

Privacy Policy

Name:	True Oak Investments Pty Ltd
AFSL:	238184
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Status:	Commercial-in-confidence

1. Purpose of the Policy

True Oak Investments Pty Ltd (**True Oak, we, us, our**) is committed to protecting the privacy of personal information provided to or collected by us through our operation as a professional services firm. We adhere to the Australian Privacy Principles (**APPs**) established by the *Privacy Act 1988* (Cth) (**Privacy Act**). A copy of the APPs may be obtained from the website of the Office of the Australian Information Commissioner at www.oaic.gov.au.

True Oak provides an AFS Licensee for hire service, which allows Australian businesses to operate using the financial services authorisations under the True Oak AFS Licence. True Oak also provide a Trustee for Hire service to Australian businesses seeking an appropriate structure to raise funds from wholesale investors. In situations where our clients offer individuals access to financial services or products, which require them to collect, use and retain personal information, the personal information of these individuals is protected under the client's own Privacy Policy.

This Privacy Policy seeks to ensure that clients, visitors to our website, personnel of service providers or suppliers, and others who interact with us online or offline, understand the types of personal information we collect, how we collect it, what we use it for, and to whom we may disclose it.

By visiting our website, engaging us to provide services, or otherwise connecting with us, you acknowledge that you understand and agree to the terms of this Privacy Policy.

2. Types of Personal Information

When used in this Privacy Policy, the term 'personal information' has the meaning given to it in the Privacy Act. Under the Privacy Act, personal information means information or an opinion (whether true or not) about an identified individual, or which can be used to reasonably identify that individual. It does not include anonymised or aggregated data.

Please note that information about companies is not personal information. However, the APPs do apply to an individual who is carrying on a business as a sole trader. Nevertheless, True Oak seeks to ensure that as an organisation, it complies with the APPs to the extent relevant and appropriate.

In the course of providing services to you, or otherwise interacting with you, we may collect, hold, use and disclose your personal information when it is reasonably necessary for the performance of our functions and activities, and for legal and regulatory compliance purposes. This information may include, but is not limited to, your:

- Name, residential address, email address and other contact details
- Date of birth, nationality, and country of birth
- Financial information (including bank account details)
- Professional qualifications and experience
- Employment history
- Government identifiers (such as your drivers' licence number, your passport number, your Medicare number) for 'Know Your Customer' purposes required by the *Anti-Money Laundering and Counter-Terrorism Financing Act 2007* (Cth)
- Tax File Number (TFN) where relevant and permitted

True Oak is unlikely to collect sensitive information from or in relation to you. Sensitive information includes information about your race, ethnic origin, political opinions, religious or philosophical beliefs, trade union memberships, or details about your health, and is subject to greater restrictions relevant to its collection and use. If the collection of sensitive information is required, it will only be collected with your express consent and only used for the purpose for which it was provided.

3. Collection of Personal Information

Where reasonable and practicable, we will collect personal information directly from you, including via in person and electronic communication, when our website is accessed, via our mailing list, via our LinkedIn page, and via event registrations.

In limited circumstances, we may collect or receive personal information from third parties, including business partners and affiliates, legal advisers, service providers (i.e. administrator, custodian, and/or an outgoing trustee or AFS Licensee), identification verification services and government agencies like the Australian Securities and Investments Commission (ASIC). If we do, we will, whenever reasonably possible, make you aware that we have done this and why, and we will protect this information as set out in this Policy.

In the event we collect personal information in circumstances where we have not requested or solicited that information (known as unsolicited information), and it is determined by us (in our absolute discretion) that the personal information is not required, we will destroy the information or ensure that the information is de-identified.

True Oak will assume that you have consented to us collecting, using and disclosing (in accordance with this Privacy Policy) the information that you provide to us, unless you tell us otherwise at the time of collection.

If you choose not to provide any personal information that we request, or provide us with incomplete or inaccurate personal information, we may be preventing from providing you with information about, or access to, the services we offer.

4. Security of Personal Information

We are committed to ensuring that the personal information provided to us is secure. To prevent unauthorised access or disclosure, we have put in place suitable physical, electronic, and managerial procedures to safeguard and secure personal information and protect it from misuse, interference, loss, and unauthorised access, modification, or disclosure.

