



HARVEST LANE
ASSET MANAGEMENT
ABSOLUTE RETURN FUND

Privacy Policy

20 SEPTEMBER 2016

HARVEST LANE ASSET MANAGEMENT PTY LTD
ABN 83 158 314 697

CAR No. 433046 of Harvest Lane Capital Pty Ltd
AFSL 425 334

Important Information

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Harvest Lane Asset Management Privacy Policy

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Harvest Lane Asset Management Privacy Policy

1. General

We, Harvest Lane Asset Management Pty Ltd, are bound by the Commonwealth Australian Privacy Principles set out in the Privacy Act 1988 (Cth) ("Privacy Act"). The Privacy Act and the general law place strict requirements on us to treat any information that we hold about you as confidential. This privacy policy details how we handle and protect that information.

We have implemented procedures to ensure that personal information is handled in accordance with the Privacy Act. We have issued this policy in compliance with the Privacy Act.

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

For the purpose of this policy and the Privacy Act, "personal information" means information (including information forming part of a document or other source), whether true or not, and whether recorded in a material form or not, about a person whose identity is apparent, or can be reasonably ascertained, from the information or opinion.

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2. Collection of Personal Information

2.1 Collection of personal information

We collect and use personal information for the purpose of carrying out our business and complying with laws and regulations that may require the collection and disclosure of such information.

The personal information we may collect relating to you includes the following:

- name
- address
- date of birth
- gender
- e-mail address
- telephone number
- details about your financial position, which could include information about your assets and any debts you may have
- details of any securities you own which you have provided to us
- details of specific transactions
- your bank account or other financial details
- any other information that you have provided as a result of our dealings with you, and
- any personal information necessary for the purposes of the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth) (“**AML/CTF Act**”).

To assist us in providing quality services, it is important that the information you entrust to us is complete, accurate and up-to-date. You can help us to keep your information up to date by contacting us immediately if your contact details change.

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, we are required under the AML/CTF Act to collect certain information from you to prove your identity, such as your driver’s licence or passport details. We may collect your Australian tax file number (“**TFN**”). It is not compulsory for you to provide your TFN, but if you do not, we may deduct withholding tax from your distribution payments at the highest marginal rate. We will collect your 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. If we collect your TFN, we will handle your TFN in accordance with the Privacy Act and Guidelines issued by the Australian Information Commissioner.

We 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 Harvest Lane Asset Management to ask investors in our funds 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 between the Australian Government and that other country’s government may require us to collect your relevant foreign tax identification number.

In most instances information about you will be collected from you either in an application form, during an interview or from telephone contact.

Collection of sensitive information from you

Sensitive information is personal information about a person’s racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a

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professional or trade association, membership of a trade union, sexual preferences or practices, criminal record, genetic information or health information.

We 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 under a court or tribunal order or by Australian law.

2.2 Collection of personal information from our website

We may collect information about you from our website. However, we will only use this information to identify you where you have provided us with your details (e.g. if you email your contact details to us or if you use a logon and password to access a particular service).

When you visit our website, our web server may collect the following types of information for statistical purposes:

- your internet service provider's address
- the number of users who visit the web site
- the date and time of each visit, and
- the pages accessed and the documents downloaded

We will not attempt to identify you where our website may contain links to the websites of third parties. However, if you access those third party websites they may collect information about you. You will need to contact them to ascertain their privacy standards.

Cookies

A cookie is a small text file placed on your computer hard drive by a web page server for record keeping purposes. Cookies may be accessed later by our web server. Cookies store information about your use of our website. Cookies also allow us to provide you with a more customised service when you use our website and to improve our website, marketing and product development.

We use cookies to:

- determine whether you have previously visited our website, and
- identify the pages you have viewed.

Most web browsers are configured to accept cookies but you may reconfigure your browser not to accept cookies. If you set your browser to reject cookies, you may not be able to make full use of our website.

2.3 Collection of personal information from third parties

With your consent, we may collect personal information from a third party. Or we may collect information from sources you would reasonably expect, for example, information extracted from publicly available sources such as public domain websites or telephone directories.

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3. Use and Disclosure of Personal Information

We will only use or disclose the information we collect about you for the purpose for which it was collected, for related purposes which you would reasonably expect us to use or disclose the information for, or where you have consented to us using or disclosing the information.

