

# PRIVACY POLICY

Active Super  
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# 1. POLICY STATEMENT

The Trustee, on behalf of Active Super, is committed to protecting your personal information. This document outlines how we collect, retain, use, and disclose personal information as needed for the efficient operation of our activities, and in accordance with the strict controls detailed in the *Privacy Act 1988* (Cth) and the Australian Privacy Principles (APPs).

# 2. INTERPRETATION

- a. In this document, 'personal information' means information or an opinion (including information or an opinion forming part of a database) about an individual whose identity is apparent, or can be reasonably ascertained, from the information or opinion. This is the case irrespective of:
  - i) whether it is true or not; and
  - ii) whether it is recorded in a material form or not.
- b. 'Sensitive information' is a subset of personal information that is generally afforded a higher level of privacy protection than other types of personal information. Information is to be treated as sensitive if it falls into one of the following categories:
  - i) information or an opinion about an individual's:
    - (1) racial or ethnic origin;
    - (2) political opinions;
    - (3) membership of a political association;
    - (4) religious beliefs or affiliations;
    - (5) philosophical beliefs;
    - (6) membership of a professional or trade association;
    - (7) membership of a trade union;
    - (8) sexual orientation or practices;
    - (9) criminal record;
  - ii) health information about an individual;
  - iii) genetic information about an individual;
  - iv) biometric information that is to be used for automated biometric verification or
  - v) biometric identification; or
  - vi) biometric templates.
- c. If there is any doubt about whether particular information is personal information or sensitive information of an individual, guidance is to be taken from the APPs and the APP Guidelines issued by the Office of the Australian Information Commissioner (OAIC).

## 3. PURPOSE

- a. As a complying superannuation fund, Active Super is required to collect, hold and use your personal information which is reasonably necessary for, or directly related to, our functions and activities. Such information may include:
  - i) your name and date of birth;
  - ii) contact details;
  - iii) tax file number;
  - iv) employment and employer details;
  - v) contribution history; and
  - vi) details of your beneficiaries
- b. Active Super is required to collect additional personal information so that Active Super can provide you with access to financial advice and comply with its obligation under the financial services laws. Some of this information may include:
  - i) details of your assets and liabilities;
  - ii) salary or other income producing sources;
  - iii) administering the financial and superannuation products and services (including insurance cover) that you acquire from or through us;
  - iv) insurance details; and
  - v) whether you have a will and/or power of attorney in place.
- c. In order to provide you with certain services, we may collect your sensitive information. We will only collect your sensitive information with your consent unless we are required or permitted to collect this information without your consent.

## 4. COLLECTION AND RETENTION OF PERSONAL INFORMATION

### 4.1. Purpose of collection

- a. Active Super collects, holds, and uses your personal information where the information is reasonably necessary for the purposes of:
  - i) admitting you as a member of Active Super;
  - ii) managing and administering your Active Super membership and superannuation benefits (including, for the avoidance of doubt, in relation to the transfer, or proposed transfer, of benefits as part of a successor fund transfer or other type of merger);
  - iii) administering the financial and superannuation products and services (including insurance cover) that you acquire from or through us;
  - iv) letting you know about other services and benefits related to your membership;

- v) market research, member data analysis and direct marketing activities;
  - vi) helping you to trace different superannuation accounts you may have and, if requested, consolidate them; and
  - vii) verifying your identity to enable you to access or transact on an Active Super account.
- b. You are not under any obligation to provide us with your personal information. However, if you choose to not provide us with your personal information, or you provide us with information which is incomplete or inaccurate, this may:
- i) prevent or delay the processing of any applications made to Active Super;
  - ii) affect your ability to apply for insurance or make an insurance claim;
  - iii) prevent us from providing a financial service to you;
  - iv) prevent us from contacting you; or
  - v) affect the manner in which your account is taxed.
- c. For example, as a member of Active Super we will ask you to provide us with your Tax File Number. While you may refuse, doing so may subject you to higher tax charges on your superannuation and may prevent us from accepting any after-tax contributions you wish to make.

