

**Daiwa Capital Markets Singapore Limited  
Sydney, Australia Branch**

**Privacy Policy**

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## 1. About this Policy

This Privacy Policy (“**policy**”) applies to the handling of personal information that was collected or held in Australia by Daiwa Capital Markets Singapore Limited (ARBN: 630 088 523), whether directly or through our Singapore branch, or an affiliated legal entity part of the Daiwa Group (“**affiliates**”). This policy outlines how we collect, hold, use and disclose your personal information and the measures we have in place to comply with our obligations with the Australian Privacy Principles (“**APPs**”) in accordance with the Privacy Act 1988 (Cth) (the “**Privacy Act**”).

In this policy, references to “**DCMSL**”, “**us**”, “**we**” or “**our**” relates to Daiwa Capital Markets Singapore Limited and its branches. References to “**you**” or “**your**” relates to individuals whose personal information is collected or held by DCMSL.

As exempted from the Privacy Act, this policy does not apply to employee records of current or former employees of DCMSL relating to employment. However, where you are a current or former employee and to the extent the personal information we have collected from you is within the scope of the Privacy Act, this policy applies to that personal information.

## 2. What types of personal information do we collect?

### 2.1 Personal information

At all times, we will only collect personal information that is reasonably necessary to perform our functions or business activities by lawful and fair means.

Personal information is defined under the Privacy Act as any 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.

The types of personal information we may collect from you include:

- Personal details such as your full name, signature, date of birth, citizenship, tax domicile, marital status;
- Personal information relating to your immediate family members and your connections to any political figures;
- Contact details such as your residential address, business address, postal address, email address, telephone number and facsimile number;
- Identification documents (which may include a photograph and/or personal identity number, or a combination of both) and government issued identifiers such as a drivers licence, passport, government identity card, pension card, Medicare card, ABN and ACN;
- Secondary identification documents such as a notice from the Australian Taxation Office or other government agency such as Centrelink, municipal council rates notice or utilities bill (such as a water, gas or electricity bill);
- Financial information such as your source of wealth and source of funds, your business dealings (including your dealings with us and our affiliates), investment experience or strategy, bank and trading accounts, transactions, investments, assets and liabilities;
- Employment information such as your occupation, job title, contact number, current and former employer, references collected about you from third parties such as a personal or employment reference;
- Personal records about you where permitted by law such as credit information, bankruptcy and criminal records;
- Photographs, videos, CCTV footage, voice recordings;
- Internet protocol (IP) address, when you access DCMSL websites or our applications.

In connection with our business we have obligations under the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (“**AML/CTF Act**”) and Anti-Money Laundering and Counter-Terrorism Financing Rules Instrument 2007 (No.1) (“**AML/CTF Rules**”) to know our clients (otherwise known as KYC obligations). Where applicable, our KYC obligations may require us to collect personal information

about: beneficiaries of trusts, directors, beneficial owners, associations with politically exposed persons which may involve holding information that another person within your organisation has provided to us.

## **2.2 Sensitive information**

Sensitive information is personal information that includes information or opinion about an individual's racial or ethnic origin, sexual orientation or practices, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a trade union or other professional body, criminal record or health information.

As with any personal information, we will only collect and process sensitive information that is reasonably necessary to perform our functions and where we have a legal basis for such collection. This includes ensuring that we obtain your consent to use your sensitive information.

If we are unable to collect some of the personal information we seek, or where you withdraw your consent for us to collect, use, hold and disclose your personal information, this may limit our ability to carry out your instructions to provide our products and services to you or receive services from you.

## **3. How do we collect your personal information?**

We generally collect personal information directly from you. This occurs when you contact us directly or we contact you through correspondence by phone, email, facsimile, face to face meetings, video conferences or by completing our forms.

In some circumstances and where reasonably permitted by law, we may need to collect personal information about you from:

- persons you have authorised or delegated to act on your behalf;
- other financial institutions (custodians, settlement agents, issuers) in the ordinary course of our business;
- our authorised persons, delegates or affiliates;
- third party service providers such as data providers, screening providers, credit agencies;
- government agencies; and
- publicly available sources such as public registers

for the purposes described in this policy.

The type of personal information we collect and hold will depend on the type of product or services you seek from us.