We may use your personal information to:

- verify your identity as a requirement of the AML/CTF Act
- open and maintain your Account
- process your application and your instructions
- assist us to identify which products are of interest to you
- provide you with product information including product disclosure statements, prospectuses and research
- audit and monitor the services provided to you, and
- update your personal file.

We may disclose your personal information to:

- any person or organisation that we have your consent to make the disclosure to
- related companies where the use is related to our business with you
- our agents, contractors or third party service providers to enable them to provide professional advice, administrative and other support services to us, and
- government agencies and regulatory bodies, or for law enforcement purposes, for example where the disclosure is required by the law.

If we use your personal information for direct marketing of our products or services, we 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.

4. Disclosing your Personal Information Overseas

We may need to disclose your personal information to organisations overseas. These overseas organisations are service providers, including related entities, which perform a range of technology, operational and customer service functions on our behalf.

These entities are located in the following countries:

- United States of America

We will not transfer personal information outside Australia unless we reasonably believe that the recipient of the information is subject to a law, binding scheme or contract providing the same standards of protection of personal information as provided for under the Australian Privacy Principles.

We may also disclose your personal information to recipients located overseas where you have requested or permitted us to do so, or where we are required or authorised to do so under a court or tribunal order or by law.

5. Telephone Recording

We may record telephone conversations for the purposes of training and confirming discussions between you and our representatives.

Transcripts from such recording may be used as evidence in any dispute or anticipated dispute between us and you.

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6. Data Quality

We will take reasonable steps to ensure that your personal information is accurate, complete and up-to-date.

We will take reasonable steps to destroy or permanently de-identify your personal information, if we no longer need it for any purpose for which the information may be used or disclosed under Section 3 of this policy.

7. Data Security

We will take reasonable steps to ensure that the information we hold about you is stored securely. All of our staff who handle personal information receive training about our privacy obligations. We will protect your personal information from misuse and loss and from unauthorised access, modification or disclosure, using both physical and electronic security measures. However, we do not have control over information while in transit over the Internet and we cannot guarantee its security.

8. Transparency

Harvest Lane Asset Management Privacy Policy can be found online at:
www.harvestlaneam.com.au

We can provide a paper copy of the policy to you on request.

In response to a request by you, we will take reasonable steps to let you know, generally:

- what sort of personal information we hold
- for what purposes we hold that information, and
- how we collect, hold, use and disclose that information.

9. Access and Correction

If you wish to verify what information (if any) we hold about you and/ or whether that information held is correct, you may either:

- email enquiries@harvestlaneam.com.au (marked "Attention: Privacy Officer") or
- apply in writing to:

Privacy Officer
Harvest Lane Asset Management Pty Ltd
Level 9, 25 Bligh Street
Sydney, NSW 2000

We will take reasonable steps to confirm your identity and will endeavour to respond within 14 business days of receiving the request. However, where the request is more complex or time consuming to comply with, we will endeavor to provide access to the information requested within 28 business days.

We reserve the right to deny access to personal information if providing access:

- a) could pose a possible threat to life or health; or
- b) could cause an unreasonable impact on the privacy of others; or
- c) would be in response to a frivolous or vexatious request; or
- d) relates to existing or anticipated legal proceedings which could be prejudiced as a result; or

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- e) relates to existing or anticipated commercial negotiations involving us, and our legitimate commercial interests could be prejudiced as a result; or
- f) is in any way unlawful; or
- g) would be likely to prejudice an investigation of possible unlawful activity; or
- h) would circumvent a request to us by an enforcement body performing a lawful security function to not provide access to the information because providing access would jeopardise national security; or
- i) would likely prejudice:
 - i. the prevention, detection, investigation, prosecution of criminal offences, breaches of the law imposing a penalty or sanction or breaches of prescribed law; or
 - ii. the enforcement of laws relating to the confiscation of the proceeds of crime; or
 - iii. the protection of public revenue; or
 - iv. the prevention, detection, investigation or remedying of seriously improper conduct or prescribed conduct; or
 - v. the preparation for, or conduct of, proceedings before any court or tribunal, or implementation of its orders by or on behalf of an enforcement body.

However, where providing access would reveal evaluative information generated within our organisation in connection with a commercially sensitive decision-making process, we may give you an explanation for the commercially sensitive decision rather than direct access to the information.

Where there is disagreement about direct access or where direct access to personal information is impractical or inappropriate, we will discuss the possible use of a mutually acceptable intermediary.

If you advise us that personal information we hold about you is inaccurate, incomplete or not up-to-date, we will take reasonable steps to update the information accordingly.

