

## **J.P. Morgan Privacy Policy for use in its Australian Operations**

J.P. Morgan recognises the importance of the personal information we hold about individuals and the trust they place in us.

By explaining our Privacy Policy to you, we hope that you will better understand how we keep personal information private and secure while using it to provide services and products.

This Privacy Policy applies to the Australian operations of the J.P. Morgan group unless specifically stated otherwise. For these purposes the J.P. Morgan group includes JPMorgan Chase Bank ABN 43 074 112 011 and any of its branches, affiliates, subsidiaries, shareholders or such shareholders' subsidiaries, as applicable, and shall include any successors including, without limitation, an assignee or successor or any affiliate or subsidiary of such entity or any person who, under the laws of the jurisdiction of incorporation or domicile, has assumed the rights and obligations of JPMorgan Chase Bank, National Association, or any of its branches, affiliates, subsidiaries, shareholders or such shareholders' subsidiaries or to which under such laws the same have been transferred. In this Policy, the members of this group are individually and collectively referred to as "J.P. Morgan", "we" or "us".

We are committed to safeguarding your personal information in accordance with the requirements of the Australian Privacy Principles of the Privacy Act 1988.

In general, we will not use or disclose such information collected about you otherwise than for the purposes set out in this Policy, for a purpose you would reasonably expect, a purpose required or permitted by law, or a purpose otherwise disclosed to, or authorised by you.

We may, in connection with particular services we offer or provide to you, make other privacy disclosures to you or seek your authority to use your personal information in ways which are different from or more specific than those stated in this Privacy Policy. In the event of any inconsistency between the provisions of this Privacy Policy and those additional materials, the provisions of the additional materials will prevail.

### **What is Personal Information?**

Personal Information is information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- whether the information or opinion is true or not; and
- whether the information or opinion is recorded in a material form or not.

### **Kinds of Personal Information we collect and hold**

The kind of Personal Information we may collect about you generally includes:

- name;
- address;
- date of birth;
- gender;
- nationality;
- residency status;

- telephone number;
- e-mail address;
- financial information;
- tax file number;
- employment history;
- education history;
- information contained in identity document, such as a passport number and drivers licence number; and
- information necessary to make or receive payments to or from you or necessary to effect security transactions on your behalf.

In certain circumstances, we may also collect Personal Information which is sensitive. This may include information about your:

- racial or ethnic origin;
- political opinion or membership of political association;
- religious or philosophical beliefs;
- membership of professional or trade associations or trade union; and
- criminal record.

### **How we collect Personal Information**

We will collect Personal Information directly from you when you:

- apply for a product or a service;
- update your Personal Information or another person's Personal Information held by us;
- deal with us as a key contact or employee of an institutional client;
- deal with us as a key contact or employee of a non-client relationship such as vendors;
- deal with us over the telephone or in person;
- send us a letter; or
- visit the **J.P. Morgan Australia web site**.

On occasions, we may need to collect Personal Information about you from third parties. This may include, but is not limited to:

- where an institutional client has applied for a product or a service and the details of the institutional client's officeholders, account signatories and/ or beneficiaries are provided to us by the individual applying on behalf of the institutional client;
- our agent and service providers which may be located overseas;
- law enforcement bodies;
- statutory and regulatory bodies;
- publicly available sources including the Internet and telephone directories;
- industry databases; and
- marketing organisation including through the use of purchased lists.

Unless the collection of sensitive information is required or permitted by or under law, we will obtain your consent to its collection.

## **Other matters regarding our collection of Personal Information**

If at any time you provide us with Personal Information about another person, you acknowledge that you will ensure that the person has been notified of all relevant matters required under the Privacy Act relating to our collection of such information and has consented to the collection, use and disclosure of their Personal Information by us as set out in this Privacy Policy.

If we are not provided with certain Personal Information we may not be able to provide some or all of our services.

In certain circumstances, we may be required or authorised to collect Personal Information under certain laws that apply to J.P. Morgan including the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006*.

## **How we hold Personal Information**

Your Personal Information may be held within our (or our service providers'):

- premises in paper records;
- computer systems including email, servers, hard drives and applications;
- data storage systems; and
- in certain circumstances, in sound recordings of your telephone discussions with J.P. Morgan.

## **Security of Personal Information**

J.P. Morgan will take reasonable steps to protect the Personal Information it holds from interference, misuse and loss and from unauthorised access, modification or disclosure. In line with our internal authorisation and access policies, employees only have access to information on a need to know basis.

To the extent permitted by law, J.P. Morgan will take reasonable steps to destroy or permanently de-identify Personal Information if it is no longer needed for any purpose for which the information may be used and disclosed under this Policy except in circumstances where J.P. Morgan is required or authorised to retain such Personal Information (including as a result of the operation of tax, financial services or other applicable law).

