

# Institutional Customer Disclosures

Issued by Australia and New Zealand Banking Group Limited  
New York Branch

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# TABLE OF CONTENTS

GENERAL CUSTOMER DISCLOSURES	3
ABOUT ANZ NEW YORK BRANCH	3
WHAT THIS MEANS FOR ANZ-NYB CUSTOMERS	4
USA PATRIOT ACT SECTION 313	4
ECONOMIC AND TRADE SANCTIONS	5
HIGHER-RISK JURISDICTIONS: ACTIVITY RESTRICTIONS	6
PRIVACY POLICY	6
Australia and New Zealand Banking Group Limited New York Branch INTERNATIONAL DEALER EXEMPTION – NOTIFICATION TO CANADIAN CLIENTS	10
TAX, LEGAL OR ACCOUNTING ADVICE	11
REGULATION GG	11
ELECTRONIC COMMUNICATIONS	11
ELECTRONIC TRADING OR ELECTRONIC INSTRUCTIONS	12
FOREIGN EXCHANGE	12
STRUCTURED PRODUCTS	12
EXISTING DISCLOSURE AND AGREEMENTS	13
BUSINESS CONTINUITY PLAN	13
IF YOU HAVE A COMPLAINT	15
CALIFORNIA RESIDENTS	15
CYBERSECURITY DISCLAIMER	18

# Institutional Customer Disclosures

## GENERAL CUSTOMER DISCLOSURES

Australia and New Zealand Banking Group Limited New York Branch ("ANZ-NYB") is providing customers<sup>1</sup> this notice containing important information about their relationship with ANZBGL and the New York Branch's general practices. You should read it carefully and retain it for future reference. Please contact our New York Branch at 212-801-9833 should you have any questions about the following information and disclosures.

## ABOUT ANZ NEW YORK BRANCH

Australia and New Zealand Banking Group Limited or ("ANZBGL") is headquartered in Melbourne, Australia. ANZBGL operates through its New York Branch in the United States of America, and has subsidiaries and branches in a number of other locations, including in the United Kingdom and across Asia.

ANZBGL's New York Branch ("ANZ-NYB") is located at 277 Park Avenue, New York, New York. ANZ-NYB is licensed by the Office of the Comptroller of Currency ("OCC") as a Foreign Banking Organization, and is qualified as a Financial Holding Company under the Bank Holding Company Act. As the branch of a foreign banking organization, ANZ-NYB is not a member of the Federal Deposit Insurance Corporation ("FDIC"); it has no retail customers and its deposits are not insured by the FDIC. ANZ-NYB is supervised by the OCC and by the Federal Reserve Bank of New York.

<sup>1</sup> A customer is one who has a "customer relationship" with ANZ NYB. A customer relationship is a continuing relationship between a customer and

ANZ-NYB's three primary business lines are:

- i. **Global Loans:** including lending facilities to institutional customers (e.g. multinational corporate clients or financial institutions and governments).
- ii. **Global Markets:** including a full range of integrated specialist services including risk management in foreign exchange, currency options, credit and interest rate derivatives and fixed-income capital funding to corporate and institutional customers. It also accepts wholesale deposits.
- iii. **Transaction Banking:** including trade finance products including trade loans, standby letters of credit, and other trade related guarantee products for customers trading in commodity flows in and out of the Americas and the Asia-Pacific region, as well as exports to and from Australia and New Zealand.

ANZ NYB New York Branch under which the ANZ NYB provides one or more financial products or services to the customer.



# Institutional Customer Disclosures

## ***Important Information about Procedures for Opening a New Account***

To help the government fight the funding of terrorism and money laundering activities, Federal law requires all financial institutions to obtain, verify, and record information that identifies each entity or person who opens an account and or establishes a customer relationship.

### **WHAT THIS MEANS FOR ANZ-NYB CUSTOMERS**

At a minimum we will ask: (1) your entity name, (2) address of your principal place of business, local office or other physical location; and (3) your entities employer identification number ("EIN").