## **4. What are the purposes for which we use your personal information?**

### **4.1 Purpose for processing**

We will only use your personal information for specific purposes where legally permitted. Accordingly, we, our affiliates and/or persons acting on our behalf will only process and use your personal information:

- For purposes for which you consent.
- When we on-board you as a client, we are required to perform KYC checks to identify and verify you, as well as perform our due diligence on you before you become a client of DCMSL.
- Perform our contractual obligations with you, or to enter into or conclude a contract with you, or for carrying out our obligations under such a contract.
- Provide our products and services to you and ensure proper execution. For example, by ensuring that we can identify you and make payments to and from your accounts in accordance with your instructions and the product terms.
- Manage our relationship with you on an ongoing basis. This includes but not limited to ensuring your personal information is up to date and accurate, understanding your needs and how we can service you, identify changes in customer risk profile, invite you to events that may interest you.
- Comply with our legal and regulatory obligations, including tax laws and audit requirements.
- Comply with our internal policies and procedures.

- Perform our functions that maybe administrative and operational in nature such as accounting, risk management and assessments, record keeping, internal reporting, technology processes (testing, maintenance, upgrades, business continuity).
- Monitor and record calls and electronic communications for regulatory reasons, training, investigation and detection of potential misconduct.
- Improve our product and service offerings and customer experience, including conducting market, product, or customer research and undertake transactional and statistical analysis.
- Manage and respond to enquiries and complaints.
- Detect and prevent fraud.
- To exercise and defend our legal rights.
- For prospective employees (including contractors), we have an obligation under the AML/CTF Act to have an employee due diligence program which involves background screening checks to determine the suitability of the role and ensure the person is who they claim to be.

#### **4.2 Direct marketing**

Whilst we do not anticipate to engage in direct marketing, in the event that we do, the Privacy Act prohibits us from using or disclosing your personal information for direct marketing purposes to you unless:

1. With respect to personal information other than sensitive information:
  - a) we have collected the personal information directly from you and you would reasonably expect us to use or disclose your personal information for direct marketing purpose; or
  - b) your personal information has been collected from a:
    - (i) third party; or
    - (ii) directly from you, but you do not reasonably expect that your personal information will be used or disclosed for direct marketing purposes; and either
    - (iii) you have consented for us to use or disclose your personal information for direct marketing purpose; or
    - (iv) it is impractical to obtain your consent; and
  - c) you have not made such a request with us.
2. With respect to sensitive information, we can only use or disclose sensitive information about you for direct marketing purposes to you, only when you provide your consent to use and disclose your sensitive information for this purpose.

If you wish to unsubscribe from receiving our direct marketing materials, you can opt out at any time by sending a request to our Privacy Officer in writing using the contact details noted in [Section 7.3](#) of this policy.

### **5. Who has access to your personal information and with whom are they shared with?**

We process and use your personal information for the purposes specified in this policy. Where appropriate and to the extent permitted by law, we may disclose your personal information with:

#### **5.1 DCMSL and the Daiwa Group**

Our Singapore branch and our affiliates. A list of the countries in which DCMSL and the Daiwa Group operate can be found at <https://www.daiwa-grp.jp/english/about/group/>

#### **5.2 Outside DCMSL and the Daiwa Group**

Third parties outside of DCMSL and the Daiwa Group such as:

- A potential buyer, transferee, merger partner or seller and their advisers in connection with an actual or potential transfer or merger of part or all of DCMSL's business or assets, or any associated rights or interests, or to acquire a business or enter into a merger with it;
- Third party service providers who are contractually bound to confidentiality such as IT systems or hosting providers, cloud service providers, database providers, consultants (e.g. lawyers, tax accountants), background screening providers and vendors;

- Authorities, where required or authorised by law. E.g. regulators, enforcement or courts or party to proceedings where we are required to disclose information by applicable law or regulation or at their request, or to safeguard our legitimate interests;
- Other financial institutions such as banks, settlement agents and other parties to whom we transfer personal information in the ordinary course of conducting our business activities;
- Any legitimate recipient required by applicable laws or regulations.

Where DCMSL or an affiliate transfers your personal information to a third party service provider for processing on behalf of DCMSL or an affiliate, we take steps to ensure they meet our data security standards so that your personal information remains secure. Third party service providers are asked to comply with a list of technical and organisational security measures, irrespective of their location, including measures relating to:

1. information security management;
2. information security risk assessment; and
3. information security measures (e.g. physical controls; logical access controls; malware and hacking protection; data encryption measures; backup and recovery management measures).

