



## Privacy Policy

At K2 Asset Management Ltd (“K2”), we are committed to protecting the privacy and confidentiality of your personal information. This Privacy Policy explains how we collect, use, disclose, and safeguard your personal data in accordance with the *Privacy Act 1988 (Cth)*, the Australian Privacy Principles (APPs), and the latest amendments introduced under the *Privacy and Other Legislation Amendment Act 2024 (Cth)*.

As part of our ongoing compliance, we aim to maintain transparency, uphold data security standards, and ensure individuals' rights are respected - particularly in relation to data breaches and disclosures. We encourage you to read this Privacy Policy carefully to understand how we manage your information and how you can exercise your privacy rights.

This policy is effective as of 17 July 2025 and is reviewed annually, or earlier if warranted by regulatory changes or evolving industry standards. Any changes to this policy will be updated on our website, so we encourage you to visit periodically to ensure you have the most up to date privacy policy.

### Collection of Personal Information

#### How do we collect information?

We generally collect personal information directly from you, for example, when you apply to invest in a fund for which K2 is the issuer, visit our website, or send us correspondence. If we are provided with personal information from a third party, we will take reasonable steps to ensure that you are notified of the matters set out in this Privacy Policy.

In circumstances where K2 may request personal information from you, and you elect not to provide it, we may not be able to approve your application for units or provide you with the full benefit of our services.

#### What personal information do we collect?

Personal information is any information or opinion that identifies you or could identify you. The type of information we collect from you may differ depending on the services that K2 is providing and includes, but is not limited to:

- Your name, gender identity, marital status and date of birth;
- Any contact details (addresses, email addresses, telephone numbers);



- Identification/ passport details;
- Tax file number, or exemption reason;
- Nationality or country of residence;
- Bank account details;
- Financial and Investment information; and/or
- Other information that is relevant to the services that we provide.

We may also collect information about you which is considered sensitive under the applicable privacy and data protection laws. We will always ask for your consent to collect and handle your health related or other sensitive information (for example racial or ethnic origin, religious or philosophical beliefs, sexual orientation or practices, criminal records, or membership in any trade union or other professional or trade association), subject to applicable circumstances where the information is authorised or required by law.

We collect personal information on investors and potential investors through applications and other forms, phone, fax and email.

### **Why we collect information**

We collect personal information so that we may perform our everyday business, including:

- administering our investor and potential investor relationships;
- making, maintaining and managing investments for an investor including in any fund for which K2 is the issuer from time to time;
- maintaining the register of unitholders, facilitate distribution payments and unitholder communications
- providing information to the administrator and custodian for a fund for which K2 is the issuer or of your investment; and

unless the investor or potential investor informs us otherwise, providing information on our products and services including future products and services we may offer.

We may also use personal information for other purposes such as:

- assisting our investors and potential investors with queries;
- conducting reviews or audits of our processes and systems;
- performing management and administration tasks;
- dealing with complaints or legal actions involving K2;
- complying with relevant laws and regulations, including the Corporations Act 2001 and Anti-Money Laundering and Counter-Terrorism Financing Act 2006; and
- taking measures to detect and prevent frauds.



## How we deal with personal information

We collect, hold, use and disclose personal information for the purposes listed above and in other circumstances authorised by the Privacy Act. If we collect sensitive about you, we will take reasonable steps to de-identify the information where possible. We will also take reasonable steps to destroy or de-identify personal information about you when the information is no longer needed or required to be kept by law.

K2 may receive unsolicited personal information. We destroy or de-identify all this information, unless K2 could have collected the information for one of the purposes set out above.

You cannot deal with K2 anonymously, or under a pseudonym as it is impractical, and in some cases illegal, for K2 to deal with people who are not identified.

## Disclosure

### Disclosure to overseas recipients

As part of administering and managing your investments we are likely to disclose personal information to organisations, such as prime brokers, custodians, administrators and unit registries (including for the purposes of anti-money laundering requirements and processes), which are located overseas. These organisations have offices located in the United Kingdom, Poland, India, Canada, Singapore, the Netherlands and the United States of America, but may disclose your personal information to other entities in the course of providing services to K2. K2 has no means of knowing all the countries in which these other entities are located.

We will not send personal information to organisations outside of Australia unless:

- we have taken reasonable steps to ensure that the recipient does not breach the Privacy Act, or the APPs;
- the recipient is subject to a privacy scheme similar to the Privacy Act; or
- you have consented to the disclosure.

By providing your personal information to us, you consent to us disclosing your personal information to any such overseas recipients for purposes necessary or useful in the course of operating our business and agree that APP 8.1 will not apply to such disclosures. For the avoidance of doubt, in the event that an overseas recipient breaches the APPs, that entity will not be bound by, and you will not be able to seek redress under, the Privacy Act.

If you do not want us to disclose your information to overseas recipients, please let us know.

### Disclosure to consultants and advisors



From time to time we may also use and disclose personal information when seeking expert help to improve our processes, systems, products and services. These third parties and organisations are or will be bound by confidentiality agreements when handling your personal information. Disclosure to Financial Adviser, Authorised Representative and other representatives or agents.

Details of your investments may be provided to your current financial adviser or authorised representative if you:

- used a financial adviser who recommended your investment; or
- nominated an authorised representative (as indicated on your application form) to act on your behalf.

Where you have provided your consent, we may also provide personal information to your representatives or agents including your legal advisers and accountant.

### **Disclosure required by law**

We may be authorised or obliged to disclose information by law for example, when we are served with a court order. We may also be required by an enforcement body, a government agency or regulator to produce information and records, for example, pursuant to taxation or social security laws.

