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## 1. Introduction

**VRGK TECH PTY LTD.**, ABN 18 640 619 521, a company incorporated in Australia, whose principal place of business is at Three International Towers, Level 24, 300 Barangaroo Avenue, Sydney NSW 2000, Australia, Australia (**VRGK**, “**we**” or “**us**”), operate the electronic trading platform at [www.vrgkbroker.com.au](http://www.vrgkbroker.com.au) (the “**Platform**”) and the products and services provided therein. We are committed to respecting and protecting your personal information collected through or in connection with the Platform.

We take our responsibilities under the Privacy Act 1988 (Cth) (**Privacy Act**) seriously. We also recognise the importance of the personal information you have entrusted to us and believe that it is our responsibility to properly manage, protect and process your personal information.

This Privacy Policy is designed to assist you in understanding how we collect, use, disclose and/or process the personal information you have provided to us, as well as to assist you in making an informed decision before providing us with any of your personal information.

“Personal information” is any information that can identify you or that can reasonably enable your identity to be determined. This information could include your name, postal or email address, date of birth, financial details, Tax File Number and/or Australian Business Number.

Personal information includes “sensitive information”. Sensitive information is any information, or an opinion concerning about your 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 or criminal record. It also includes health or genetic information, biometric information and biometric templates.

If you, at any time, have any queries on this policy or any other queries in relation to how we may manage, protect and/or process your personal information, please do not hesitate to contact our Privacy Officer.





This Privacy Policy (together with our Customer Agreement) sets out the basis on which we use and process any personal information we collect from you as a user of the Platform.

In addition, the Platform may, from time to time, contain links to and from the platforms or the websites of our partner networks, advertisers, affiliates or other third parties. If you follow a link to any of these platforms or websites, please note that the operators of these platforms' websites have their own privacy policies. As these platforms and websites are not owned or operated by us, we do not accept any responsibility or liability for the contents of these platforms or websites and the operators' privacy policies and you access and provide your personal information to these third-party platforms or websites at your own risk. Please check the relevant privacy policies before you submit any personal information to any such platforms or websites.

## **2. Types of personal information we collect**

The types of personal information that we collect and hold about you could include:

- ID information such as your name, postal or email address, telephone numbers, and date of birth;
- other contact details such as social media handles;
- financial details such as your tax file number; and
- other information we think is necessary.

## **3. Cookies**

We use cookies on our Platform. A cookie is a text file that a website transfers to your computer's hard disk so that the website can remember who you are. Cookies only record those areas of a website that have been visited by your computer and for how long.

You can accept or decline cookies by modifying the setting in your browser. If you would like to do this, please see the help menu of your browser. However, you may not be able to use all the interactive features of our Platform if cookies are disabled.

We do not store or collect cookie information. Once we receive information from you, via email or any other means, the information is stored in a secure environment.





#### **4. How we collect and hold personal information**

We must collect personal information only by lawful and fair means.

We must collect your personal information from you unless it is unreasonable or impracticable to do so. For example, if we are unable to contact you and we then rely on publicly available information to update your contact details or if, at your request, We exchange information with your legal or financial advisers or other representatives.

We may collect and process personal information about you in all our interactions with you, including the following:

- a) You are likely to provide personal information to us when signing up to be our client and use our Platform. This includes but is not limited to your name, email address and other contact details.
- b) If you contact us for any reason, we may keep a record of that correspondence which contains personal information.
- c) Your personal information may be captured via any error logging and reporting tool that captures error report data and, at your option and with your consent, this data may be sent to us for us to be informed of any software errors or problems that may occur during your use of our Platform or the Services provided on it.
- d) Details of your visits to our Platform, the activities you engage in when accessing our Platform and the Services that you use or access on or via our Platform may also be captured – for example your internet protocol (IP) address, device identifiers, browser type, operating system, internet service provider, location, mobile network information, pages accessed, time stamps and your online transaction history.
- e) Associating to social media networks, you permit us to access the publicly available information and use such informational as per this Policy.
- f) Verify your information via electronic means, such as email.

