

PRIVACY POLICY

INTRODUCTION

Horizon Capital Services values the privacy of every individual's and organisation's personal information and is committed to the protection of this information.

Horizon Capital Services has established and continually manages a privacy regime that strives to:

- Promote an understanding and acceptance of the privacy principles and their objectives throughout the information community.
- Educate people within Horizon Capital Services about information privacy.
- Handle any complaints received in an efficient and appropriate manner.
- Monitor privacy compliance and keep the Horizon Capital Services staff and contracts informed of updates to procedures.

OVERVIEW

Horizon Capital Services is required to comply with the Information Privacy and Data Collection Act (Vic) 2014.

Objectives of the Information Privacy Act

The objectives of the Information Privacy Act are to:

- Balance the public interest in the free flow of information with the public interest in respecting privacy and protecting personal information.
- Promote the responsible and transparent handling of personal information and promote awareness.

Horizon Capital Services values the privacy of every individual's personal information and is committed to protecting the information it holds and uses about all individuals who provide personal information to the information community.

Personal information means information or an opinion (including information or an opinion forming part of a database) that is recorded in any form, whether true or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion. It may include sensitive and health information.

Horizon Capital Services collects personal information in various ways. Horizon Capital Services is currently working to make the collection of personal information more transparent including by providing you with the following information at the point where personal information is collected:

- Purposes for which the personal information is collected.
- Organisations to whom Horizon Capital Services usually discloses the personal information.
- Any law that requires the particular information to be collected.
- the main consequences for you if all or part of the information is not provided.

Horizon Capital Services may also seek your consent to your personal information being used or disclosed for certain purposes. Whilst this process is being completed, please do not hesitate to contact the Horizon Capital Services Managing Partner for further information about the above matters.

Compliance with the Information Privacy Act

The Act took effect from the 1st September 2001, with individuals being able to lodge complaints with the Office of the Victorian Privacy Commissioner from 1st September 2002.

The Act contains ten Information Privacy Principles (IPP's) which are the central part of the laws.

With limited exemptions, all Victorian government agencies, statutory bodies and local councils must comply with the IPP's.

Relevant Definitions

The Information Privacy Act applies to two types of information:

- **Personal Information:** basically means recorded information or opinion, whether true or not, about an identifiable individual. It also includes information from which the identity of the individual can be reasonably ascertained. Examples: name, address, telephone number, title.
- **Sensitive Information:** racial or ethnic origin, political opinions, membership of a political association,
- Religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices, criminal record that is also personal information.

THE INFORMATION PRIVACY PRINCIPLES

The Information Privacy Act has created new privacy rights that enable individuals to exercise greater control over how an organisation collects, uses and discloses personal information that relates to them. The Information Privacy Act has implemented ten Information Privacy Principles (IPP's) to describe how personal information and sensitive information is to be handled. The purpose of this section is to provide a summary of the ten Information Privacy Principles.

THE INFORMATION PRIVACY PRINCIPLES

Horizon Capital Services must only collect personal information if it is necessary for our functions and activities. Horizon Capital Services must only collect information by lawful and fair means and not in an unreasonably intrusive way. If it is reasonable and practicable Horizon Capital Services must only collect personal information about an individual only from the individual. However, if Horizon Capital Services collects personal information about an individual from a third party, we must take reasonable steps to inform the individual of the matters outlined in the box above, unless this would pose a serious threat to the life or health of any individual.

USE AND DISCLOSURE

Horizon Capital Services may only use or disclose personal information about an individual for the primary purpose for which it was collected or a related purpose (directly related for sensitive information) the individual would reasonably expect.

Personal information can also be used or disclosed for a secondary purpose if:

- Individual has consented to the use or disclosure.
- Use or disclosure is necessary for research in the public interest when it will be published in a non-identifiable format and it is not practicable to seek the individual's consent and in the case of disclosure, Horizon Capital Services reasonably believes the recipient will not disclose the information.
- Horizon Capital Services believes the use or disclosure is necessary to lessen or prevent a serious and imminent threat to an individual's life, health or safety and welfare or a serious threat to public health, public safety or public welfare.

- Horizon Capital Services has reason to suspect that unlawful activity has been or is being engaged in and uses or discloses the personal information to investigate the matter or to report concerns to relevant persons or authorities.
- The use or disclosure is required or authorised by or under law.
- A law enforcement agency has requested personal information and authorisation has been obtained from the Horizon Capital Services Managing Partner to assist the law enforcement agency.

DATA QUALITY

Horizon Capital Services must take reasonable steps to make sure that personal information it collects, uses or discloses is accurate, complete and up to date.

DATA SECURITY

Horizon Capital Services must take reasonable steps to protect personal information from:

- Misuse.
- Loss.
- Unauthorised access.
- Unauthorised modification.
- Unauthorised disclosure.

