

---

# Privacy Policy

---



Level 13, CitiGroup Centre, 2 Park Street,  
Sydney NSW 2000, Australia

Tel:(0061)02-9004-7980

Fax:(0061)02-8001-6632

E-mail: [Support@ecntrade.com](mailto:Support@ecntrade.com)

[www.ecntrade.com](http://www.ecntrade.com)

## **Privacy Statement**

ECN Trade Pty Ltd ABN 26127631145 (ECN Trade) is committed to protecting the privacy of your personal information. Our privacy policy is based on transparency and trust. This policy outlines how we manage personal information we hold about our clients and individuals with whom we deal.

### **What is 'personal information'?**

Personal information, generally, is information or opinion that allows others to identify you. These can include your name, age, gender, contact details as well as health and financial situation.

### **How we treat the information that we collect**

It is ECN Trade policy to respect the confidentiality of information and the privacy of our clients and individuals with whom we deal. ECN Trade treats all personal information in accordance with the Privacy Act 1988 (Commonwealth) and the National Privacy Principles.

### **How we collect your personal information**

Most of the personal information that we collect will be obtained directly from you either through forms or from maintaining records of information obtained in the course of providing our products and services to you. We may also obtain information from third parties. In most cases we will require your consent specifically to any collection, use or disclosure of your personal information by us. We normally will require your consent in writing (such as in an application form) but oral or implied consent can be sufficient in some circumstances.

If you do not provide sufficient information required to fulfil your request for the provision of a product or service, we may be unable to provide you with the product or service that you requested.

### **How we use the personal information we collect**

We collect personal information about you which is reasonably necessary to provide you with the products and services you requested. The personal information we collect may include (but may not be limited to) name, address, date of birth, contact details, income, assets and liabilities, account balances, trading statements, tax and financial statements, credit history and employment details. We may also collect a few personal details unlikely to be known to other people in order to help us identify you over the telephone.

If it is necessary to do so, we also collect information on individuals such as:

- \* trustees;
- \* partners (of legal partnerships);
- \* company directors and officers;
- \* officers of corporations;
- \* agents nominated by you; and
- \* persons dealing with us on a "one-off" basis.

We may take steps to verify the information we collect; for example, a birth certificate provided as

identification may be verified with records held by the Registry of Births, Deaths and Marriages to protect against impersonation and fraud. This is also to ensure we comply with the Anti-Money Laundering and Counter Terrorist Act 2006 (Commonwealth) and ECN Trade's AML/CTF Programme.

Unless we inform you otherwise, the personal information we collect from you is used for the purpose of establishing and managing your account with us, reviewing your ongoing needs, improving our customer service and products and providing you with ongoing information or opportunities that we believe may be useful to you.

We may from time to time collect information voluntarily through market research, surveys or special offers. We may use this information to improve our product and service offerings and to consider the wider needs of our clients or potential clients.

ECN Trade may use the personal information to send you marketing material from time to time that we believe will be useful to you. You may request not to receive such material by contacting ECN Trade (see our contact details below).

ECN Trade may, at its discretion, disclose your personal information to its related bodies corporate, to provide you with products and services you requested.

We do not generally collect sensitive information about you unless required by law. Sensitive information includes but is not limited to:

- \* race
- \* political or religious beliefs
- \* sexual preferences
- \* disclosing to third parties

We use third party service providers to improve our systems, products and services. We disclose personal information when we outsource certain functions, which may include market research, direct marketing, statement productions, accounts, debt recovery and information technology support.

If information is disclosed to our contractors, agents and service providers, we will ensure there are confidentiality arrangements in place. Our contractors, agents and service providers will not be permitted to use or disclose your personal information for any purposes other than our own.

Subject to restrictions concerning sensitive information, we may for example disclose your personal information to the following parties:

- \* Other companies or subsidiaries associated with ECN Trade who provide financial and other services to you;
- \* Financial institutions and other similar organisations that ECN Trade deals with in the course of providing its products and services, or those that are nominated by you;
- \* Service providers and advisers (who may be located overseas) who have been contracted to provide

ECN Trade with administrative, financial, insurance, research or other services;

\* Any organisation at your request or any persons acting on your behalf, including your financial adviser, broker, solicitor or accountant;

\* Credit providers, courts, tribunals and regulatory authorities as agreed or authorised by law; and

\* Credit reporting or reference agencies.

