and up to date.

We encourage you to contact us to update any personal information we hold about you. If we correct information that has previously been disclosed to another entity, we will notify the other entity within a reasonable period of the correction. Where we are satisfied information is inaccurate, we will take reasonable steps to correct the information within 30 days, unless you agree otherwise. We do not charge you for correcting the information.

### 13. Accessing your personal information

Subject to the exceptions set out in the Privacy Act, you may gain access to the personal information that we hold about you by contacting the Lumiere Privacy Officer. We will provide access within 30 days of the individual's request. If we refuse to provide the information, we will provide reasons for the refusal.

We will require identity verification and specification of what information is required. An administrative fee for search and photocopying costs may be charged for providing access.

### 14. Updates to this policy and collection statement

This Policy and Collection Statement will be reviewed from time to time to take account of new laws and technology, and changes to our operations and the business environment.

### 15. Responsibilities

It is the responsibility of management to inform employees and other relevant third parties about this Policy and Collection Statement. Management must ensure that employees and other relevant third parties are advised of any changes to this Policy and Collection Statement. All new employees are to be provided with timely and appropriate access to this Policy and Collection Statement, and all employees are provided with training in relation to appropriate handling of personal information. Employees or other relevant third parties that do not comply with this Policy and Collection Statement may be subject to disciplinary action.

### 16. Non-compliance and disciplinary actions

Privacy breaches must be reported to management by employees and relevant third parties. Ignorance of this Policy and Collection Statement will not be an acceptable excuse for non-compliance. Employees or other relevant third parties that do not comply with this Policy and Collection Statement may be subject to disciplinary action.

### 17. Incidents/complaints handling/making a complaint

You can make a complaint to us about the treatment or handling of your personal information by lodging a complaint with the Privacy Officer.

If you have any questions about this Policy and Collection Statement, or wish to make a complaint about how we have handled your personal information, you can lodge a complaint with us via the below contact details:

**The Privacy Officer  
Lumiere Private Advisory Pty Ltd  
Level 1,  
25 Burwood Road**

**HAWTHORN VIC 3122**  
**Telephone: +61 39977 2619**

If you are not satisfied with our response to your complaint, you can also refer your complaint to the Office of the Australian Information Commissioner by:

- telephoning - 1300 363 992
- writing - Director of Complaints, Office of the Australian Information Commissioner, GPO Box 5218, SYDNEY NSW 2001
- emailing - [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

## 18. Contractual arrangements with third parties

We ensure that all contractual arrangements with third parties adequately address privacy issues, and make third parties aware of this Policy and Collection Statement.

Third parties will be required to implement policies in relation to the management of your personal information in accordance with *the Privacy Act*. These policies include:

- regulating the collection, use and disclosure of personal and sensitive information;
- de-identifying personal and sensitive information wherever possible;
- ensuring that personal and sensitive information is kept securely, with access to it only by authorised employees or agents of the third parties; and
- ensuring that the personal and sensitive information is only disclosed to organisations which are approved by us.

## 19. Your rights

This Privacy Policy and Collection Statement contains information about how:

- you may access the personal information we hold about you;
- you may seek the correction of your personal information; and
- you may complain about a breach of the Privacy Act, including the APPs; and
- we will deal with a privacy complaint.