



Other information

VicSuper FutureSaver Member Guide

The information in this document forms part of the VicSuper FutureSaver Product Disclosure Statement (PDS) dated 1 July 2019.

This section outlines how personal member information is collected, used and disclosed by VicSuper. In certain situations VicSuper may be required to collect personal information from people who are not VicSuper Fund members.

This information is collected, handled and disclosed in the same careful and diligent manner in which personal information from VicSuper members is collected, handled and disclosed.

This section includes two parts – a Collection Statement and a Privacy Policy. The Collection Statement explains why VicSuper collects personal information and outlines possible consequences if this information is not provided to VicSuper.

It also lists organisations to which VicSuper may disclose personal member information.

The Privacy Policy explains how VicSuper is obligated to handle personal information and how further information about privacy can be obtained.

If you would like to access your personal information held by VicSuper, you can contact us on **1300 366 216**.

Collection Statement

VicSuper advises the following about the collection of personal information:

- VicSuper Pty Ltd (VicSuper) ABN 69 087 619 412 is the trustee of the VicSuper Fund (R1000580). You can contact VicSuper on **1300 366 216**.
- You can gain access to your personal information held by VicSuper by contacting us on the above number.
- VicSuper collects personal information about you primarily to:
 - establish you as a member (including any insurance cover if applicable)
 - assist your employer to meet its super obligations
 - invest and administer your super entitlements
- provide information and advice to you about super, retirement planning or VicSuper Fund features
- pay and/or transfer your super benefits
- enable VicSuper to undertake research on members' views.
- In respect of the purposes listed, the types of organisations to which VicSuper may disclose personal information include:
 - VicSuper Fund's administration software provider
 - regulators and other Commonwealth Government agencies
 - professional advisers
 - other super funds, RSAs and rollover entities to facilitate the transfer of benefits on your behalf
 - other product providers who administer products on VicSuper's behalf
 - any individual or organisation as required by the *Family Law Act 1975*
 - your beneficiaries or their representatives in relation to death benefits
 - a person nominated by you in writing
 - printers and mailhouses
 - service providers including, but not limited to, internationally-based providers of internet, data storage and data access services and systems, which may be located in countries including US, UK, Canada and New Zealand
 - research organisations
 - employers
 - medical practitioners and medico-legal consultants (if applicable)
 - VicSuper Fund's insurer and underwriter (if applicable).
- VicSuper is required to collect information to meet its obligations under relevant law, including the following Commonwealth legislation as amended from time to time and including any regulations made there under:
 - *Superannuation Industry (Supervision) Act 1993*
 - *Income Tax Assessment Acts 1936 and 1997*
 - *Superannuation (Unclaimed Money & Lost Members) Act 1999*
 - *Superannuation Contributions Tax (Assessment and Collection) Act 1997*
 - *Superannuation Guarantee (Administration) Act 1992*
 - *Corporations Act 2001*
 - *Family Law Act 1975*
 - *Superannuation (Government Co-contribution for Low Income Earners) Act 2003*
 - *Anti-Money Laundering and Counter-Terrorism Financing Act 2006*.
- The main consequences of you not providing all or part of your personal information to VicSuper are:
 - VicSuper may be unable to pay your super benefit to you or may be delayed in paying or processing your super benefit
 - VicSuper may not be able to correctly calculate your super benefit
 - processing of your death or personal incapacity claim may be delayed
 - you may have to pay more tax than may otherwise apply
 - VicSuper may not be able to contact you
 - VicSuper may not be able to provide appropriate information and advice to you about super, retirement planning or VicSuper Fund features.

Privacy Policy

VicSuper, as trustee of the VicSuper Fund (the Fund) has an obligation to comply with all relevant State and Commonwealth legislation with regard to the management and administration of the Fund.

This includes the *Privacy Act 1988* (the Act), which:

1. protects the privacy of personal information held by organisations in the private sector and
2. regulates the appropriate collection, holding, use, correction, disclosure and transfer of personal information by private sector organisations.

The provisions of the Act apply to VicSuper because it holds personal information about each member or prospective member of the Fund. VicSuper will be bound by, and will ensure that it complies with, the Privacy Principles prescribed in the Act.

The information held by VicSuper may include your personal particulars, tax file number, contact details, nominated beneficiaries, preferred rollover institutions, membership and contribution history, salary details, level of death and disability cover (if applicable) and surcharge debts.