### **Disclosure required by law**

We may be required to disclose personal information about our clients by law, for example, under court orders or statutory notices pursuant to financial services regulation, taxation or social security laws or under laws relating to sanctions, anti-money laundering or counter-terrorism financing.

### **Tax file numbers**

We only use and disclose your Tax File Number or other government agency identifier for the purposes required by law such as disclosure to the ATO or permitted by law for your services.

### **Restrictions on sensitive information**

Certain personal information we hold is sensitive this includes tax statements and information received from credit reporting agencies about an individual. Sensitive information may be used by ECN Trade in the process of assessing credit worthiness and applicant suitability. The ECN Trade policy is to use and disclose sensitive information only for the purposes for which the information was obtained, unless you agree otherwise or the use or disclosure of this information is allowed by law.

### **Storing the personal information we collect**

Ensuring that the personal information you provide us is appropriately safeguarded is extremely important to us. We use security procedures and technology to protect the information we hold. Access to and use of personal information within ECN Trade is appropriately limited to prevent misuse or unlawful disclosure of the information. Our employees who handle personal information are trained to respect the confidential nature of client information and the privacy of individuals. Privacy breaches are treated very seriously and may result in disciplinary action, including dismissal.

We may be required by law to maintain records for a significant period of time. When we consider information is no longer required or relevant and any legal obligations that may apply to the information held have been met, we will remove details that identify you or we will securely destroy the records.

Our Privacy Officer is responsible for ensuring that all personal information collected is managed in accordance with this policy and the Act.

### **Accurate and up-to-date personal information**

It is important that we have accurate and complete information about you so we are able to provide you with the products and services you are seeking. We understand that information changes frequently. You may contact us at any time and ask us to correct or amend the information we have about you.

### **Accessing personal information**

You can obtain a copy of any personal information we hold about you by contacting us. In most instances, we will give you access to the information. In some circumstances, we will deny access for legal or administrative reasons. If access is denied, we will provide you with a reason.

To request a copy of the information we hold about you, we require that you complete a request form verifying your identity and specifying what information you require.

We may charge you a fee to cover the cost of verifying your application, locating, retrieving, reviewing and copying any of the information you request.

### **Website privacy**

ECN Trade may collect logs of information on access to its website. These website logs are not personally identifiable. Your account information is password protected and we recommend you do not disclose your password to anyone. We cannot guarantee or accept responsibility for the privacy practices or the content of websites to which we provide links.

### **How we use cookies on our website**

A 'cookie' is a packet of information placed on a user's computer by a website for record keeping purposes. We may use independent external service providers to track our website traffic and usage.

We use the information we collect to provide you with a more relevant and effective experience when you use our website, including presenting web pages according to your needs or preferences.

Cookies are commonly used on many websites, you are able to choose if and how a cookie will be accepted by changing the preferences and options on your web browser. Parts of our website may not be accessible if you disable cookie acceptance in your browser. Typically this applies to the more secure parts of our website.

### **Links to third party websites**

From time to time, we may place links on our website to external third party websites that we consider may be of benefit to you. You should note that third party websites are not covered by our privacy policy. If you elect to link to the website of a third party, you may be asked to provide registration or other information. You should familiarise yourself with the privacy policy adopted by that third party.

### **Important information**

We may amend our privacy policy from time to time. Generally, the updated policy is posted to our website without other notice of that. We will notify you of any changes to this policy that requires your consent before implementation. If you have a complaint or want more information about how ECN Trade is managing your personal information, please contact us (see our contact details below). ECN Trade will deal with your complaint in accordance with our complaints resolution policy which is available on request. If a complaint is not resolved by ECN Trade to your satisfaction, you may complain to the Privacy Commissioner.