

Watershed Dealer Services



WATERSHED

DEALER SERVICES

Privacy Policy

Privacy Policy

Background

As an Australian Financial Services Licensee (AFSL) and a holder of personal information about our clients, it is our objective to ensure that Watershed Dealer Services Pty Ltd (Watershed Dealer Services) and its representatives comply with all relevant aspects of the Australian Privacy Principles (APPs), as set out in the Privacy Amendment (Enhancing Privacy Protection) Act 2012.

The APPs require Watershed Dealer Services to take reasonable steps to protect the personal information it holds from misuse, interference and loss, as well as unauthorised access, modification, or disclosure under APP11 – Security of Personal Information.

Licensees who trade in personal information have additional obligations under the remaining APPs. All Licensees holding personal information are expected to implement a Privacy Policy in compliance with the APPs.

Adherence to the Watershed Dealer Services Privacy Policy is expected and will be monitored to ensure that personal information is secured adequately and breaches, both suspected and actual, are treated appropriately as per the guidelines set by the Office of the Australian Information Commissioner (OAIC).

Purpose

This Privacy Policy discloses how the personal information you provide to us (and our representatives) is collected, used, held, disclosed, and disseminated.

As a Licensee, Watershed Dealer Services ensures that there are adequate resources in place to develop, implement, and maintain the privacy program and response plan. All representatives of Watershed Dealer Services are aware of the privacy program and are encouraged to identify privacy issues and notify directly to Watershed Dealer Services.

Watershed Dealer Services is required to meet legislative and regulatory requirements. The information that we seek to collect about you will depend on the products or services that we provide. If you provide inaccurate or incomplete information, we may not be able to provide you with the services you requested.

We encourage you to check our website regularly for any updates to our Privacy Policy.

Why do we need a Privacy Policy?

The Office of the Australian Information Commissioner (OAIC)'s focus of the Privacy Act and obligations is to increase protection levels and keep individual's personal information more secure. It's the responsibility of APP entities to secure and protect the personal information they hold and prevent breaches from occurring.

The Notifiable Data Breach (NDB) Scheme provides a framework that requires businesses to respond swiftly and with transparency to mitigate the damage potentially caused by a breach.

This ultimately gives consumers more confidence that their personal information is being appropriately safeguarded and that they will be made aware if their information is compromised.

Watershed Dealer Services Commitment to Privacy for our Clients

Watershed Dealer Services is committed to providing the highest levels of client service.

Watershed Dealer Services recognises that privacy is important to everybody. As such, the organisation is committed to providing a privacy program that ensures the correct management of personal information, identification of breaches or suspected breaches of the Policy and utilising the breach Response Plan to ensure we can respond quickly to suspected data breaches, and take appropriate steps as required under the NDB Scheme.

What are the Australian Privacy Principles (APP)?

1. Open and transparent management of personal information
2. Anonymity and pseudonymity
3. Collection of solicited personal information
4. Dealing with unsolicited personal information
5. Notification of the collection of personal information
6. Use or disclosure of personal information
7. Direct Marketing
8. Cross-border disclosure of personal information
9. Adoption, use or disclosure of government related identifiers
10. Quality of personal information
11. Security of personal information
12. Access to personal information
13. Correction of personal information

Watershed Dealer Services as an organisation has ensured that its privacy program embraces the principles established by the APPs under the Privacy Act.

Cyber Privacy Principles

In addition to the APPs, the Digital ID Act 2024 has introduced privacy cyber safeguards, that AFS Licensees must also follow:

1. Minimal and regulated collection, use, and storage of biometric data (such as fingerprints)
2. Requirement for express consent before handling biometric data and AI decision-making
3. Personal information cannot be used for profiling individuals, beyond permitted purposes
4. Digital ID data cannot be access or used by law enforcement purposes without proper authorisation
5. Limited use of Digital ID data for direct marketing, unless explicit consent provided

6. Collection, storage and use of Digital ID information must be disclosed
7. Implementation of robust security measures to protect personal data
8. Collection and retention of personal information to be limited
9. Sharing of Unique Identifier Sharing cannot be shared across different services without consent
10. Data related to race, ethnicity, or religious beliefs must be handled with additional safeguards
11. Individuals must have the ability to manage and delete their Digital ID information
12. Accredited entities must report data breaches under the Notifiable Data Breaches scheme.