## 4.2. Method of collection

- a. Active Super collects your personal information only by lawful and fair means and generally collects such information from you directly through application forms, use of our website, other online services, emails, and through direct communication with you. If you are employed by one of our employer sponsors, we may also collect your personal information from your employer.
- b. In order to provide you with certain services, like insurance, it may be necessary for Active Super to request sensitive information from you or from third parties. This information may include personal health information from you or your medical practitioners when applying for insurance or making an insurance claim.

## 4.3. Retention and Security

Once your personal information is collected, we take steps as are reasonable in the circumstances to hold and protect your personal information from misuse, interference and loss from unauthorised access, modification or disclosure.

## 4.4. Website and emails – Collection of information

- a. Active Super's online channels (including [activesuper.com.au](http://activesuper.com.au), Member Online and emails) have been designed to provide you with information regarding Active Super and your account. Member Online also allows you to log in to view details of your superannuation account.

- b. Whenever the online content is viewed, certain information regarding the user's navigation is collected by Active Super. This information is designed to assist us to understand and better meet the interests of its users. The type of information that we may collect includes the:
- i) type of information or documentation that was downloaded or viewed;
  - ii) time and date of use; and
  - iii) browser information and server address.
- c. Although this information is collected through your use of our online content, the information collected does not identify you and is generally limited to how you used our online content. An exception is where you elect to provide us with your information through our online forms such as the enquiry form or the seminar booking form, or when you view content that was disclosed only to you. Our website also includes a number of calculators, use of which may require you to enter your personal details. We will not retain those details.
- d. An internet "cookie" is a small piece of data sent from a website (like ours) which is stored on a user's computer. Cookies are used for security and personalisation purposes. Should you want to reject these cookies, you can do so by changing the settings in your internet browser. Please be aware that doing so may affect your experience in using our website.
- e. Cookies are also used to provide information about your usage of our website (such as which pages you visited) to third-party service providers for the purpose of serving relevant ads to you across the Internet. The information provided to third-party ad servers is not personally identifiable. For information about how to opt out of cookies being used by third-party ad servers, visit [networkadvertising.org/choices](http://networkadvertising.org/choices).

#### 4.5. Relevant Laws

As a superannuation fund, Active Super is required under various laws to collect, hold, or use your personal information for identification purposes. These include:

- i) the *Superannuation Industry (Supervision) Act 1993* (Cth);
- ii) the *Anti-Money Laundering and Counter Terrorism Financing Act 2006* (Cth);
- iii) the *Taxation Administration Act 1953* (Cth);
- iv) the *Privacy Act 1988* (Cth); and
- v) the *Privacy (Tax File Number) Rule 2015* (TFN Rule) and their associated regulations.

#### 4.6. Unsolicited information

If we receive personal information about you that we have not solicited, and we determine that we would not have been permitted to collect that information under the *Privacy Act 1988*, then we will either de-identify or destroy the information if it is reasonable and lawful to do so.

## 5. USE AND DISCLOSURE

- a. Active Super will only use or disclose your personal information for a purpose that:
  - i) we have told you about within this Policy; or
  - ii) you would reasonably expect to be related to the purpose for which the information was collected; or
  - iii) is required or authorised by law; or
  - iv) you have consented to.
- b. Any time we use or disclose your personal information, we will comply with the *Privacy Act 1988* and the APPs that form a part of that Act.
- c. In order to be able to provide our services to you, Active Super will disclose your personal information to our Administrator to allow them to administer your Active Super superannuation accounts. Our binding contractual arrangements with our Administrator requires the Administrator to comply with the Privacy Act 1988 and only use and disclose personal information for the purpose of fulfilling its obligations to administer your superannuation.
- d. Active Super may also disclose your personal information as required to:
  - i) our Insurer, for the purposes of providing you with insurance;
  - ii) our financial planners when you are seeking financial advice;;
  - iii) other superannuation trustees to facilitate roll-overs;
  - iv) third parties, where the disclosure is required or otherwise relates to the Purposes of Collection as identified in clause 4;
  - v) if relevant, our other service providers, which may include our auditors, accountants, lawyers, mail houses, research companies etc.; and
  - vi) if required, to government or regulatory authorities.
- e. Some third-party service providers may be located overseas or perform all or part of their contracted services from an overseas location. When Active Super discloses personal information to those providers, Active Super ensures that those third parties are subject to strict controls including imposing contractual obligations that protect your personal information from unauthorised use or disclosure, and to limit their use of your personal information to the extent necessary to provide services to us.
- f. If Active Super is legally required to disclose personal information to anyone, for example a government agency, we will note this disclosure on your file unless lawfully prevented from doing so.