This information is collected directly from the member or prospective member or the member's employer, including any associated company of the employer, which participates in the Fund, pursuant to the employee records exemption.

Personal information about members or prospective members is held and used for the purposes of establishing membership.

This includes:

- arranging any insurance cover (if applicable),
- assisting employers in meeting their super obligations,
- investment and administration of the members' super entitlements,
- the provision of information and advice about super, retirement planning or VicSuper Fund features to members and prospective members,
- paying and transferring super benefits including any insured component (if applicable), and
- enabling VicSuper to undertake research on members' views.

Sensitive information about members or prospective members, such as medical and health information, is held and used for the purposes of assessing eligibility for insurance cover (if applicable), the provision of information and advice about super retirement planning or VicSuper Fund features, and where a death or disability claim has been lodged with VicSuper. Sensitive information is not collected, used or disclosed without your express consent.

A collection notice with details about how sensitive information may be collected, used or disclosed will be provided when consent is requested.

A member's or prospective member's personal information may be disclosed by VicSuper to third parties such as the member's employer, an individual or organisation as required by the *Family Law Act 1975* other super funds, other product providers who administer products on VicSuper's behalf, RSAs and rollover entities, their beneficiaries or their representatives, a person nominated by them in writing, auditors, VicSuper's insurer (MetLife Insurance Limited), reinsurers (if applicable), actuaries, medical consultants, professional advisers, printers, mailhouses, administration software providers (and website hosts), service providers (including, but not limited to, internationally-based providers of internet, data storage and data access services and systems, which may be located in countries including US, UK, Canada and New Zealand), and research organisations, or as expressly authorised by law.

It may also be disclosed to government agencies such as the Australian Prudential Regulation Authority, Australian Securities & Investments Commission, Australian Taxation Office, Australian Financial Complaints Authority (AFCA), AUSTRAC and Centrelink.

Otherwise, information is kept confidential and stored on the Fund's database and only disclosed to the member or prospective member.

A member or prospective member has certain rights including the right to access and correct personal information, and to complain about any breaches of the Act.

If any personal information that VicSuper holds about you is subject to unauthorised access or disclosure, or is lost, VicSuper will notify you about the breach if you are likely to suffer serious harm as a result of the unauthorised access. VicSuper will also notify the Office of the Australian Information Commissioner (OAIC).

VicSuper's Privacy Policy sets out how VicSuper intends to comply with the provisions of the Act and gives further details of the collection, holding, use and disclosure of your personal information.

The policy also explains the processes to be followed for a member or prospective member to access their own personal information, to make a complaint about possible breaches of policy, and the options available to them if they are dissatisfied with VicSuper's internal review.

The Privacy Policy and the Collection Statement (contained on the previous page) may change from time to time. The latest version will be available on our website.

If members or prospective members wish to make a complaint about any breaches of the Act they can contact the Fund's Complaints Coordinator.

The contact details are:

Tel: **1300 366 216**
Fax: **(03) 9667 9610**

Address:

Complaints Coordinator
VicSuper Fund
GPO Box 89
MELBOURNE VIC 3001

If a member or prospective member feels that VicSuper, through the internal complaints procedure, has not adequately dealt with their privacy complaint, they may seek to contact OAIC.

The contact details are:

Tel: **1300 363 992**
Fax: **(02) 9284 9666**

Address:

Office of the Australian
Information Commissioner
GPO Box 5218
SYDNEY NSW 2001

Email: enquiries@oaic.gov.au

If members or prospective members wish to make a request for access to personal information or for further information concerning privacy, they should contact the Fund's Privacy Officer.

The contact details are:

Tel: **1300 366 216**

Fax: **(03) 9667 9610**

Address:

Privacy Officer
VicSuper Fund
GPO Box 89
MELBOURNE VIC 3001

Generally, there is no charge for the provision of personal information.

A member or prospective member's request will be acknowledged within 14 days and responded to within 28 days.

If members or prospective members request access to sensitive information, there may be a delay in providing this information (eg until VicSuper has made a decision regarding a disability claim).

For more information, contact VicSuper's Member Centre on **1300 366 216** between 8.30am and 5pm, Monday to Friday.

Complaints resolution and other information

VicSuper always aims to provide you with a helpful and professional service by addressing your concerns as compassionately, effectively and efficiently as possible.

VicSuper has a procedure for dealing with member enquiries or complaints about the operation or management of the VicSuper Fund.