In addition, we may verify the identity of an entity through documentary evidence and may request one of the following documents: (1) certified articles of incorporation; (2) a government-issued business license; (3) a partnership agreement; (4) a trust instrument; or (5) any other document showing the existence of the entity, such as a certificate of incorporation.

We also reserve the right to verify an entity's identity through non-documentary methods. ANZBGL may: (1) contact the entity; (2) independently verify the entity through a public or vendor data-base; (3) check references with other financial institutions; (4) obtain a financial statement such as an audited financial statement; or (5) check the existence of the entity to verify its existence with a financial regulator. We will also determine if an entity appears on any lists of known or suspected terrorist organizations provided to the financial institution or any government agency. We have designated a person or department responsible for

determining whether each new customer appears on any list of known or suspected terrorists or terrorist organizations issued by any federal government agency and designated as such by the Treasury Department in consultation with the federal functional regulators. Our designated person makes a determination within a reasonable period of time after account opening, or earlier, if required by another federal law or regulation or federal directive issued in connection with the applicable list. We follow all federal directives issued in connection with these lists.

### **USA PATRIOT ACT SECTION 313**

Section 313 of the USA PATRIOT Act prohibits U.S. financial institutions from establishing, maintaining, administering, or managing correspondent accounts for foreign shell banks. U.S. financial institutions are required to take reasonable steps to ensure that they are not providing banking services to foreign shell banks indirectly through correspondent accounts maintained for other foreign banks. A shell bank is a foreign bank with no physical presence in any country. ANZNYB is prohibited from opening or maintaining a correspondent account for, or on behalf of, the following entities, that have been designated by the Financial Crimes Enforcement Network ("FinCEN"), a

# Institutional Customer Disclosures

Department of the U.S. Treasury, as a "primary money laundering concern".

- Al-Huda Bank
- Bank of Dandong
- Bitzlato
- Commercial Bank of Syria (includes SYRIAN Lebanese Commercial Bank)
- Convertible Virtual Currency Mixing
- Democratic People's Republic of Korea
- FBME Bank Ltd.
- Halawi Exchange Co.
- Kassem Rmeiti & Co. for Exchange
- Islamic Republic of Iran

Section 319(b) of the Act requires U.S. financial institutions that provide a correspondent account to a foreign bank to maintain records of the owners of the foreign bank and to maintain the name and address of an agent of the foreign bank in the United States authorized to accept service of legal process for records regarding the correspondent account. U.S. financial institutions that are unable to obtain the required information or assure themselves that the correspondent account is not being used to indirectly provide services to a foreign shell bank are required to cease transactions and close the account. Regulations issued provide that a U.S. financial institution can satisfy the requirements of sections 313 and 319(b) by obtaining a certification from a foreign bank.

<sup>2</sup> <http://www.treasury.gov/about/organizational-structure/offices/Pages/Office-of-Foreign-Assets-Control.aspx>

ANZ-NYB does not offer correspondent banking services in its U.S. Location.

## ECONOMIC AND TRADE SANCTIONS

ANZ-NYB must comply with the economic and trade sanctions administered and enforced by the Office of Foreign Assets Control of the U.S. Department of the Treasury ("OFAC")<sup>2</sup> and any other related U.S. laws and regulatory requirements.

OFAC sanctions prohibit or restrict ANZ-NYB from engaging in activity that involves sanctioned persons or comprehensively sanctioned countries and regions. Depending on the particular sanctions, ANZ-NYB may be required to freeze assets, reject transactions, not extend credit or provide services, or take other specific actions. With respect to comprehensively sanctioned countries and regions, ANZ-NYB is prohibited from engaging in or facilitating transactions that have any connection to such countries or region.