All personal information is stored electronically on secure systems provided by cloud service providers. Access to these systems is restricted and controlled via passwords, encryption, and firewalls in line with Australian information security standards. We do not store personal information in hardcopy form.

Access to personal information is limited to those individuals or entities who require the information to perform a specific task or function.

Personal information is only retained for as long as necessary to fulfil the purpose/s for which it was collected unless we are required to retain the information for a certain time period under an Australian law or court or tribunal order. Once no longer required, we take such steps as are reasonable in the circumstances to destroy or permanently de-identify personal information.

Please note, the transmission and exchange of information electronically is carried out at your own risk. Although we take measures to safeguard against the unauthorised disclosure of information transmitted electronically, we cannot guarantee the security of any information that you transmit to us, or receive from us, electronically, unless we have indicated beforehand that a particular transaction or transmission of information will be protected (for example, by encryption).

5. Use of Personal Information

We use your personal information for the primary purposes of:

- Performing administrative and operational functions associated with providing you with access to our services;
- Managing our relationship with you and responding to your questions, enquiries and complaints; and
- Complying with our legal and regulatory obligations.

We may also use your personal information for secondary purposes including generating awareness about new and additional services and opportunities we make available to clients from time to time, and to improve our services by gaining a better understanding of our clients' needs. If at any time you do not wish to receive these marketing communications, you may ask us not to send those to you.

True Oak does not make decisions or provide services based solely on the automated processing of data, including profiling, which can produce legal effects that significantly affect the individuals involved.

6. Disclosure of Personal Information

We do not routinely disclose your personal information to third parties unless:

- You have provided consent;
- Disclosure is reasonably expected in the context;
- Disclosure is required or authorised by law; or
- A permitted general situation under the APPs applies.

Your personal information may be disclosed to:

- Our officers, employees and contractors;
- Our business partners and service providers, including our administrator, accountant, and legal and professional advisers;
- Our CRM and email communication platforms; and
- The software and SaaS providers we use to manage our operations,

only insofar as is reasonably necessary for us to be able to provide our services to you.

We may from time to time need to disclose personal information to comply with a legal requirement, such as a law, regulation, court order, subpoena, or warrant, during a legal proceeding, or in response to a law enforcement agency request.

In certain cases, we may disclose your personal information to the ATO and/or ASIC, which may exchange this data with overseas regulators as required under the Common Reporting Standard (CRS) and the Foreign Account Tax Compliance Act (FATCA).

We do not sell, rent, or trade personal information to or with third parties for marketing purposes.

Whilst our data storage facilities and other IT infrastructure is retained within Australia, it is possible that from time to time our technology partners may be located outside of Australia. In addition, anonymised web traffic information is disclosed to third party analytics platforms when you visit our website (who may store the information across multiple countries) and when you communicate with us through social networking platforms, the provider and its partners may collect and hold your personal information overseas. We take reasonable steps to ensure that any such overseas recipients do not hold, use or disclose your personal information in a way that is inconsistent with the obligations imposed under the Privacy Act and the APPs

If there is a change of control in our business, or a sale or transfer of business assets, we reserve the right to transfer, to the extent permissible at law, our client databases, together with any personal information and non-personal information contained in those databases. This information may be disclosed to a potential purchaser under an agreement to maintain confidentiality. We would seek to only disclose information in good faith and where required by any of the above circumstances.

By providing us with personal information, consent to the terms of this Privacy Policy and the types of disclosure covered by this Policy is implied. Where we disclose personal information to third parties, we will take reasonable steps to ensure that the recipient will handle the personal information in a manner consistent with the APPs.

7. Access to Personal Information

Information about the personal information that we hold may be requested in accordance with the relevant provisions of the Privacy Act.

Please email us at hello@trueoakinvestments.com.au to request a copy of the personal information which we hold about you, or to request an update to the personal information that we hold about you if you believe some or all of the information may be inaccurate, out of date, incomplete, irrelevant, or misleading. We will assess your request and respond within a reasonable timeframe (typically within 30 days).