If you are not satisfied with a decision made by VicSuper, you can phone or write to us at the address below to register your complaint with us and we will review the matter. We will investigate your complaint and provide a response within 90 days, or provide an explanation for additional time required.

The contact details are:

Tel: **1300 366 216**

Fax: **(03) 9667 9610**

Address:

Complaints Coordinator
VicSuper Fund
GPO Box 89
MELBOURNE VIC 3001

Our Complaints Coordinator will check that your complaint is dealt with by the most appropriate person quickly and impartially and, if necessary, seek the review of VicSuper on your behalf.

If you are not satisfied with the outcome of VicSuper's complaint review or our handling of your complaint, you can lodge a complaint with the Australian Financial Complaints Authority (AFCA). AFCA provides fair and independent financial services complaint resolution that is free to consumers.

Website: **www.afca.org.au**

Email: **info@afca.org.au**

Telephone: **1800 931 678** (free call)

Address: **GPO Box 3
MELBOURNE VIC 3001**

AFCA will only consider a member's complaint if they have first lodged a complaint with VicSuper, which was not resolved to their satisfaction.

AFCA does not consider privacy complaints. For details of how to make a privacy complaint, please refer to the Privacy section of this document.

Information about VicSuper – your trustee

For information about VicSuper including its board of directors, their appointment and election procedures and Australian Prudential Regulation Authority (APRA) and Australian Financial Services licences please visit, **vicsuper.com.au**

Glossary

Where possible, explanations of technical terms are included within the text of this Product Disclosure Statement. A further glossary for technical terms is available on **vicsuper.com.au**

Superannuation and bankruptcy

Under the *Bankruptcy Act* 1966, super contributions made on or after 5 August 2006 in order to defeat creditors can be recovered by the trustee of a bankrupt's estate. In certain circumstances a super trustee can be served with freezing orders and payment orders from the Official Receiver in respect of a bankrupt's super account. There are also circumstances in which a court can order payment of money from the account to the trustee of the bankrupt's estate.

VicSuper is required by law to comply with such orders.

Family law legislation

Under the *Family Law Act* 1975, in the event of a divorce the Family Court treats super benefits in the same way as other property that can be valued and split or offset, and makes orders that bind a super fund trustee.

These options are also available to de facto couples, including same sex couples, on the breakdown of the relationship.

Alternatively, divorcing partners may draw up their own financial agreement regarding their super which, when properly executed and served, will be binding on the trustee.

A trustee, such as VicSuper, may be required to:

- divide super benefits between the former partners
- create a new account for a spouse who was not previously a member of the Fund to hold their share of super benefits as a result of divorce
- flag benefits to be divided later on (eg after a disability claim is resolved).

Although super may be divided like property, super benefits that are split or offset on divorce will retain their preservation status and will be subject to relevant legislation governing payment and taxation of super benefits.

In addition, under the legislation trustees are obliged to provide each spouse with the information necessary to value super benefits so court orders or agreements can be made.

Get in touch – we're here to help

Call our Member Centre

1300 366 216 (from outside Australia +61 3 9667 9875)
and speak to a VicSuper super consultant
between 8.30am and 5pm, Monday to Friday

Visit us

Bendigo | Blackburn | Geelong | Melbourne CBD | Traralgon

Monday to Friday
8.30am to 5pm

To make an appointment to see a VicSuper financial planner
call **(03) 9667 9200**

Send us a fax
(03) 9667 9610

Write to us

VicSuper
GPO Box 89
MELBOURNE VIC 3001

Browse our website

vicsuper.com.au

Download our app

vicsuper.com.au/mobileapp

Manage your account online

Simply visit our website to login

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VicSuper Pty Ltd ABN 69 087 619 412 (VicSuper) is the Trustee of VicSuper Fund ABN 85 977 964 496. The Trustee holds an Australian Financial Services Licence (AFSL 237333) under the Corporations Act 2001 and a RSE Licence under the *Superannuation Industry (Supervision) Act 1993*. Under its AFSL, VicSuper is licensed to deal in, and provide financial product advice on superannuation products. At present, VicSuper representatives are limited to providing financial product advice on VicSuper products; ESSSuper - Revised, New, SERB and Transport Schemes; providing advice on whether a member should consolidate or roll over their superannuation holdings (excluding personal advice on self-managed superannuation funds) into VicSuper; and general superannuation matters.

At an additional fee, financial advice can be provided on a broader range of financial matters and products under an Australian Financial Services Licence held by a third party, who is responsible for the advice.

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