ANZ-NYB customers must ensure that none of their investments, services, goods or trade involving sanctioned persons, countries or regions are sent to or processed through ANZ-NYB, or are funded or otherwise facilitated by financing provided by ANZ-NYB. ANZ-NYB will take appropriate action, including potentially blocking (i.e., freezing) or rejecting funds, with respect to transactions that appear to violate applicable sanctions.

# Institutional Customer Disclosures

ANZ Internal Policies may be stricter than what is allowed by OFAC licenses and other applicable sanctions regulations. Please contact your Relationship Manager or Sales Persons for any questions.

## HIGHER-RISK JURISDICTIONS: ACTIVITY RESTRICTIONS

Except in limited and pre-approved circumstances does not enter, or remain involved in, commercial transactions that have any connection directly or indirectly with Belarus, Russia or the Ukrainian Territories of Kherson or Zaporizhzhia.

Except in limited and pre-approved circumstances does not enter, or remain involved in, transactions that have any connection with some sectors of the economy (e.g., the Energy Sector (Oil, Gas, Petrochemical), Telecommunications, Information Technology and Software, Defence, Intelligence and Security and Aerospace sectors) in some jurisdictions e.g., Venezuela. Other sectors and jurisdictions may be relevant. If in doubt, please discuss with your ANZ representative.

The list of restricted high-risk jurisdictions and activity restrictions are subject to change, please contact your Relationship Manager or Sales Persons for any questions.

## PRIVACY POLICY

Respecting and protecting client privacy have always been vital to our relationships with clients. The attached Privacy Notice describes how ANZ-NYB keeps client information private and secure and uses it to serve you better.

ANZ-NYB does not use client information for purposes not related to the Bank. Additionally, we keep your information under physical, electronic and procedural controls, and authorize our agents and contractors to get information about you only when they need it to do their work for us.

ANZ-NYB uses information we have about you in order to make products and services available to you through ANZ-NYB or affiliated entities, including loans, deposits and investments, to meet your banking needs.

Our Privacy Notice applies to the relationships of clients or former clients in the United States, as well as to the relationships of clients or former clients with our offices outside the United States that are registered with the Securities and Exchange Commission. (If you reside outside the United States, you may also have privacy protections under the local laws applicable in that jurisdiction.) For these purposes, clients or customers are those who have received or are receiving products and services for personal, family or household purposes.

<b>FACTS</b>	What does ANZ-NYB do with your personal information?
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<b>Why?</b>	Financial companies choose how they share your personal information. Federal law gives customers the right to limit some but not all sharing. Federal law also requires us to tell you how we collect, share and protect your personal information. Please read
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# Institutional Customer Disclosures

this notice carefully to understand what we do.

your information as described in this notice

**What?** The types of personal information we collect and share depend on the product or service you have with us. This information can include:

- Tax Identification number including corporate information
- Account balances, account positions and transaction history
- Credit history and payment history
- Applications or forms completed by you including information you provide during telephone conversations, email, or contact forms that you send us

When you are no longer our customer, we continue to share

**How?** All financial companies need to share customers' personal information to run their everyday business. In the section below, we list the reasons financial companies can share their customers' personal information; the reasons ANZ NYB chooses to share; and whether you can limit this sharing.

	Does ANZ NYB share?	Can you limit this sharing?
<b>For our everyday business purposes</b> – such as to process your transactions, maintain your account(s), respond to court orders and legal investigations, or report to credit bureaus	Yes	No
<b>For marketing purposes</b> – to offer our products and services to you	Yes	No

# Institutional Customer Disclosures

<b>For joint marketing with other financial companies</b>	No	We don't share
<b>For our affiliates' use in meeting your banking needs</b>	Yes	No
<b>For our affiliates' everyday business purposes other than your banking needs</b> – information about your transactions and experiences	No	We don't share
<b>For our affiliates' everyday business purposes other than your banking needs</b> – information about your transactions and experiences	No	We don't share
<b>For selling or distributing non-public information to third parties</b>	No	We don't sell or distribute
<b>For non-affiliates to market to you</b>	No	We don't share