### **5.3 Data transfers to other countries**

Personal information transferred within or outside DCMSL and the Daiwa Group is in some cases also processed in other countries. We only transfer your personal information to countries which are considered to provide an adequate level of data protection, or in the absence of such legislation that guarantees adequate protection, based on appropriate safeguards (e.g. standard contractual clauses adopted by the European Commission to the extent recognized by the competent data protection authority or another statutory exemption) provided by local applicable law.

## **6. How do we store and protect personal information?**

Your personal information may be stored in hard copy documents or electronically. We are committed to protecting the personal information that we hold about you from misuse, loss, unauthorised access, modification or disclosure. We do this by having in place technical and organisational security measures.

Our security measures include but not limited to:

- Restricting access to our systems and physical records only to authorised employees who require your personal information to perform their functions.
- Ongoing monitoring and review of system access.
- We mandate our employees to use unique passwords to access systems and a requirement to change passwords regularly.
- Contracts and disclaimers mandating confidentiality of DCMSL's client information
- Firewalls, detection software to prevent viruses and unauthorised access
- Security passes provided only to authorised employees to access DCMSL's office.
- We provide training to our employees and have in place internal policies to handle personal information appropriately.
- Where we transfer your personal information to a third party service provider or to an affiliate for processing on our behalf, we perform due diligence on the provider to ensure they meet our data security standards, so that your personal information remains secure.

We retain your personal information for the minimum period legally required by us to comply with our legal and regulatory obligations.

## **7. What are your rights and how can you exercise them?**

### **7.1 Accessing your personal information**

You are entitled under the Privacy Act to access the personal information we hold about you by contacting our Privacy Officer. Where reasonable and practical to do so, we will provide you with the information in the form you request. However, there are circumstances under the Privacy Act where we are not obliged to provide an individual access to personal information. Circumstances include:

- a) Where we believe that giving access would pose a serious threat to the life, health or safety of any individual, or to public health or public safety;
- b) Where giving access would have an unreasonable impact on the privacy of other individuals;
- c) Where the request for access is frivolous or vexatious; or
- d) Where the information would not be ordinarily accessible because it relates to existing or anticipated legal proceedings between DCMSL and the individual;
- e) Where providing access would reveal the intentions of DCMSL in relation to negotiations with the individual in such a way as to prejudice those negotiations;
- f) Where providing access would be unlawful;
- g) Where denying access is required or authorised by or under an Australian law or a court/tribunal order;
- h) Where both of the following apply:
  - i. DCMSL has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to DCMSL'S functions or activities has been, is being or may be engaged in; and
  - ii. providing access would be likely to prejudice the taking of appropriate action in relation to the matter;
- i) Where providing access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body;
- j) Where providing access would reveal evaluative information generated within the entity in connection with a commercially sensitive decision-making process.

Where access is restricted or denied, we are required to provide you a written notice as to the reason(s) why.

DCMSL will not charge any fee for your access request, but may charge a reasonable administrative fee for providing a copy of your personal information.

In order to protect your personal information, we may require identification from you before releasing the requested information.

### **7.2 How to update or correct your personal information?**

We take reasonable steps to ensure that your personal information is accurate, complete and up-to-date whenever we collect or use it. If you find that the information we hold about you is not up to date or is inaccurate, please contact our Privacy Officer in writing using the contact details noted in [Section 7.3](#) to have your personal information corrected.

We will respond to all requests for access and/or correction within a reasonable time.

### **7.3. Complaints and enquiries**

If you have any comments or questions about any of the information in this policy, or a complaint in the way we have handled any privacy issue, including your request for access or correction of your personal information, please contact our Data Protection Officer by sending an email to: [DPO@sg.daiwacm.com](mailto:DPO@sg.daiwacm.com)

We will endeavour to respond to your complaint or query as soon as possible.

If you remain unsatisfied with the way in which we have handled a privacy matter, you can also lodge a complaint at the Office of the Australian Information Commissioner website at: [www.oaic.gov.au/about-us/contact-us](http://www.oaic.gov.au/about-us/contact-us)

## **8. Policy updates**

We may amend, vary or supplement this policy from time to time as required to reflect changes in our practices and/or applicable law and regulation. Please visit the DCMSL website to locate a copy of our current policy. All communications, transactions and dealings with us shall be subject to the latest version of this policy in force at the time.