

January 2009 – Version 1.4

Midwinter Privacy Statement

Midwinter Financial Services Pty Ltd (“Midwinter”) develops and distributes investment software for the Australian funds management and financial planning industries.

Typically Midwinter will only store client information incidental to the promotion and distribution of its software. Information will only be collected under the express consent of client.

The objective of this Privacy Policy is to facilitate the protection of Personal Information by ensuring that Midwinter complies with the *Privacy Act 1988* (“Privacy Act”). Midwinter conforms to the 10 National Privacy Principles as the principles apply to the nature and delivery of its services. This Policy applies to Midwinter and its entire staff.

Privacy Principle 1 – Collection

Midwinter will not collect Personal Information unless requested by a client or where it is necessary in the normal course of business. Midwinter will collect personal Information only by lawful and fair means and not in an unreasonably intrusive way.

Privacy Principle 2 - Use and Disclosure

Midwinter will not use or disclose Personal Information about an individual for a purpose other than the primary purpose of its collection.

Privacy Principle 3 - Data Quality

Midwinter will take reasonable steps to make sure that the Personal Information it collects uses or discloses is accurate, complete and up to date.

Privacy Principle 4 - Data Security

Midwinter will take reasonable steps to protect the Personal Information it holds from misuse, loss and from unauthorised access, modification or disclosure. Midwinter will take reasonable steps to destroy or permanently de-identify Personal Information if it is no longer needed for any purpose for which the information may be used or disclosed under Privacy Principle 2.

Privacy Principle 5 – Openness

Midwinter has set out in a document clearly expressed policies on its management of Personal Information. This document is available to anyone who asks for it. On request by any Midwinter client, Midwinter must take reasonable steps to let the requestor know, generally, what sort of Personal Information it holds, for what purposes, and how it collects, holds, uses and discloses that information.

Privacy Principle 6 - Access and Correction

If Midwinter holds Personal Information about an individual, it will provide the individual with access to the information on request by the individual, irrespective of the individual's nationality or place of residence, except to the extent that Midwinter must provide reasons for denial of access or a refusal to correct personal information.

Privacy Principle 7 – Identifiers

Midwinter will not adopt as its own identifier of an individual an identifier of the individual that has been assigned by: an agency; or an agent of an agency acting in its capacity as agent; or a contracted service provider for a Commonwealth contract acting in its capacity as contracted service provider for that contract.

Privacy Principle 8 – Anonymity

Wherever it is lawful and practicable, individuals will have the option of not identifying themselves when entering transactions with Midwinter.

Privacy Principle 9 - Transborder Data Flows

Midwinter will not transfer Personal Information about an individual to someone who is in a foreign country.

Privacy Principle 10 - Sensitive Information

Midwinter will not collect sensitive information about an individual unless

- the individual has consented, or, in the case of Personal Information from or about a child, the relevant child's legal guardian has consented, or
- the collection is required by law.

More Information?

If you have privacy concerns, please contact the Midwinter Compliance Officer on 1300 882 938 or by email: compliance@midwinter.com.au . You can also obtain further information from the Privacy Commissioner's website.