## Questions?

Call +1 (212) 801-9125

## Who we are

Who is providing this notice?	Australia and New Zealand Banking Group Limited, New York Branch office.
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## What we do

How does ANZ-NYB protect your information?	To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer safeguards and secured files and buildings. We authorize our employees to get your information only when they need it to do their work, and we require companies that work for us to protect your information.
How does ANZ NYB collect my personal information?	We collect your personal information, for example, when you: <ul style="list-style-type: none"> <li>• Open an account or become a customer</li> <li>• Transact or apply for a loan</li> <li>• When you provide such information for business purposes</li> </ul> We may also collect your personal information from others, such as credit bureaus, affiliates, or other companies when it is appropriate.
Why can't I limit all sharing?	Federal law gives you the right to limit only: <ul style="list-style-type: none"> <li>• Sharing for affiliates' everyday business purposes – information about your creditworthiness</li> <li>• Affiliates from using your information to market to you</li> <li>• Sharing for non-affiliates to market to you</li> </ul>



# Institutional Customer Disclosures

	State laws and individual companies may give you additional rights to limit sharing.
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## Definitions

Affiliates	<p>Companies related by common ownership or control. They can be financial and nonfinancial companies.</p> <ul style="list-style-type: none"> <li>• Our affiliates include companies with the Australia and New Zealand Banking Group Limited name and other companies owned or under common control.</li> </ul>
Non-affiliates	<p>Companies not related by common ownership or control. They can be financial and nonfinancial companies.</p> <ul style="list-style-type: none"> <li>• ANZ- NYB does not share with non-affiliates so they can market to you.</li> </ul>
Joint marketing	<p>A formal agreement between non-affiliated financial companies that together market financial products or services to you.</p> <ul style="list-style-type: none"> <li>• ANZ-NYB does not jointly market</li> </ul>

## Other important information

### **Confidentiality, Security, and Integrity**

ANZ-NYB provides leading edge technology to reasonable ensure that all transmitted information is safe and secure. Information is stored on a secure record-keeping system that is located in secured areas of the buildings we occupy. All record-keeping systems are located in controlled areas, with physical access limited to authorized persons.

Authorized personnel escort visitors into controlled areas at all times. Employees of ANZ NYB may, from time to time, have access to this information in order to fulfil our service commitment to you. However, physical access to the controlled areas is logged and each employee, upon employment with ANZ NYB, is required to sign a security agreement concerning their individual duty to safeguard confidential data.

# Institutional Customer Disclosures

## AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED NEW YORK BRANCH INTERNATIONAL DEALER EXEMPTION – NOTIFICATION TO CANADIAN CLIENTS

Australia and New Zealand Banking Group Limited (the "**Firm**") is relying on the international dealer exemption in section 8.18 of National Instrument 31-103 *Registration Requirements, Exemptions and Ongoing Registrant Obligations* in Ontario, Québec, Alberta and British Columbia (the "**Jurisdictions**"). Further to relying on such exemption, we are required to advise you of the following:

1. The Firm is not registered in the Jurisdictions to make a trade.
2. The head office of the Firm is 277 Park Avenue, New York, New York, 10172, USA.
3. All or substantially all of the Firm's assets may be situated outside of Canada.
4. There may be difficulty enforcing legal rights against the Firm because of the above.
5. The name and address of the Firm's agent for service of process in each of the Jurisdictions is as follows:

### Ontario

FMD Service (Ontario) Inc.  
333 Bay Street, Suite 2400

Toronto, Ontario M5H 2T6

### Contact:

Ederlyn Magno, Assistant Secretary  
Tel: 416-868-3353  
Email: [emagno@fasken.com](mailto:emagno@fasken.com)

### Québec

Fasken Martineau DuMoulin LLP  
3500-800, rue du Square-Victoria  
Montréal, Québec H4Z 1E9