Should there be a disagreement between us and you about whether the personal information is complete or up-to-date then, at your request, we will take reasonable steps to associate a statement from you that the information is not correct with the relevant record(s) that we hold.

We reserve the right to levy a reasonable charge to meet our costs of providing you with access to personal information, although there will be no charge for lodging a request for access.

We will provide written reason(s) as far as practicable, if we deny you access to or do not correct personal information we hold about you.

From time to time we may also contact you and ask you to check the personal information we hold about you and let us know if it needs to be corrected or updated.

10. Identifiers

We will not use an identifier assigned to an individual by a Government Agency or related body as its own identifier, nor will we provide such an identifier to a third party without your consent, unless disclosure is necessary for us to fulfil our obligations to the Government Agency or related body, including where:

- a) the use or disclosure is necessary for us to fulfil our obligations to the agency; or
- b) one or more of the paragraphs of Section 3 of this privacy policy apply to the use or disclosure; or
- c) the use or disclosure is by a prescribed organisation of a prescribed identifier in prescribed circumstances.

11. Anonymity

Wherever it is lawful and practical, we will give you the option of not identifying yourself when dealing with us. However, if you are not prepared to identify yourself, this may limit our ability to provide services to you.

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12. Complaints

Wherever lawful and practical, we will give you the option of not identifying yourself when dealing with people within our organisation who may potentially be subject of your complaint or where you may seek to complain about any aspect of our handling of your personal information. You may either:

- telephone us on 1300 419 420 and ask to speak to the Privacy Officer
- email: enquiries@harvestlaneam.com.au (marked "Attention: Privacy Officer"), or
- apply in writing to:

Privacy Officer
Harvest Lane Asset Management Pty Ltd
Level 9, 25 Bligh Street
Sydney, NSW 2000

In both instances you must set out full details of the complaint. To help us complete a quick and effective investigation, you should include as much detail as you have available, in order to assist our Privacy Officer to identify the nature and scope of the complaint.

The Privacy Officer will maintain a record of all complaints received, including but not limited to:

- name and contact details of the complainant
- date the complaint was received
- nature of the complaint
- details of the person(s) investigating the complaint
- outcome of the investigations
- dates and details of all contacts made with the complainant.

These records will be held in a secure manner by the Privacy Officer, and will only be accessible to senior management of Harvest Lane Asset Management or people in the business in which the complaint relates. Otherwise, they will only be made available, if required or authorised by law or to assist with any investigations carried out by the office of the Australian Information Commissioner.

The Privacy Officer or his or her designate will also be responsible for investigating privacy complaints.

All complaints will be acknowledged within seven working days and a full response given within 28 days. Where it is not possible to complete the investigation of a complaint within 28 days, the complainant will be contacted once 28 days have elapsed with an estimate of when the investigation will be completed.

If you are not happy with our response to your complaint, you can either complain to the Financial Ombudsman Service ("**FOS**") or to the Office of the Australian Information Commissioner ("**OAIC**").

We are an authorised representative of Harvest Lane Capital Pty Ltd, which is a member of FOS. You can refer your complaint to FOS if you are not happy with our response to your complaint or we have not resolved your complaint to your satisfaction within 45 days.

You can contact FOS:

- by email at info@fos.org.au
- by completing and lodging an online dispute form through their website www.fos.org.au
- by telephone on 1300 780 808, or
- by post at:

Financial Ombudsman Service
GPO Box 3
Melbourne VIC 3001

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You can also make a privacy complaint to OAIC if you are not happy with our response to your complaint or we have not resolved your complaint to your satisfaction within 30 days.

You can contact OAIC to make a privacy complaint:

- by completing the online privacy complaint form available from their website www.oaic.gov.au
- by email at enquiries@oaic.gov.au
- by facsimile on (02) 9284 9666, or
- by post at:

Office of the Australian Information Commissioner
GPO Box 5218
Sydney NSW 2001

You may also telephone OAIC on 1300 363 992 if you need help lodging your privacy complaint.

13. Disclaimer

This policy represents our privacy policy as at 20 September 2016.

We may revise this policy as we see fit or at our discretion.

Although we intend to observe this policy at all times, neither we nor any of our related entities nor our associated companies are legally bound in any respect by this policy. From time to time, we reserve the right to act outside the policy and we may do so, subject only to any statutory rights you have under the Privacy Act or other applicable legislation.