Your Personal Information

What Watershed Dealer Services may collect: When you apply for our products or services, we may ask for identification information. This could include your name, address, contact details and date of birth. We may also collect your tax file number if we are authorised to collect it, and if you choose to supply it. Some of the information we collect is to ensure that we can meet other legislative requirements such as the Anti-Money Laundering and Counter-Terrorism Financing Amendment Act 2004.

How Watershed Dealer Services collects Personal Information: We collect personal information directly from you and, if authorised by you, from third parties also. You have a right to refuse authorisation for us to collect information from a third party.

How Watershed Dealer Services uses your Personal Information: Primarily, your personal information is used to provide you with products or services. We may also use the information that is related to the primary purpose, and it is reasonable for you to expect that information to be disclosed to assist us in providing you with the service.

Occasionally, we may provide you with direct marketing material. This will include articles and newsletters that may be of interest to you. We may only use sensitive information about you for direct marketing once we have received your consent.

Watershed Dealer Services maintains records of the source of the personal information used for direct marketing and you have the right to request these details. We will endeavour to meet your request within two (2) weeks.

In compliance with the Anti-Hawking legislation, we maintain a register for those individuals not wanting to receive direct marketing materials.

When Watershed Dealer Services can disclose your information:

In line with the business practices of many financial institutions, and to meet your specific needs, we may disclose your personal information to the following organisations:

- superannuation fund trustees, insurance providers, fund managers and other product providers in order to manage or administer your product or service,
- compliance consultants,
- temporary staff to handle workloads during peak periods,
- mailing houses and email marketing service providers,
- your professional advisers, including your solicitor or accountant as authorised by you,
- information technology service providers,
- Government and regulatory authorities, as required or authorised by law,
- another authorised representative of Watershed Dealer Services if necessary,
- a potential purchaser/organisation involved in the proposed sale of Watershed Dealer Services business for the purpose of due diligence, corporate re-organisation and transfer of all or part of the assets of the business. Disclosure will be made in confidence, and it will be a condition of that disclosure that no personal information will be used or disclosed by them,
- a new owner of the business that will require the transfer of your personal information.

Watershed Dealer Services employees and the outsourcing companies/ contractors are obliged to respect the confidentiality of any personal information held by Watershed Dealer Services.

The Corporations Act has provided the Australian Securities and Investments Commission (ASIC) with the authority to inspect certain personal information that is kept on Watershed Dealer Services files about you.

Watershed Dealer Services takes its obligations to protect your information seriously, this includes if/when Watershed Dealer Services operates throughout Australia and overseas, as part of its operations. Some uses and disclosures of your information may occur outside your State or Territory and/or outside of Australia. In some circumstances we may need to obtain your consent before disclosure of your information outside Australia occurs.

How Watershed Dealer Services stores and secures your Personal Information:

Watershed Dealer Services keeps your personal information in your client files and electronically. These files are accessible to authorised personnel only and are appropriately secured and subject to confidentiality requirements.

Personal information will be treated as confidential information and sensitive information will be treated highly confidential.

It is a legislative requirement that Watershed Dealer Services keeps all personal information and records related to a provided service for a period of at least seven (7) years. Should you cease to be our client, we will maintain your personal information on or off site in a secure manner for at least seven (7) years after you cease to be a client.

Watershed Dealer Services also conducts regular security audits to ensure compliance with legislative requirements.

Do we share or send personal information to overseas recipients?

Some of the entities we use to store and send your personal information to may be located in or operate in countries outside of Australia. We take reasonable steps to ensure the overseas entity protects your information against unauthorised access or loss. This includes conducting due diligence and entering into contracts with these overseas providers. When we entrust your personal information to overseas recipients, we ensure they have reasonable data handling and security arrangements in place, and we periodically review our arrangements with these entities.

We engage and transact with entities based in the United States of America, New Zealand, India, Singapore, the Philippines, the United Kingdom, Switzerland, Germany, France, and other EU countries.

Ensuring your Personal Information is correct:

Watershed Dealer Services takes all reasonable precautions to ensure that the personal information collected, used and disclosed is accurate, complete and up to date. To ensure that we can maintain this level of accuracy and completeness it is recommended that, as soon as possible, you:

- Inform us of any errors in your personal information, and
- Update us with any changes to your personal information.