If we receive personal information that we did not solicit, then within a reasonable period after receiving the information, We must determine whether or not we could have collected the information under Australian Privacy Principle 3 (collection of





solicited personal information) if we had solicited the information and we may use or disclose the personal information to make this determination.

Then, if we determine that we could not have collected the personal information and the information is not contained in a Commonwealth record, we must, as soon as practicable but only if it is lawful and reasonable to do so, destroy the information or ensure that the information is de-identified. If however this does not apply in relation to the personal information, then Australian Privacy Principles 5 to 13 apply in relation to the information as if we had collected the information by solicitation.

In certain situations, the personal information we collect may (where appropriate and where it is permitted by law) include sensitive information.

We will only collect “sensitive information” if you have consented to the collection of the information and the information is reasonably necessary for one or more of our functions or activities or if the collection of sensitive information is authorised or required by a court/tribunal order or an Australian law, including the following Australian laws:

- Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth);
- Corporations Act 2001 (Cth);
- Income Tax Assessment Act 1936 (Cth) and Income Tax Assessment Act 1997 (Cth);
- Privacy Act 1988. (Cth).

We will generally collect your personal information as much as possible directly from you. For example, we collect information about you when you complete your application form.

From time to time, we may obtain personal information about you from third parties (for example, identity verification service providers, publicly or commercially available sources or third parties you have authorised us to contact) for the purpose of complying with legislative obligations, such as anti-money laundering laws.

We will do all that we can to ensure that the personal information that we collect, use and disclose is accurate, up-to-date, complete and relevant.





## 5. Notifying you

When we receive personal information from you directly, we will take reasonable steps to notify you how and why we collected your information, who we may disclose it to and outline how you can access it, seek correction of it or make a complaint.

Sometimes we collect your personal information from third parties. You may not be aware that we have done so. If we collect information that can be used to identify you, we will take reasonable steps to notify you of that collection.

## 6. The purposes for which we collect, hold, use and disclose personal information

We may use your personal information that we possess to provide, personalise, maintain and improve our Platform and Services, including for the following purposes:

- a) to process, administer and/or manage your client account with us and contact you as may from time to time be necessary in connection with your use of our Platform and/or the Services made available on it.
- b) to contact you using the contact information provided by you to provide you with information that you request from us.
- c) to manage and administer your use of our Platform and/or Services, including to resolve user support issues, and contact you as may from time to time be necessary in connection with your use of our Platform and/or Services.
- d) to collect information relating to your online interactions with us (including, for example, your IP address and the pages you view) so that we can offer you a more consistent and personalised experience in your relationship with us and better serve your needs by customising the content that we share with you.
- e) to store, host and/or back up (whether for disaster recovery or otherwise) your personal information, whether within or outside Australia.
- f) for record-keeping purposes.
- g) to conduct research, analysis and development activities (including but not limited to data analytics, surveys and/or profiling) to improve our Platform, services and facilities to enhance the services we provide to you.





- h) to perform credit risk, know-your-customer, anti-money laundering / countering the financing of terrorism, financial and other relevant risk assessments and checks on you; and
- i) to market our and our partners', sponsors' and advertisers' products, services, events or promotions, including to send you alerts, newsletters, updates, mailers, promotional materials, special privileges, festive greetings, etc. We may communicate such marketing to you by post, email, telephone call, short message service, online messaging service, push notification, or by hand. You may unsubscribe to the use of your personal information for marketing and promotions by clicking on "Unsubscribe" in the relevant email or message.

We may also use your personal information for legal and company administration purposes, including:

- a) to investigate and resolve claims or disputes.
- b) to protect the rights, property or safety of any person (including for the purposes of fraud detection and prevention).
- c) when we are required, advised, recommended, expected or requested to do so by our legal advisors or any local or foreign legal, regulatory, governmental or other authority, statutory boards, related companies, including for any audit, compliance, investigation or inspection purposes.
- d) to comply with court orders, applicable law, regulation, legal process or government request.
- e) to enforce or apply our Terms of Use and/or Agreement, or any other arrangements with you.
- f) to respond to legal process, pursue legal rights and remedies, defend litigation and managing any complaints or claims; or
- g) in connection with mergers, acquisitions, joint ventures, sale of company assets, consolidation, restructuring, financing, business asset transactions, or acquisition of all or part of our business by another company.