## 6. ACCESS AND CORRECTION

- a. You may request access to the personal information we hold about you by contacting Member Services on 1300 547 873 and we will provide you with that information as far as we are able. We may recover our reasonable costs in relation to your request for access.
- b. If we are unable to meet your request, we will tell you in writing why your request has been refused, including the APP under which the refusal is supported.
- c. Active Super takes reasonable steps to ensure that the personal information it collects, holds, uses, or discloses is accurate, complete, and up to date. Where we believe that your personal information is inaccurate, incomplete or out of date, we will take reasonable steps to correct such information.
- d. If you believe that the personal information we hold about you is or has become incorrect, incomplete or out of date, you may ask us to update your information. We will respond to your request within a reasonable time. We will update your information if we are satisfied that your corrections are accurate. If we are not, then we will tell you in writing why we disagree with the corrections.

## 7. PROTECTION OF PERSONAL INFORMATION

- a. Active Super takes the security of your personal information very seriously and has systems, practices and procedures in place to safeguard your privacy. As our Administrator holds much of your personal information, Active Super requires that the Administrator undertake reasonable security measures in relation to your personal information, whether provided in electronic or paper based form, to ensure that it is protected from misuse, interference and unauthorised access, modification or disclosure.
- b. As a superannuation fund, Active Super is required to maintain a copy of your records for a number of years, but when this information is no longer required, and Active Super is no longer required by law to maintain it, we ensure that it is destroyed or de-identified as is appropriate.

## 8. MARKETING

- a. We may use your personal information to provide you with information regarding products and services which we believe may be of interest to you, whether you are a current, former or prospective member. In order to do this, we may provide your personal information to third-party organisations for specific marketing purposes. Our websites may also use third party remarketing or similar services to advertise to previous visitors to our sites. This could be in the form of an advertisement on digital

channels, like social media (for example Google or Facebook) or other websites. A third-party vendor (such as Google) may serve an ad based on someone's past visit to the Active Super website.

- b. If you do not wish to receive any email marketing from us, or prefer that we do not disclose your personal information to third parties for marketing purposes, you may opt out at any time by:
- i) electing to opt-out of marketing information through Member Online; or
  - ii) contacting Member Services on 1300 547 873.

## 9. ENQUIRIES AND COMPLAINTS

If you have any enquiries or complaints in relation to this Policy, or the handling of your personal information by Active Super, please contact our Privacy Officer at:

Privacy Officer  
Active Super PO Box N835  
Grosvenor Place, Sydney 1220

Our Privacy Officer will respond to your complaint within a reasonable time of receipt. If you are not satisfied with the response, you may lodge a complaint with AFCA which is an external dispute resolution body and can be contacted on:

AFCA  
Telephone: 1800 931 678  
Email: [info@afca.org.au](mailto:info@afca.org.au)  
Post: GPO Box 3  
Melbourne VIC 3001  
Website: [afca.org.au](http://afca.org.au)

You may also lodge a complaint with the Office of the Australian Information Commissioner which can be contacted on:

Office of the Australian Information Commissioner  
Telephone: 1300 363 992  
Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)  
Post: GPO Box 5218  
Sydney NSW 2001  
Website: [oaic.gov.au](http://oaic.gov.au)

## 10. POLICY UPDATES

Active Super may review and update this Policy from time to time. A copy of the most current policy can be found on our website at [activesuper.com.au/privacy-policy](https://activesuper.com.au/privacy-policy)

## 11. POLICY INFORMATION

**Internal references** Privacy Procedures

**External references** *Privacy Act 1988 (Cth)*  
*Australian Privacy Principles Superannuation Industry (Supervision) Act 1993 (Cth)*  
*Anti-Money Laundering and Counter Terrorism Financing Act 2006 (Cth)*  
*Taxation Administration Act 1953 (Cth)*  
Privacy (Tax File Number) Rule 2015

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**Authorisation** This policy is authorised as following:

Authorised by	Governance, Remuneration and Nomination Committee
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