Receiving Unsolicited Information:

Watershed Dealer Services does not usually collect unsolicited personal information. Where we received unsolicited personal information, it will be determined whether it would have been permissible to collect this information if it had been solicited. If Watershed Dealer Services determines that collection would not have been permissible, to the extent permitted by law, the personal information will be appropriately destroyed or de-identified as soon as practicable.

Accessing your own
Personal Information:

You have a right to access your personal information, subject to certain exceptions allowed by law. We ask that you provide a request in writing (for security purposes), and we will provide you with access to that personal information. Access to the requested personal information may include:

- Providing you with copies,
- Providing you with the opportunity for inspection, or
- Providing you with a summary.

If charges are applicable in providing access to you, these charges will be disclosed to you prior to providing the information. Some exceptions exist where Watershed Dealer Services will not provide you with access to your personal information, these include if:

- Providing access would pose a serious threat to the life or health of a person,
- Providing access would have an unreasonable impact on the privacy of others,
- The request for access is frivolous or vexatious,
- The information is related to existing or anticipated legal proceedings between Watershed Dealer Services and a client and would not be discoverable in those proceedings,
- Providing access would reveal Watershed Dealer Services intentions in relations to negotiations with you in such a way as to prejudice those negotiations,
- Providing access would be unlawful,
- Denying access is required or authorised by or under law, and
- Providing access would be likely to prejudice certain operations by, or on behalf of, an enforcement body or an enforcement body requests that access not be provided on the grounds of national security.

Should we refuse you access to your personal information, a written explanation for that refusal will be provided.

Using Government Identifiers

In certain circumstances Watershed Dealer Services is required to collect Government identifiers such as your tax file number (TFN), Medicare number or pension card number. Watershed Dealer Services does not use or disclose this information other than when required or authorised by law or unless you have voluntarily consented to disclose this information to any third party.

Document Verification Services (DVS)

DVS are systems designed to verify the authenticity of identity documents by checking them against official government records. These systems can be utilised to confirm biographic details, such as address, employment, education certification, and citizenship.

As per the Identity Verification Services Act 2024, Watershed Dealer Services will ensure explicit consent is provided, in writing, prior to the utilisation of Document Verification Services.

Dealing with Watershed Dealer Services Anonymously

You can deal with us anonymously or by using a pseudonym where it is lawful and practicable to do so, for example when telephoning to request publicly accessible information such as our postal address or operating hours.

It would not be lawful to access our products or services anonymously or by using a pseudonym.

Your Sensitive Information

Without your consent Watershed Dealer Services will not collect information about you that reveals your racial or ethnic origin, political opinions, religious or philosophical beliefs or affiliations, memberships of professional or trade associations, membership of a trade union, details of health, disability, sexual orientation or criminal record.

This is subject to some exception, including if collection is required by law or when the information is necessary for the establishment, exercise or defence of a legal claim.

Watershed Dealer Services Website

Watershed Dealer Services website may provide links to third party websites. If you disclose personal information to these third-party sites, the use of your information by these third-parties is not within Watershed Dealer Services control and Watershed Dealer Services cannot accept responsibility for the conduct of these organisations. Other websites are not subject to Watershed Dealer Services privacy standards. You will need to contact or review those websites directly to ascertain their privacy policies.

You may register on Watershed Dealer Services website to receive newsletters and other information, and by doing so, your name and email address will be collected and stored on Watershed Dealer Services database. We will take care to ensure that the personal information you provide on our website is protected by having electronic security systems in place, including the use of firewalls and data encryption.

If you do not wish to receive any further information from Watershed Dealer Services, or you wish to update your registration details, please email your request directly to us. We will endeavour to meet your request within five (5) business days.

Our website utilises cookies to provide you with a better user experience. Cookies also allow Watershed Dealer Services to identify your browser while you are using the site – the cookies do not identify you personally. If you do not wish to receive cookies, you can instruct your web browser to refuse these cookies.

Automated Decision Making (ADM)

From December 2026, Clients are required to be informed about, and provide consent to, the use of AI in relation to Automated Decision Making (ADM).

Watershed Dealer Services ensures that clients are provided with the knowledge, to make informed decisions about the use of AI regarding their financial service or product, through publication of this on Watershed Dealer Services website, or through the disclosure documents provided.