### Contact:

Julie Delisle, Senior Director, Commercial & Related Services  
Tel: 514-397-7423  
Email: [jdelsisle@fasken.com](mailto:jdelsisle@fasken.com)

### Alberta

Fasken Martineau DuMoulin LLP  
3400, 350 - 7th Avenue SW  
Calgary, Alberta T2P 3N9

### Contact:

Clarke D. Barnes, Partner  
Tel: 403-261-5374  
Email: [clbarnes@fasken.com](mailto:clbarnes@fasken.com)

### British Columbia

FMD Service (B.C.) Inc.  
2900 - 550 Burrard Street  
Vancouver, British Columbia V6C 0A3

### Contact:

Dierk Ullrich, Director  
Tel: 1-604-631-4847  
Email: [dullrich@fasken.com](mailto:dullrich@fasken.com)

### Saskatchewan

MLT Aikins LLP  
1874 Scarth Street  
Regina, Saskatchewan S4P 4E9

### Contact:

Stathy Markatos, Partner  
Tel: 306-347-8430

### Manitoba

Taylor McCaffrey LLP

# Institutional Customer Disclosures

2200-201 Portage Avenue  
Winnipeg, Manitoba R3B 3L3

**Contact:**

Norman K. Snyder, Partner  
Tel: 1-204-988-0302

**New Brunswick**

Stewart McKelvey LLP  
44 Chipman Hill Suite 1000  
Saint John, New Brunswick E2L 2A9

**Contact:**

C. Paul W. Smith, Partner  
Tel: 1-506-632-1970

**Nova Scotia**

Stewart McKelvey LLP  
1959 Upper Water Street, Suite 900  
Halifax, Nova Scotia B3J 3N2

**Contact:**

Charles Reagh, Partner  
Tel - 1-902-420-3335  
Email [creagh@stewartmckelvey.com](mailto:creagh@stewartmckelvey.com)

**Prince Edward Island**

Stewart McKelvey LLP  
65 Grafton Street Charlottetown, Prince  
Edward Island C1A 1K8

**Contact:**

James Travers, Partner  
Tel: 1.902.629.4504  
Email: [jtravers@stewartmckelvey.com](mailto:jtravers@stewartmckelvey.com)

**Newfoundland and Labrador**

Stewart McKelvey LLP  
100 New Gower Street, Cabot Place  
Suite 1100  
St. John's, Newfoundland A1C 6K3

**Contact:**

Neil L. Jacobs, Q.C., Partner  
Tel: 1-709-570-8888  
If you have any questions about the  
foregoing, please do not hesitate to contact  
your relationship manager.

## TAX, LEGAL OR ACCOUNTING ADVICE

ANZ-NYB and its affiliates do not provide tax, legal or accounting services. This material or any other material has been prepared for informational purposes only, and is not intended to provide, and you should be relied on for, tax, legal or accounting advice. You should consult your own tax, legal and accounting advisors before engaging in any transaction.

## REGULATION GG

We prohibit the use of any account to conduct transactions (including, without limitation, the acceptance or receipt of credit or other receipt of funds through an electronic funds transfer, or by check, draft or similar instrument, or the proceeds of any of the foregoing) that are related, directly or indirectly, to unlawful internet gambling. The term "unlawful internet gambling," as used in this Notice, shall have the meaning as set forth in 12 C.F.R. Section 233.2(bb).

## ELECTRONIC COMMUNICATIONS

ANZ-NYB does not guarantee that communications transmitted electronically (sent or received) are secure, accurate or complete as information could be intercepted, tampered with, corrupted, lost, destroyed or delayed or could contain viruses. Although this message and any attachments are believed to be free of any virus or other defect that might affect any computer system into which it is received and opened, it is the responsibility of the recipient to ensure that it is virus free.

