

Privacy Policy

1. Introduction

Australia Pacific Exchange Limited ABN 19 080 399 220 ("APX") respects and upholds investors rights to privacy protection under the National Privacy Principles contained in the Privacy Act 1988 as amended by changes which came into effect on 21st December 2001. These principles describe how we manage any personal information we have about you.

Information or material entrusted to APX by investors, maintained or held in relation to investors, or concerning the business, transactions or affairs of APX itself (other than what is in the public domain) will be secured appropriately and kept confidential at all times.

This Privacy Policy explains our systems and procedures and provides information on all relevant issues, including how to make a complaint and your rights to access and correct the information we have about you.

2. What personal information does APX hold?

APX may hold the following information about you:

- name, residential and mailing addresses;
- telephone number(s) and email addresses;
- transaction details associated with your securities holdings and transactions;
- the name and contact details of your Broker; and
- account details that you have with your Broker.

3. Your information must be accurate

We take reasonable steps to ensure that your personal information is accurate, complete and up-to-date at the time of collection, use or disclosure. In accordance with regulatory requirements, we need your personal information to be accurate, complete and up to date. To assist us with this, please contact us if any details you have provided change.

4. What does APX do with my personal information?

We only collect personal information about you to the extent that it is necessary to perform our services and activities.

We use personal information about you:

- to assist your Broker with management of your account;
- to assist with any enquiries you make to us; and
- for our administrative, marketing, planning, product development and research requirements.

5. Information about others that you provide to us

If at any time you provide the personal information of another person to us then you must first ensure that that person (or their parent or guardian if they are under 18) has read and understood this statement and separately consented to that personal information being used and disclosed by us for the above purposes.

6. To whom does APX disclose information about you?

There are certain people and organisations to whom we disclose your information.

We may disclose information about you to any of the organisations that we use in the ordinary administration of our business, including:

- providers of administrative and management services, technology services, including entities we may outsource these activities to;
- your Broker; and
- auditors, consultants, legal and accounting firms, industry bodies and associations and persons undertaking compliance reviews.

7. Improper use of information

APX owes a strict duty of confidentiality to its investors. The duty of confidentiality also applies to communication between APX related companies.

We will not disclose particulars of the identity or financial business or other affairs of an investor to any third-party unless:

- the investor has given prior written consent to disclosure;
- disclosure is required by law or other regulations (e.g. the Australian Securities and Investments Commission (“ASIC”), the Australian Transaction Reports and Analysis Centre (“AUSTRAC”), the Courts and the Australian Taxation Office);
- disclosure is required in accordance with APX Business Rules and APX Listees’ Listing Standards;
- disclosure is necessary to protect APX’s interests in accordance with applicable regulations (e.g. disclosure to AUSTRAC concerning ‘suspect transactions’ or to the police in cases of suspected fraud).

8. Website

Information that may identify you as a user may be gathered during your access with our website and this policy details how such information is collected, stored and used.

APX does not directly collect information from users of the website. Your email address will not be recorded unless you send us a message. It will not be automatically added to a mailing list.

APX does not try to identify users on their browsing activities except, in the event of an investigation, where a law enforcement agency may exercise a warrant to inspect the service provider’s logs.

Where you contact us we may store information such as your name, company, postal address, telephone number, type of request and possible further information to enable us to respond to your request. We will only use such personal information for the purpose for which it has been provided.

We will not provide your information to any organisation outside APX and its related companies.

9. Openness

You may request access to personal information we hold about you by writing to “The Privacy Officer” at the address below. We will endeavor to provide you with a suitable range of choices as to how you access this information (e.g. emailing or mailing it to you).

10. How do I make further enquiries or complain about a breach of privacy?

If you require more information about the way we manage personal information or wish to make a complaint about a breach of your privacy, please contact us. Correspondence should be put in writing and forwarded to the address below.

The Privacy Officer
Australia Pacific Exchange Limited
Level 1, 350 Collins Street
Melbourne Victoria 3000

Phone: (03) 8601 2020
Fax: (03) 9670 0122
E-mail: ahill@apx.com.au

11. Updating Our Privacy Policy

This policy represents our policy as at 29 November 2004. We reserve the right to review and amend this policy from time to time so we recommend that you review the information on our website on a regular basis.

12. Your consent

By continuing to do business with APX, you are consenting to APX collecting, using and disclosing information in accordance with this Privacy Policy.