Horizon Capital Services must take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed.

OPENNESS

Horizon Capital Services must set out in a document clearly expressed policies on its management of personal information. The organisation must make the document available to anyone who asks for it. On request by a person, Horizon Capital Services must take reasonable steps to let the person know generally, what sort of personal information it holds, for what purposes, and how it collects, holds, uses and discloses that information. If a request of this type is made, please refer them to the Managing Director.

ACCESS AND CORRECTION

Individuals have the right to seek access to their personal information and make corrections. Horizon Capital Services will, on request, provide access to information it holds about them and allow them to make corrections unless an exemption applies at law. Freedom of Information laws continue to apply. If access cannot be granted, please contact Horizon Capital Services.

UNIQUE IDENTIFIERS

Unique identifiers are numbers or codes which are assigned to an individual to assist with identification.

Horizon Capital Services must only assign unique identifiers if it is necessary for Horizon Capital Services to carry out any of its functions efficiently.

Horizon Capital Services can only use or disclose a unique identifier assigned to an individual by another organisation in the following circumstances:

- Use or disclosure is necessary for Horizon Capital Services to fulfil its obligations to the other organisation.
- Horizon Capital Services has the consent of the individual to the use or disclosure.
- Horizon Capital Services believes the use or disclosure is necessary to lessen or prevent a serious or imminent threat to an individual's life, health or safety or a serious threat to public health, public safety or public welfare.
- Horizon Capital Services has reason to suspect that unlawful activity has been or is being engaged in and uses or discloses the personal information to investigate the matter or to report concerns to relevant persons or authorities.
- The use or disclosure is required or authorised by or under law.
- A law enforcement agency has requested personal information and authorisation has been obtained from the Managing Partner to assist the law enforcement agency.

Horizon Capital Services must not require an individual to provide a unique identifier in order to obtain a service unless the provision of the unique identifier is required or authorised by law or the provision is in connection with the purpose (or a directly related purpose) for which the unique identifier was assigned.

ANONYMITY

Wherever it is lawful and practicable, individuals must have the option of not identifying themselves when entering into a transaction with Horizon Capital Services.

TRANSBORDER DATA FLOWS

Horizon Capital Services may only transfer information about an individual to someone (other than the individual or Horizon Capital Services) who is outside of Victoria if one or more of the following applies:

- Horizon Capital Services reasonably believes the recipient of the information is subject to a law, binding scheme or contract which effectively upholds principles for fair handling of information that are substantially similar to the Information Privacy Principles.
- Individual consents to the transfer.
- Transfer is necessary for the performance of a contract between the individual and the organisation, or for the implementation of pre-contractual measures taken in response to the individual's request.
- Transfer is necessary for the conclusion or performance of a contract concluded in the interest of the individual between the organisation and a third party.
- All of the following apply:
 - Transfer is for the benefit of the individual
 - It is impracticable to obtain the consent of the individual to that transfer
 - If it were practicable to obtain that consent, the individual would be likely to give it.
- Organisation has taken reasonable steps to ensure that the information which it has transferred will not be held, used or disclosed by the recipient of the information inconsistently with the Information Privacy Principles.

SENSITIVE INFORMATION

Horizon Capital Services must not collect sensitive information about an individual unless:

- Individual has consented (e.g. implied consent by including details on form).
- Collection is required under law (e.g. collection of racial/ethnic origin for DEST reporting).

- Collection is necessary to prevent or lessen a serious and imminent threat to the life or health of any individual, where the individual whom the information concerns:
 - Is physically or legally incapable of giving consent to the collection.
 - Physically cannot communicate consent to the collection.
- Collection is necessary for the establishment, exercise or defence of a legal or equitable claim.

EXEMPTIONS IN THE PRIVACY LAWS

The following exemptions apply under the Information Privacy Act and the Health Records Act.

Courts and Tribunals

The privacy laws do not apply to the collection, holding, management, use, disclosure or transfer of personal or health information in relation to the judicial or quasi-judicial functions of a court or tribunal.

Publicly available information

The privacy laws do not apply to personal or health information contained in:

- A generally available publication.
- A library, art gallery, or museum for reference, study or exhibition.
- A public record that is available for inspection under the Public Records Act.
- Archives within the meaning of the Copyright Act 1968 (Cth).

Law Enforcement Agencies

There are certain components of the privacy laws which law enforcement agencies are not required to comply with if it believes on reasonable grounds the non-compliance is necessary for the purposes of its functions as a law enforcement agency.

Freedom of Information Act

Does not apply to a document containing personal or health information that would fall within the Freedom of Information Act.

Information Privacy Act

The Information Privacy Act does not apply to deceased persons or companies. It only provides rights to living persons.