## **Purposes for which we collect, hold, use and disclose Personal Information**

Personal Information may be collected, held, used or disclosed for the purpose of undertaking J.P. Morgan's obligations and providing services and products or for any of the following purposes:

- managing client relationships and/or servicing you globally;
- carrying out or facilitating the client's instructions or responding to the client's queries or requests;
- all existing or future customer due diligence, client verification procedures and ongoing account administration (including but not limited to monitoring, screening and sanctions risks assessment);
- daily operation of the accounts, services, products and/or other banking services and facilities provided to or to be provided to the client;

- performing our administrative operations, including accounting, record keeping, archiving, systems development and testing and staff training;
- performing control and risk management functions – including monitoring credit exposure, conducting credit checks and audits generally, and anti-money laundering regulatory screening, reporting and monitoring;
- developing and identifying products and services that may interest you;
- enhancing operational, technology, finance, compliance and other support function efficiencies;
- enforcing the obligations of the client including collection of amounts outstanding from the Client and its guarantor(s) or security provider(s);
- assisting other financial institutions or financial intermediaries to conduct credit checks and collect debts;
- managing our rights and obligations in relation to external payments systems;
- handling complaints and managing legal matters and litigation;
- conducting market or customer satisfaction research;
- (unless you ask us not to) telling you about other products and services we offer;
- inviting you to other events that may interest you;
- assessing and processing employment applications and conducting due diligence as part of pre-employment screening;
- when considered necessary by J.P. Morgan to comply with any law, regulation, court order or requirement of a regulatory or self-regulatory body, tax authority or industry bodies; and
- any other purpose relating to or in connection with the business or dealings of J.P. Morgan.

### **Disclosure of Personal Information**

We may disclose your Personal Information to the following parties:

- employees, agents, subcontractors, insurers, consultants, exchanges, repositories, depositories, clearing houses, affiliated or unaffiliated providers of outsourced or other services in connection with provision of services or products or otherwise in connection with the operation of J.P. Morgan business;
- professional advisers of J.P. Morgan;
- any financial institution or financial intermediary with which the client has or proposes to have dealings or otherwise is in connection with provision of services or products;
- governmental, regulatory, supervisory, law enforcement or similar authority (including tax authority) or industry body in any jurisdiction;
- trade repositories or similar facilities or institutions (and related third party service providers), whether pursuant to legislation, regulation, supervisory directive or otherwise;
- any court of competent jurisdiction in defence of claims or enforcement of rights;
- auditors of J.P. Morgan or Auditors of the Client;
- an assignee or a proposed assignee of any of J.P. Morgan's rights or obligations;
- any person or organisation who introduces you to us;
- credit reference agencies;
- any person with whom J.P. Morgan may enter a transaction under which payments may be made by reference to an agreement with the Client;
- debt collection agencies (in the event of default) (except for information of referees and third parties other than debtors and guarantors); and
- any person to the extent necessary, in our view, in order to carry out the instructions you give to us.

Personal information collected by any member of the J.P. Morgan Group may be disclosed and shared between other members of the J.P. Morgan Group (including those members that are located overseas as referred to below) and may (unless you tell us not to) be used for the respective marketing purposes of the members of the J.P. Morgan Group.

### **We May Need to Disclose your Personal Information to Overseas Recipients**

J.P. Morgan is a global financial organisation that operates in and provides services and products to clients through, and with the support from, its branches, affiliates and subsidiaries located in multiple jurisdictions. As a global organisation, J.P. Morgan may centralise (within one or more of its branches, affiliated companies or unaffiliated service providers) certain activities relating to client accounts and relevant services and products.

In some cases, we may need to disclose your Personal Information to related companies, affiliates, agents or contractors located outside Australia. The countries in which these recipients may be located will vary from time to time, but may include Brazil, Canada, China, Hong Kong, India, Japan, Korea, Malaysia, Mexico, New Zealand, Singapore, United Kingdom, United States and other countries where J.P. Morgan has a presence or uses contractors. For a list of locations in which J.P. Morgan has a presence visit our website: [www.jpmorgan.com](http://www.jpmorgan.com)

In all cases, by providing your Personal Information to us or using our services, you consent to the disclosure of your Personal Information outside Australia as set out in this privacy policy, and acknowledge that JPMorgan is not required to ensure that overseas recipients handle your Personal Information in compliance with Australian privacy law. However, where practicable in the circumstances, JPMorgan will take reasonable steps to ensure that overseas recipients use and disclose such Personal Information in a manner consistent with this Privacy Policy.

### **JPMorgan's internet web site**

Our compliance with the Australian Privacy Principles also extends to when you transact business via our web site. Our web site terms and conditions and any privacy notices are posted on the web site.