Electronic communications are not a reliable means of communicating with ANZ-NYB. As such, ANZ-NYB does not accept any

# Institutional Customer Disclosures

responsibility for the contents of any electronic communication or for any delays, inaccuracies or omissions in the receipt of your instructions or in the transmission of orders or other information to ANZ-NYB and disclaims all liability to the fullest extent permitted by applicable law for any loss or damage arising from any reliance on or use of this message in any way.

Please note that any electronic communication that is conducted within or through ANZ-NYB's systems is subject to monitoring, review, retention and external production; may be stored or otherwise processed in countries other than the country in which you are located; and will be treated in accordance with ANZ-NYB's policies and applicable laws and regulations.

By messaging with ANZ-NYB, you understand and accept all risks associated with electronic communications.

## **ELECTRONIC TRADING OR ELECTRONIC INSTRUCTIONS**

When a customer transmits a trade request funds request to ANZ-NYB on any electronic platform, ANZ-NYB shall follow the procedures applicable to the execution method and platform selected by the customer. In order to mitigate technological anomalies and latencies, a trade request or funds request submitted by the customer on an electronic platform may be subject to a delay before it is considered for execution or delivery by ANZ-NYB. Request for trade related transactions should be made to a qualified ANZ BYB employee directly as electronic means cannot be relied on.

## **FOREIGN EXCHANGE**

ANZ-NYB acts as principal for FX transactions, in an arm's-length role in relation to its customers, and does not act as agent, fiduciary or in any advisory capacity for any FX transaction, except as expressly agreed in writing beforehand. Each customer (or its agent) should independently evaluate for the benefit of the customer the appropriateness of an FX transaction. This evaluation should include, among other things, the FX transaction's terms and conditions and take into account the customer's objectives and circumstances.

A customer may submit its trade request in the form of an order or an instruction. ANZ-NYB is not under any obligation to accept and act upon any customer trade request in any form (including voice and electronic), subject to any applicable terms and conditions. Except as required by such terms and conditions or applicable law, ANZ-NYB may return an accepted trade request to the customer at any time and acceptance of a trade request does not oblige ANZ-NYB to enter into any FX transaction with a customer, in whole or in part.

## **STRUCTURED PRODUCTS**

You should refer to the term sheets for official details on all offerings, including risks involved, before investing in structured products.

Purchasing structured products involve derivatives and a higher degree of risk factors that may not be suitable for all investors. Such risks include risk of adverse or unanticipated market developments, issuer credit quality risk, risk of counterparty or issuer default, risk of lack of uniform

# Institutional Customer Disclosures

standard pricing, risk of adverse events involving any underlying reference obligations, entity or other measure, risk of high volatility, and risk of illiquidity/ little to no secondary market. In certain transactions, investors may lose their entire investment, i.e., incur an unlimited loss.

## EXISTING DISCLOSURE AND AGREEMENTS

This communication supplements any other disclosures or agreements regarding such matters that ANZ-NYB may provide to or agree with its customers (to the extent applicable and as replaced, amended and/or supplemented from time to time), including any master agreement for financial transactions between a customer and ANZ-NYB (including but not limited to any ISDA Master Agreement).

## BUSINESS CONTINUITY PLAN

Australia and New Zealand Banking Group Limited New York Branch ("ANZ-NYB") is committed to safeguarding the interests of our clients and customers in the event of an emergency or significant business disruption. This Business Continuity Plan Disclosure (the "BCP") summarizes ANZ-NYB's effort to mitigate risks inherent with unforeseen business interruptions. The Firm's comprehensive business continuity strategy is designed to enable us to meet our existing obligations to our clients and customers even in the event of an emergency or significant business disruption. This BCP is intended to comply with the rules promulgated by the FINRA.

### Overview

ANZ-NYB maintains offsite facilities to house

the backbone of our trading, sales, operations and information technology. These facilities are located far enough apart to diminish risks posed by local disruptions. This separation is a key element of the Firm's overall business continuity strategy. This separation allows us to plan for events that may disrupt our primary business location(s). The benefit of having these facilities means our response to an event will be the same whether the event is a firm-only business disruption, a disruption to our main office, a disruption to a business district or a city-wide business disruption.