We reserve our right to refuse a request for access to, or correction or deletion of, personal information if, for example, we consider the request to be frivolous or vexatious, or if we are legally entitled to do so. If we refuse a request, we will endeavour to give our reasons in writing and information about how to make a complaint about the refusal.

8. Contacting Us about Personal Information

We must be certain of the identity of the person contacting us before we can discuss specific account details. This ensures that we can protect personal information by only giving it to the person to whom it belongs, or someone who can prove that they are lawfully authorised to act on that person's behalf.

General enquiries that do not involve discussing personal information or specific accounts, can be dealt with without requiring the identification of the enquirer.

9. Website

On visiting our website, we may collect certain information such as browser type, operating system, website visited immediately before coming to our site, etc. This information is used in an aggregated manner to analyse how people use our site, so that we can improve our service.

Our website may from time to time use cookies to analyse website traffic and help us provide a better website visitor experience. In addition, cookies may be used to serve relevant ads to website visitors through third party services such as Google Adwords. These ads may appear on our website or other websites you visit.

Cookies are very small files which a website uses to identify a person coming back to the site and to store details about a person's use of the site. Cookies are not malicious programs that access or damage a computer. You can change your browser settings to refuse all cookies or to notify you each time a cookie is sent to your computer and give you the choice whether to accept it. If you reject all cookies, you may not be able to use all functions on our website.

Our website may from time to time have links to other websites not owned or controlled by us. These links are meant for your convenience only. Links to third party websites do not constitute sponsorship, or endorsement, or approval of these websites. We are not responsible for the privacy practices of other such websites. We encourage our users to be aware, when they leave our website, to read the privacy statements of each website that collects personal identifiable information.

10. Social Networking Platforms

Whilst we may use social networking platforms, such as LinkedIn, for communications, we will never request for personal information to be supplied publicly over these platforms.

Any personal information contributed to the publicly accessible sections of social networking platforms can be read, collected, and used by other users of the application. We have little or no control over these other users and cannot guarantee that any information that is contributed to such platforms will be handled in accordance with our privacy standards.

11. Data Breaches

If a data breach or suspected data breach occurs, we will undertake a prompt investigation, which will include an assessment of whether the incident is likely to result in serious harm to any individuals.

In the event of an eligible data breach occurring, we are required by the Privacy Act to notify the individual/s impacted, and the Office of the Australian Information Commissioner (**OAIC**). For example, if a database containing personal information is hacked or personal information is mistakenly provided to the wrong person, and we have not been able to prevent the likelihood of serious harm because of the breach.

Our notification will be sent as soon as practicable and will contain a description of the data breach, the kinds of information concerned, the steps we have or will take to rectify the data breach, and recommendations about the steps that the impacted individual/s should take in response to the data breach.

Please contact us at hello@trueoakinvestments.com.au if you have reason to believe or suspect that a data breach might have occurred, so that we can investigate and, if necessary, undertake appropriate containment, notification and remediation activities.

12. Complaints about Privacy

Complaints about our privacy practices can be sent via email to hello@trueoakinvestments.com.au.

We'll acknowledge the complaint within one business day of its receipt and aim to resolve the complaint within five business days.

If we're unable to resolve the complaint within five business days, we'll consider and provide a response to the complaint with 30 calendar days of its receipt.

Dissatisfaction with our response, or the failure to receive a response within the required timeframe, may be reasons why the complaint can be referred to the Australian Financial Complaints Authority (AFCA), an independent dispute resolution service established by the Government.

Australian Financial Complaints Authority
GPO Box 3 MELBOURNE VIC 3001
Phone: 1800 931 678
Email: info@afca.org.au
Website: www.afca.org.au

Time limits may apply; please consult the AFCA website for more information. Complainants are encouraged to pursue internal dispute resolution before making a complaint to AFCA.

13. More Information about Privacy Rights

For more information, please contact the Office of the Australian Information Commissioner (OAIC).

Attention: Director of Compliance (Investigations)
GPO Box 5218 Sydney NSW 2001
Phone: 1300 363 992
Email: enquiries@oaic.gov.au

14. Changes to Our Policy

We may revise or update this Policy at any time, in our sole discretion, by posting the updated Policy on our website. The current version at the time personal information is collected or used is the version that will apply. Please check back from time to time to review our Privacy Policy.