When you use a link from the JPMorgan web site to the web sites of third parties, those web sites are not subject to JPMorgan's privacy standards and are outside our control. Those third parties are responsible for informing you of their own privacy policies. We are not responsible for the security or privacy of any information collected by third-party websites or other services.

For statistical purposes we may collect information on web site activity (such as the number of users who visit the web site, their country, the date and time of visits, the number of pages viewed, navigation patterns and the operating systems and browsers used to access the site). This information on its own does not identify an individual but it does provide us with statistics that we can use to analyse and improve our web site.

When you use our web site, we may send you a temporary cookie. A 'cookie' is a packet of information that allows the server to identify and interact more effectively with your computer that gives you a unique identification number. This identification number is sent each time you use our web site. Cookies do not identify individual users, although they do identify a user's browser type and your Internet Service Provider. You can configure your browser to accept all cookies, reject all cookies, or notify you when a cookie is sent, however, if you do not accept cookies, you may not be able to make full use of the JPMorgan web site. At the end of your interaction with our web site, the cookie no longer exists and it cannot be used for further identification or access to your computer.

### **Access to your Personal Information**

If at any time you would like to request access to the Personal Information we are holding about you, you are welcome to ask us in a form or manner which identifies the nature of the Personal Information requested.

Requests can be made to your JPMorgan business contact or the Privacy Officer for the Australian operation of JPMorgan as follows:

Email address:	<a href="mailto:privacy.officer.au@jpmorgan.com">privacy.officer.au@jpmorgan.com</a>
Business address:	J.P. Morgan 85 Castlereagh Street Sydney NSW 2000
Telephone number:	(02) 9003 8888

Generally, we will provide you with access to the Personal Information we hold about you within a reasonable time. Under certain circumstances however, we may not be able to provide you with access to the Personal Information we hold about you. This includes where:

- it would have an unreasonable impact on the privacy of another individual;
- the request is frivolous or vexatious
- information relates to legal proceedings;
- the information would reveal a commercially sensitive decision-making process; or
- we are prevented by law from disclosing the information, or providing access would prejudice certain investigations.

Unless we are unable to do so, we will inform you of the reason(s) for refusing access.

We may charge a fee for providing access to your Personal Information.

### **Corrections to your Personal Information**

We will take reasonable steps to ensure that your Personal Information is accurate, complete and up to date. This includes correcting Personal Information we identify as being incorrect or where you are able to demonstrate that the Personal Information we hold about you is incorrect.

If at any time, you find that the Personal Information we hold about you is inaccurate, incomplete, out-of-date, irrelevant or misleading please advise your J.P. Morgan contact or our Privacy Officer immediately using the contact details above.

If you request a correction to the Personal Information we hold about you and we consider that we are not able to correct the Personal Information in the manner you have requested, then, unless we are unable to do so, we will inform you of the reason(s) for refusing to correct the Personal Information.

### **Direct marketing**

We may use your personal details, including your address, to provide you with newsletters and information about products, services or other events that may be of interest to you.

If at any time you do not wish to receive such marketing information, you have the option to ask us not to send you any further such material and you may do so by writing to your J.P. Morgan contact or our Privacy Officer using the contact details above.

### **Complaints**

If you wish to make a complaint about our collection, use or disclosure of your Personal Information, you should contact your J.P. Morgan contact or our Privacy Officer (using the contact details above) in writing.

We will make every effort to resolve your complaint internally within a reasonable time.

If we do not resolve your complaint to your satisfaction:

- in respect to matters relating to J.P. Morgan Securities Australia Limited and J.P. Morgan Asset Management (Australia) Limited, you may contact the Australian Financial Complaints Authority by calling them on 1800 931 678; writing to them at GPO Box 3 Melbourne Victoria 3001; emailing them at [info@afca.org.au](mailto:info@afca.org.au) or visiting their website at [www.afca.org.au](http://www.afca.org.au); or
- you may contact the Office of the Information Commissioner by calling them on 1300 363 992; writing to them at GPO Box 5218 Sydney NSW 2001; emailing them at [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au) or visiting their website at [www.oaic.gov.au](http://www.oaic.gov.au).

### **Changes to this Privacy Policy**

Please note that this Privacy Policy may change from time to time. You may at any time request a current copy from our J.P. Morgan business contact or access it from the [J.P. Morgan Australia web site \(www.jpmorgan.com/pages/jpmorgan/au/home\)](http://www.jpmorgan.com/pages/jpmorgan/au/home). We encourage you to review our Privacy Policy periodically for any changes.

**Need more information?**

If you have a query concerning how your Personal Information is collected and used or in relation to J.P. Morgan's Privacy Policy, please contact our Privacy Officer using the contact details above. Additional information, including the Australian Privacy Principles, may be found on the Office of the Information Commissioner's web site.