If we collect and hold your personal information for a primary purpose, we will not use or disclose the information for a secondary purpose unless:

- you have consented to the use or disclosure of the information;





- you would reasonably expect us to use or disclose the information for the other purpose and the other purpose is related to the first particular purpose;
- the use or disclosure of the information is required or authorised by or under an Australian law or a court/tribunal order;
- a permitted general situation exists in relation to the use or disclosure of the information by us; or
- we reasonably believe that the use or disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body (and, if we use or disclose personal information in accordance with this point, we must make a written note of the use or disclosure.).

If we collect personal information from any of our related bodies corporate, this principle applies as if our primary purpose for the collection of the information were the primary purpose for any of our related bodies corporate to collect the information. This principle does not apply to the use or disclosure by us of personal information for the purpose of direct marketing or government related identifiers.

If we hold personal information about an individual, we must not use or disclose the information for the purpose of direct marketing, unless we collected the information from the individual and the individual would reasonably expect us to use or disclose the information for that purpose, and we provide a simple means by which the individual may easily request not to receive direct marketing communications from us and the individual has not made such a request to us.

We may also use or disclose personal information about an individual for the purpose of direct marketing if we collected the information from the individual and the individual would not reasonably expect us to use or disclose the information for that purpose or someone other than the individual and either the individual has consented to the use or disclosure of the information for that purpose, or it is impracticable to obtain that consent, and we provide a simple means by which the individual may easily request not to receive direct marketing communications from us, and in each direct marketing communication with the individual, we include a prominent statement that the individual may make such a request, or we otherwise draw the individual's attention to





the fact that the individual may make such a request and the individual has not made such a request from us.

If you have general enquiry type questions, you can choose to do this anonymously or use a pseudonym. We might not always be able to interact with you this way however as we are often governed by strict regulations that require us to know who we are dealing with. In general, we will not be able to deal with you anonymously or where you are using a pseudonym when it is impracticable or we are required or authorised by law or a court/tribunal order to deal with you personally.

## **7. How you can access your personal information that we hold and seek the correction of such information**

We will always give you access to your personal information unless there are certain legal reasons why we cannot do so. We do not have to provide you with access to your personal information if:

- we believe there is a threat to life or public safety;
  - there is an unreasonable impact on other individuals;
  - the request is frivolous;
  - the information wouldn't be ordinarily accessible because of legal proceedings;
  - it would prejudice negotiations with you;
  - it would be unlawful;
  - it would jeopardise taking action against serious misconduct by you;
  - it would be likely to harm the activities of an enforcement body (e.g. the police);
- or
- it would harm the confidentiality of our commercial information.

If we cannot provide your information in the way you have requested, we will tell you why in writing. If you have concerns, you can complain by contacting us on +618088 0716 or you can send us an email to [service@vrgkbroker.com.au](mailto:service@vrgkbroker.com.au)

If you believe that is something wrong with the information, for example if you think that the information we hold is inaccurate, out of date, incomplete, irrelevant or misleading, please send us an email to so we can update your details.





## PRIVACY POLICY

If you are worried that we have given incorrect information to others, you can ask us to tell them about the correction. We will correct this if we can or we will notify you if we are unable to change the details

You can ask us to access your personal information that we hold by sending us an email to [service@vrgkbroker.com.au](mailto:service@vrgkbroker.com.au)

We will give you access to your information in the form you want it where it is reasonable and practical to do so. We may charge you a small fee to cover our costs when giving you access, but we will always notify you of this first and this fee will not relate to you making a request for your information, only to give you access to the information.

We are required to help you ask for the information to be corrected if we cannot correct this for you. Accordingly, We may need to talk to third parties. However, the most efficient way for you to make a correction request is to send it to the organisation which you believe made the mistake.

