



August 15th, 2011

APEX FX TRADING

APEX DERIVATIVES PTY LTD
ACN 143 512 501

Date: August 15, 2011

What this policy is about

Apex Derivatives Pty Ltd (“Apex”) recognises the importance of ensuring that its clients have confidence in the way Apex handles their personal information. Apex is committed to implementing and promoting this Privacy Policy. Apex complies with the Privacy Act and the National Privacy Principles.

Personal information is any information about you, that identifies you or by which your identity can reasonably be ascertained.

What kinds of personal information do we collect?

Apex only collects personal information that is necessary for one or more of its functions or activities.

Apex holds an Australian Financial Services Licence and is subject to certain legislative and regulatory requirements which necessitate it obtaining and holding detailed information which personally identifies you and/or contains information or an opinion about you (“Personal Information”). In particular this legislation includes the Anti-Money Laundering and Counter Terrorism Financing Act (“AML/CTF Act”) which requires Apex to collect “know you customer” (“KYC”) information, undertake money laundering and terrorism financing risk assessment and, in some cases, to report matters to Australian Transaction Reports and Analysis Centre (“AUSTRAC”)

To provide you with advisory, dealing and/or market making services in financial products (specifically derivatives and/or foreign exchange contracts) and to have a reasonable basis for any recommendations we make and also to comply with our obligations in the AML/CTF Act, Apex may require certain Personal Information about you, including employment details, your level of education, details of your financial needs and objectives, details of your current financial circumstances, including your income, assets and liabilities, details of your investment history and preferences and details of your tolerance to risk.

Apex will not collect any Personal Information about you except when you have knowingly provided that information to us or authorised a third party to provide that information to us.



We will only collect, maintain and use Personal Information about you if it is necessary for us to comply with our legal obligations or to provide to you the services you have requested including making Financial Products recommendations and arranging for the execution of Financial Products transactions.

How is Personal Information collected?

Most information we hold about you is collected when you complete the registration process to open an account and to trade with us. Information may also be collected over the phone or via email during the course of your relationship with us. Sometimes, information about an individual is collected from other people or organisations or from a public record.

Use of your Personal Information

Apex uses your Personal Information to provide you with the services you request. Apex will not use or disclose Personal Information collected by us for any purpose other than:

- (a) the purposes for which it was provided or secondary related purposes in circumstances where you would reasonably expect such use or disclosure;
- (b) where you have consented to such disclosure; or
- (c) where required or authorised under law (such as the AML/CTF Act) or in connection with the operations of an enforcement body.

Apex may be required by law to disclose Personal Information. For example, this may be required under the AML/CTF Act, by the Australian Securities and Investments Commission (regarding compliance with licensing and regulatory requirements) and/or in response to a subpoena or an enquiry from the Australian Taxation Office.

Apex may use the Personal Information collected from you for the purpose of providing you with direct marketing material such as research that may be of interest to you, to inform you about new products and services or special offers from time to time. However you may ask not to receive such information and we will give effect to that request.

Document storage and security

We will endeavour to ensure that the Personal Information collected and held by us is protected from misuse, loss, unauthorised access, modification or disclosure. Your Personal Information is treated as confidential.

Your Personal Information is generally held in your client file, but may also be held in a computer database. Apex will take reasonable steps to ensure that all Personal Information we collect or use is accurate, complete and up-to-date, stored in a secure environment and accessed only by authorised personnel for permitted purposes.

If you cease to be a client of Apex, any Personal Information which we hold about you will be maintained in a secure storage facility for 7 years in order to comply with legislative and regulatory requirements, after which the information will be destroyed.



Access to your Personal Information

You may request access to your Personal Information. We may require you to provide evidence of your identity prior to providing such access. Apex will not provide you with access to your Personal Information in certain limited circumstances, such as where:

- (a) providing access would have an unreasonable impact on the privacy of others;
- (b) denying access is required or authorised by law; or
- (c) providing access would be likely to prejudice operations by or on behalf of an enforcement body or if an enforcement body requests that access not be provided on the grounds of national security.

If we refuse you access to your Personal Information, we will provide reasons for doing so.

Correction of Personal Information

Apex will endeavour to ensure that the Personal Information we hold about you is up to date and accurate. If you become aware, or believe, that any such Personal Information is inaccurate, incomplete or outdated, you may contact us to update or correct the information.

Disclosure of your Personal Information

Sometimes Apex obtains services from other organisations or contractors and, where necessary, Personal Information will be provided to those organisations or to external contractors (such as market operations or clearers). The kinds of services obtained externally by us include execution, settlement and clearing services, information technology support, financial and accounting advice, compliance and legal advice.

External service providers are required to comply with this policy and are only authorised to use Personal Information for the purpose for which we supply it. They are not authorised to use that Personal Information for their own or other purposes.

Where a client nominates someone to act on their behalf, Apex may provide information to that person, for example, the client's accountant or financial adviser.

Resolving concerns

If you believe that the privacy of your Personal Information has been compromised, you are entitled to complain. Complaints can be made by contacting the person you were dealing with or by contacting our Privacy Officer. We will respond to complaints as soon as possible. It is our intention to use our best endeavours to resolve any complaint to your satisfaction. However, if you are unhappy with our response, you are entitled to contact the Office of the Privacy Commissioner who may investigate your complaint further.



Contact Details

Compliance Officer
Apex Derivatives Pty Ltd
L9, Suite 903, 66 King Street
Sydney, NSW 2000

Telephone: 1300993346 or +6180695290

E-mail: info@apexfxtrading.com.au

Additional information

If you would like more information about our approach to privacy, please contact our Privacy Officer.

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