### **Disclosure to other recipients**

We may need to disclose information to other recipients in order to provide our services to you, including:

- a related entity of K2 or a delegate of K2;
- an agent, contractor or service provider we engage to carry out our functions and activities, such as our lawyers, accountants, debt collectors or other advisors;
- organisations involved in a transfer or sale of all or part of our assets or business;
- organisations involved in managing our payments, payment merchants and other financial institutions such as banks; and
- anyone else to whom you authorise us to disclose information.

### **Direct marketing**

K2 does not use personal information for the purposes of direct marketing, unless:

- the personal information does not include sensitive information;
- you would reasonably expect us to use or disclose the information for the purpose of direct marketing;



- we provide a simple way of opting out of direct marketing; and
- you have not requested to opt out of receiving direct marketing from us.

If you would not reasonably expect us to use or disclose the information for the purpose of direct marketing, we may only do so if you have consented, or it is impracticable to obtain your consent. K2 may only use or disclose sensitive information about you for the purpose of direct marketing if you consent to the use or disclosure of the information for that purpose.

You have the right to request to opt out of direct marketing and we must give effect to the request within a reasonable period of time. You may also ask for the source of the information. We will notify you of the source of the information free of charge within a reasonable period of time.

### **Use of Government identifiers**

We will not use identifiers assigned by the Government, such as a tax file number, Medicare number or passport number, for our own file recording purposes, unless one of the exemptions in the Privacy Act applies.

### **Accuracy of your personal information**

We aim to ensure that the personal information we keep about you is accurate, complete and up-to-date. Please contact us (see "Our details and contacting us on privacy" below), if any details you have provided change or if you believe that the information we have about you is not accurate, complete or up to date.

If we correct information that has previously been disclosed to another entity, we will notify the other entity of the correction. Where we are satisfied information is inaccurate, we will take steps to correct the information within a reasonable time. We will not charge you for correcting the information.

### **Security of your personal information**

We are committed to keeping secure the personal information you provide to us. Our security measures include but are not limited to:

- restricting access to our computer systems and physical records to authorised persons;
- requiring employees to use unique passwords to gain access to systems; and
- providing secure storage for physical records.

We take great care to keep your personal information safe. Your data is saved on secure systems and is backed up hourly. All data is backed up at a secure Data Center located in Australia.



## Notifiable Data Breach Response

K2 Asset Management Ltd is committed to protecting personal information and maintaining investor trust. In the event of a data breach - such as unauthorised access, disclosure, or loss of personal information we follow a structured and timely response process.

### What Happens If a Breach Occurs?

If a data breach is suspected or identified, we will:

- Immediately contain the breach to prevent further harm.
- Conduct a thorough assessment within 30 days to determine the scope and impact.
- Evaluate whether the breach is likely to result in serious harm to any individuals.

### Notification Obligations

If we determine that an *eligible data breach* has occurred (i.e., one likely to result in serious harm and cannot be mitigated through early remedial action), we will:

- Notify affected individuals as soon as practicable with details of the breach, what information was involved, and guidance on how they can protect themselves.
- Report the breach to the Office of the Australian Information Commissioner (OAIC).

If direct notification is impracticable, a public notice will be published on our website and reasonable steps will be taken to bring it to the attention of affected individuals.

### Access to your personal information

You can request us to provide you with access to the personal information we hold about you by contacting us (see "Our details and contacting us on privacy" below). We will respond to your request as soon as possible. There is no charge to make a request or to access your personal information.

Access to your personal information may be refused by K2 where permitted to do so under by law.

Factors affecting a right to access include:

- access would have an unreasonable impact on the privacy of others;
- the information relates to a commercially sensitive decision making process;
- access would be unlawful;
- access would prejudice enforcement activities relating to criminal activities and other breaches of law, public revenue, a security function or negotiations with you;
- legal or dispute resolution proceedings; or
- denying access is required or authorised by law.

If K2 refuses access to your personal information, we will inform you in writing as soon as reasonable practicable.



## **Jointly held information**

Where we hold your personal information in conjunction with that of another person (eg. where you jointly conduct or hold an account), we will allow each individual access to their own personal information and to the joint information (eg. account balances and transaction details) but not to the personal information of the other individual(s).

## **Changes to how we manage privacy and personal information**

We may change the way we manage privacy and personal information and this Privacy Policy from time to time for any reason.

## **Complaints**

You can lodge a complaint with K2 about the treatment or handling of your personal information by contacting the Compliance Manager. If you are not satisfied with the result of your complaint, you can also refer your complaint to the Office of the Australian Information Commissioner.

You can contact the Office of the Australian Information Commissioner:

- by phone - 1300 363 992
- by completing the online Privacy Complain Form, [here](#).
- by email - [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)
- by post - Director of Complaints, Office of the Australian Information Commissioner, GPO Box 5288, SYDNEY NSW 2001

## **Our details and contacting us on privacy**

If you have any questions or complaints about K2's collection, use or disclosure of your personal information, please contact our Compliance Manager using the contact details below.

- By Mail: Compliance Manager  
K2 Asset Management Ltd Level 44, 101 Collins Street  
Melbourne VIC 3000
- By Telephone: Compliance Manager on (03) 9691 6111 (9am to 5pm Monday to Friday)
- By Email: [compliance@k2am.com.au](mailto:compliance@k2am.com.au)

For more information about privacy in general, including the Australian Privacy Principles, you can visit the Office of the Australian Information Commissioner's website (<http://www.oaic.gov.au/>).



## [Disclaimer](#)

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Version: 2

Last reviewed: 04 July 2025

Last Approved by Board: 17 July 2025