If we are able to correct the information, we will notify you within five business days of deciding to do this. We will also notify the relevant third parties as well as any others you notify us about. If there are any instances where we cannot do this, then we will notify you in writing.

If we are unable to correct your information, We will explain why in writing within five business days of making this decision. If we cannot resolve this with you internally, you are able to make a complaint via our external dispute resolution scheme, by contacting the Australian Financial Complaints Authority (AFCA) or the Office of the Australian Information Commissioner (OAIC).

If we agree to correct your information, we will do so within 30 days from when you asked us, or a longer period as agreed between us and you.





If we are unable to make corrections within a 30 day time frame or the agreed time frame, we must notify you of the delay, the reasons for it and when we expect to resolve the matter, ask you to agree in writing to give us more time and let you know you can complain to AFCA or OAIC.

## **8. What effects does the GDPR have when accessing our sites / applications if you are an EU or UK citizen.**

The goal of GDPR is to protect EU citizens from the misuse or loss of their personal information. If you are a citizen of the EU/UK, the legislation assists by allowing you to:

- a) Ask what personal data we are collecting and how it is being used (“Right to be Informed”)
- b) Unsubscribe from any of our emails at any time (“Right to Object”)
- c) Access the personal data we have collected about you (“Right to Access”)
- d) Ask us to correct any inaccurate personal data (“Right to Rectification”)
- e) Export your personal data in an electronic format (“Right to Data Portability”)
- f) Require us to restrict processing of specific types of personal data (“Right to Restrict Processing”)
- g) Opt out of having your personal data used for profiling and in automated systems (“Rights in Relation to Data Profiling”), and
- h) Ask for your personal data to be deleted (and be provided with an audit trail if requested) and third parties to stop using the data (“Right to be Forgotten”).
- i) How you can complain about a breach of the Australian Privacy Principles, or a registered APP code (if any) that binds us, and how we will deal with such a complaint.

## **9. How you can complain about a breach of the Australian Privacy Principles, or a registered APP code (if any) that binds us, and how we will deal with such a complaint**

If an individual feels that we have breached our obligations in the handling, use or disclosure of their personal information, they may raise a complaint. We encourage





individuals to discuss the situation with one of Our representatives in the first instance, before making a complaint.

The complaints handling process is as follows:

The individual should make the complaint including as much detail about the issue as possible, in writing to us:

**The Compliance Department**

Three International Towers,  
Level 24, 300 Barangaroo Avenue,  
Sydney NSW 2000,  
Australia

[service@vrgkbroker.com.au](mailto:service@vrgkbroker.com.au)

We will investigate the circumstances included in the complaint and respond to the individual as soon as possible (and within 30 calendar days) regarding Our findings and actions following this investigation. After considering this response, if the individual is still not satisfied they make escalate their complaint directly to the Information Commissioner for investigation:

**Office of the Australian Information Commissioner**

[www.oaic.gov.au](http://www.oaic.gov.au)

Phone: 1300 363 992

When investigating a complaint, the OAIC will initially attempt to conciliate the complaint, before considering the exercise of other complaint resolution powers.

Alternatively, if the complaint relates to a non-privacy matter, or should individuals choose to do so, a complaint may also be lodged with AFCA:

**Australian Financial Complaints Authority**

GPO Box 3

Melbourne VIC 3001

(Australia)

[www.afca.org.au](http://www.afca.org.au)

Phone: 1800 931 678 (free call)





## **10. Which overseas recipients and countries are we likely to disclose personal information to**

We may store your information in cloud or other types of networked or electronic storage. As electronic or networked storage can be accessed from various countries via an internet connection, it is not always practicable to know in which country your information may be held. If your information is stored in this way, disclosures may occur in countries other than those listed.

Overseas organisations may be required to disclose information we share with them under a foreign law. In those instances, we will not be responsible for that disclosure.

## **11. Government Identifiers**

Sometimes we may be required to collect government-related identifiers such as your tax file number. We will not use or disclose this information unless we are authorised or required to do so by law or the use or disclosure of the identifier is reasonably necessary for us to verify your identity for the purposes of Our business activities or functions.