### Redundancy of Mission Critical Information Technology Systems

ANZ-NYB has several information technology processing and backup sites that, collectively, provide the redundancy required to protect the firm's books and records, balance sheet and capital, and provide business continuity and client protection. The recovery capability for certain of the firm's mission critical processing capabilities is achieved through the use of a sophisticated mainframe recovery solutions along with a with the offsite facility that provides disaster recovery capabilities to all systems. This combination will provide real time recovery for the most likely events. Recovery times for mission critical systems range between real time recovery and 4 to 12 hours.

### Back-Up Trading, Sales and Operations Site

ANZ-NYB maintains backup trading floor and operations centers at its offsite location. In the event that we are unable to access our primary facilities, it may be necessary to relocate certain personnel to the backup site. Each backup facility is a "hot site." In other words, the site is fully operational at all

# Institutional Customer Disclosures

times. It is equipped with workstations that have redundant computer network connectivity, telephones, printers, fax machines, market data feeds and all the other specialty equipment necessary for trading and operations. The backup trading positions are periodically checked to ensure that they are equipped with updated software and trading applications. The functionality of the backup facility is routinely tested by sales, trading and operations personnel.

## **Disclaimer**

The Firm's comprehensive business continuity strategy is designed to enable us to meet our existing obligations to our clients and customers even in the event of an emergency or significant business disruption; however it is not infallible. The plan is designed to work in many different emergency situations; but these events are, by their nature, unpredictable and it is impossible to anticipate every scenario that could cause a business disruption. Furthermore, although we are confident in our own preparedness, ANZ-NYB has no

control over the various entities that we must rely upon in the event of an emergency. Our business continuity plans are tested periodically to ensure readiness; yet such tests may not be able to replicate the actual conditions we experience in a real emergency. Customers may obtain an updated hard copy BCP upon request. The information contained in this disclosure is provided by ANZ-NYB for informational purposes only. Nothing contained herein shall be construed to amend, supplement or otherwise modify any of the terms and conditions set forth in any customer agreement between you and ANZ-NYB. Customers of firms that introduce accounts to ANZ-NYB must look to the business continuity plans of their introducing firm for guidance. Each FINRA member firm that introduces accounts to ANZ-NYB is required to develop and maintain its own business continuity plan independent of ANZ-NYB's.

# Institutional Customer Disclosures

## IF YOU HAVE A COMPLAINT

### Please talk to us first

If you have a complaint about our services or a product, please contact your registered representative. You may want to consider using a method other than email for sensitive information. Acknowledgement of complaints may take place as soon as possible; typically, we strive to respond within 5 business days. Decisions regarding complaints may be provided roughly within 90 days of receiving the complaint.

We aim to resolve any complaint at your first point of contact with us, so we encourage you to raise contact us further through any of the following channels if your complaint has not been resolved to your satisfaction:



212-801-9125



americascompliance@anz.com



ANZ Banking Group Limited  
c/o Compliance Department  
277 Park Avenue, Floor 31  
New York, NY 10172

## CALIFORNIA RESIDENTS

California residents should be aware that this section does not apply to: Publicly available information obtainable from government records or from public sources, including any information voluntarily published on the internet. De-identified or aggregated consumer information. Information excluded from the CCPA's/CPRA's scope, such as Health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 and (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data; and Personal information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act, the Gramm-Leach-Bliley Act, the California Financial Information Privacy Act, and the Driver's Privacy Protection Act of 1994.