ADM AI Systems may be used in areas like financial risk assessment, client suitability, and personalised recommendations. For example, these systems can be used to assess a client's suitability based on factors like income, spending patterns, and credit history. These systems automatically determine whether the applicant qualifies for a product, service, or whether it is applicable to their risk appetite. The use of ADM systems in Watershed Dealer Services is heavily regulated and maintained by Watershed Dealer Services as per the Artificial Intelligence Policy's approval and utilisation procedure.

Spam Policy

Spam is a generic term used to describe electronic 'junk mail' – unwanted messages sent to a person's email account or mobile phone. In Australia, spam is defined as "unsolicited commercial electronic messages".

Electronic messaging covers emails, instant messaging (IM), SMS and other mobile phone messaging, but it does not cover normal voice-to-voice communications by telephone.

Watershed Dealer Services complies with the provisions of the Spam Act 2003 when sending commercial electronic messages. In addition, Watershed Dealer Services is also bound by their own internal Anti-Hawking Policy.

The Spam Act 2003 specifies that the person's consent has been withdrawn within five (5) working days from the date that an 'unsubscribe' request was sent (in the case of electronic unsubscribe messages) or delivered (in the case of unsubscribe messages sent by post or other means).

Watershed Dealer Services follows the following steps when using electronic messaging:

1. Consent – only commercial electronic messages are sent with the addressee's consent, either inferred or expressed consent.
2. Identify – electronic messages will include clear and accurate information about the person and the Watershed Dealer Services contact that is responsible for sending the commercial electronic message.

3. Unsubscribe – Watershed Dealer Services ensures that a functional unsubscribe facility is included in all its commercial electronic messages and deals with unsubscribe requests promptly.

Commercial Communications with a Forwarding Facility (Viral Messages)

Watershed Dealer Services ensures that Commercial Communications that include a Forwarding Facility comply with the law by containing a clear recommendation. This recommendation is that the Recipient should only forward the Commercial Communication to persons with whom they have a relationship, and where that relationship means that the person could be said to have consented to receiving Commercial Communications.

Complying with the Age Sensitive Content of Commercial Communication

Where content of a Commercial Communication seeks to promote or inspire interaction with a product, service or event that is age sensitive, Watershed Dealer Services takes reasonable steps to ensure that such content is sent to Recipients who are legally entitled to use or participate in the product, service or event.

Privacy Complaints Process

Clients may contact Watershed Dealer Services Privacy Officer if you wish to complain about any breach or potential breach of your privacy rights. Your complaint will be responded to within seven (7) days. Watershed Dealer Services Privacy Officer will investigate the issue and determine steps to undertake to resolve your complaint.

Watershed Dealer Services Privacy Officer will contact you if any additional information is required from you and will notify you in writing of the determination.

Privacy Officer: Adam Rowley
Address: Level 26, 567 Collins Street, Melbourne 3000
Telephone Number: (03) 9614 8899
Email: adamrowley@watershedgroup.com.au

If you are not satisfied with the outcome of your complaint, you are entitled to contact the Office of the Australian Information Commissioner.

Office of the Australian Information Commissioner
GPO Box 5288, Sydney NSW
1300 363 992
www.oaic.gov.au

Related Laws and Regulations

There may be times when other legislation or obligations override the obligation in the Privacy Act 1988 and the Privacy Amendment (Enhancing Privacy Protection) Act 2012. These include, but are not limited to:

- The Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (AML/CTF Act), where Watershed Dealer Services is required to report to suspicious matters and large money transactions AUSTRAC.
- Regulatory Guide 78 *Breach reporting by AFS licensees*, where Licensees are required to report any breach or potential breach to ASIC
- Mandatory reporting requirements during a Disaster Recovery event or in the event of a Cyber breach as detailed in the Corporations Act 2001
- Requirement with regards to ATO requests.

Related Policies, Risks and Controls

Breach and Incident Reporting

Record Keeping Policy

AI Policy

Consultation processes

For Responsible Person maintaining this within Watershed Dealer Services, refer to the Watershed Dealer Services Pty Ltd Reference Organisational Sheet.

This policy shall be updated, reviewed, or further developed in consultation with the stakeholders of the organisation.

Approvals

This policy is approved for use by the Compliance Committee and takes effect immediately.