

**INTERACTIVE BROKERS AUSTRALIA PTY LTD**  
ABN 98 166 929 568

## **PRIVACY POLICY**

Dated: 15 July 2021

Interactive Brokers Australia Pty Ltd ("IBA", "we" or "us") is bound by and acts in accordance with the *Privacy Act 1988 (Cth)* and the Australian Privacy Principles set out in that act. We have produced this Policy in order to comply with the obligations under the *Privacy Act*.

IBA is part of the Interactive Brokers Group of companies ("IB Group"). The Group, including IBA, understands that the confidentiality and security of the personal information you share with us is important and we handle all information we collect about you in accordance with this Policy.

This policy supplements our Group policy, the [Interactive Brokers Group Privacy Notice](#) ("IB Group Policy"), and provides further information about how IBA collects, maintains, uses and discloses your personal information.

When we refer to "you" in this Policy, we are referring to our clients (who may be individuals or corporate persons), authorised persons or account signatories for clients, people and entities who are applying to open an account with us or use our services, persons associated our clients or persons who are an opening account (including those persons about whom we are required to collect information under AML/CTF laws, such as beneficial owners of corporate persons, beneficiaries of trusts etc) whose personal information has been provided to us.

### *1. The kinds of information that IBA collects*

As outlined in the IB Group Policy, we collect your personal information when you apply to open account with us or ask us to provide services or products. The sorts of personal information we collect includes: your names, addresses, dates of birth, email addresses, telephone numbers, tax file numbers, other government-issued identification numbers (e.g., passport numbers, driver's license numbers), marital status, employment status, annual income, net worth, trading history, investment objectives, funds deposit and transfer information.

In addition to the personal information we collect from you during account opening, we may collect information about you from public registers, including government administered databases, or other information aggregating services when we assess your application for an account, or any of the products and services we offer.

After you have opened an account with us, we may collect or verify your personal information when and if we need to update our records and when you interact with us via telephone or email.

### *2. How we hold personal information*

Typically, we hold all personal information we collect electronically. Your personal information will be stored inside and outside of Australia in places where we maintain electronic storage facilities. Where you have provided physical documents which contain

personal information, we will hold those in Australia in secure storage until they are returned to you or destroyed.

### *3. IBA website*

When you use IBA's website or the links from that website to pages maintained by other members of the IB Group, we collect anonymous statistical information. The information is used to evaluate website usage and for development purposes.

IBA and its affiliates use "cookies". By accessing the websites of IBA, its affiliates within the IB Group or third-party services or information providers you acknowledge and accept the use of cookies.

### *4. Telephone calls*

We may record the telephone conversations you have with us and our client services staff. We may be legally required to make a record of these conversations if they involve instructions to buy or sell certain financial products.

IBA may use such recordings in the resolution of disputes and if we do so, we will provide you a copy upon request.

### *5. Unsolicited information*

If we receive unsolicited information from you, we will take reasonable steps to destroy it or remove it from our electronic systems. However, if that unsolicited information is commingled with information we have requested from you, you acknowledge that it will be handled in accordance with this policy.

### *6. Use of personal information*

You agree and acknowledge that as we outlined in the IB Group Policy, we will use the personal information you have provided to meet our legal obligations, including to match against electronic records maintained by government bodies and third party information aggregators, and to determine your eligibility for products and services. We may disclose your personal information to:

- Affiliates within the Interactive Brokers Group;
- Other financial services institutions or similar entities that we deal with as a result of the nature of our business or in relation to the products and services that you utilise (e.g. including third-party services or information providers accessible through Interactive Brokers Group websites, sub-custodians or other third party brokers);
- External services providers including consulting, legal, accounting or audit firms;
- Regulatory and government bodies in Australia and in other countries;
- Professional firms engaged by us to match your personal information against government records; or,
- Other third parties as required by a court with jurisdiction.

If we cannot verify your identity electronically; including against electronic records maintained by government bodies and other third parties, we will require you to produce documentary evidence in order for us to manually verify your identity.

### *7. Your obligations and rights*

You are not obliged to provide us personal information however we will not be able to offer you products and services should you choose not to.

If you provide any personal information about yourself or any other person or entity to IBA when you apply for any of our services or products, you represent and warrant that you are authorised to provide such information and that the personal information is true and accurate in all aspects. Where you provide personal information on behalf of another person or entity, you agree to inform that person or entity of how we may use such information.

You have the right to ensure we hold correct personal information about you and you undertake, as a term of the client agreement with us, to inform us or update your account immediately should any information you have previously provided change.

You also have the right to access the personal information we hold about you, see below regarding how you may do so, and make a complaint.

### 8. Reporting of breaches

In the event that we lose some of your information, for example in the case that our database is hacked, and this loss of your information appears likely to result in serious harm to you, we will notify you of the salient details in writing as soon as is reasonably practicable. We will also notify the Office of the Australian Information Commissioner at this time.

### 9. Questions, Requests and Complaints

Should you have any questions, requests or a complaint about your privacy please contact us. This can be done by clicking on "Inquiry Ticket." Under "New Ticket" select the following:

Category: Other Regulatory

Sub-category: Submit a Complaint

Alternatively, clients may submit their complaints as follows:

By website	Inbound communications via commercial E-mail are not supported due to security concerns.  You may submit an inquiry <a href="#">here</a> .  Please ensure you select "Account Services" for the subject and "Complaint for the topic" for the most expedient handling.
By Telephone:	+61 (2) 8093 7300
By Mail:	The Complaints Officer Interactive Brokers Australia Pty Ltd PO Box R229 Royal Exchange NSW 1225 Australia

We will provide acknowledgement of a complaint as soon as possible, but within 5 business days of receipt. We will respond to the complaint as soon as possible and in a reasonable timeframe (generally within 30 days).

If your complaint is not resolved by us to your satisfaction, you may contact the Office of the Australian Information Commissioner ("OAIC"). Please refer to the following website [www.oaic.gov.au](http://www.oaic.gov.au) for further details. You may also contact the OAIC at:

Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

Facsimile: +61 2 9284 9666

Post: Sydney Office, GPO Box 5218 Sydney NSW 2001

#### *10. Why we collect personal information*

IBA is required by law to collect certain information about you in order to comply with the *Anti-Money Laundering and Counter Terrorism Financing Act 2006 (Cth)*, the *Corporations Act 2001 (Cth)*, and other laws and regulation which apply to us such as the *US Foreign Account Tax Compliance Act ("FATCA")*. We also collect information from you in order to determine your eligibility for certain services offered.

We also use the information we collect to improve our offering to our clients and to monitor client accounts for unauthorised activity.

#### *11. How you may access personal information we collect about you*

Clients of IBA may access any information IBA holds about them by contacting IBA at the details set out above under section 8. *'Questions, Requests and Complaints'*. We aim to process all requests within 30 days, but if your request is complex we may take longer and will advise you of this.

There are no fees associated with requesting access to the information we hold about you, however IBA reserves the right to charge you a reasonable fee for complying with your request if it involves the production of physical documents from our electronic records and the costs associated with postage.

In certain legal circumstances we cannot provide you access to the information we hold about you. Where this is so we will explain to you the reasons for denying you access.

#### *12. Revision of this Privacy Policy*

We may revise this Privacy Policy from time to time for any reason. Where this Privacy Policy is revised we will upload the revised version to the website as soon as reasonably practicable.