### Collection, Use and Disclosure of Personal Information

In the past 12 months, we have collected and disclosed for our business purposes each of the following categories of Personal Information relating to California residents covered by this Notice:

# Institutional Customer Disclosures

Category	Examples of data we may collect (contingent upon your relationship with our organization)	Do we collect?
Identifiers	A real name, alias, postal address, unique personal identifier, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers	Yes
Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e))	A name, signature, Social Security number, address, telephone number, passport number, driver's license or state identification card number, or any other financial information	Yes
Protected classification characteristics under California or federal law	Age, race, color, national origin, citizenship, marital status, gender, veteran or military status	Yes
Commercial information	Records of products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies	Yes
Biometric information	Fingerprints (for ANZ employees only)	Yes
Internet or another similar network activity	Browsing history, search history, last login, information on a consumer's interaction with a website, application, or advertisement	No
Geolocation data	Physical location	No
Sensory data	Audio recording (for recorded phone lines only, as indicated to caller, pursuant to regulatory requirements)	Yes
Professional or employment related information	Current or past job history (for ANZ employees and ANZ job applicants only)	Yes
Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99))	Educational background (for ANZ employees and ANZ job applicants only)	Yes
Inferences drawn from other personal information	Profile information reflecting investment and banking interests and behavior	Yes

We obtain the categories of personal information listed above from the following categories of sources:

- Directly from our clients or their agents. For example, from documents that our clients provide to us related to the services for which they engage us.



# Institutional Customer Disclosures

- Indirectly from our clients or their agents. For example, through information we collect from our clients while providing services to them.

We do not disclose Personal Information to third parties.

We only use collected Personal Information for the following purposes consistent with CCPA/CPRA Regulations:

- To fulfill or meet the reason for which the information is provided.
- To address regulatory and legal requirements.
- To carry out our obligations and enforce our rights arising from any contracts entered between you and us, including for billing and collections.
- As necessary or appropriate to protect the rights, property or safety of us, our clients, or others.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- As described to you when collecting your personal information or as otherwise set forth in the CCPA/CPRA.

If you are a resident of California, you have certain rights in relation to your personal information pursuant to the California Customer Privacy Act (CCPA). These include your right to: Request information about the personal information that we collect about you and the manner in which we process and disclose that information;

- Obtain the specific pieces of personal information that we have collected about in the 12 months preceding your request;
- Delete certain personal information that we have collected about you<sup>3</sup>;
- Opt-out of disclosures of your personal information to third parties under certain circumstances; and
- Not be discriminated against as a result of exercising any of the aforementioned rights.

<sup>3</sup> 1798.105 (d)(7) & (8): ANZ is not required to comply with a customer's request to delete the customer's personal information if it is necessary for the business or service provider to maintain the customer's personal information in order to:

- To enable solely internal uses that are reasonably aligned with the expectations of the customer based on the customer's relationship with the business.
- Comply with a legal obligation.

# Institutional Customer Disclosures

If you would like to discuss or exercise such rights, please contact us at ANZNYPRIVACY@ANZ.com or write to us at ANZ Banking Group Limited Attention: ANZ NY PRIVACY, 277 Park Avenue, Floor 31 New York, New York 10172.

California law requires us to verify the requests we receive from you when you exercise certain of the rights listed above. To verify your request, we will check the information you provide us in your request against third party identity verification tools. As part of this process, we may call you after you submit your request to verify information. You may also designate an authorized agent to exercise certain of the rights listed above on your behalf by providing the authorized agent with power of attorney pursuant to the California Probate Code. If an authorized agent submits a request on your behalf, we will contact you to verify that they represent you.

California law requires that we describe certain disclosures of personal information where we receive valuable consideration. California law treats such disclosures as "sales" even if no money is exchanged. We do not sell information to third parties as defined under California law. We do not sell the personal information of minors under 16 years of age because we do not collect this information from minors in the first place.

## **CYBERSECURITY DISCLAIMER**

ANZ-NYB has policies and procedures to ensure staff take appropriate measures to encrypt all restricted or highly trusted client data in transit, refrain from sharing passwords, never download email attachments or click through embedded website links from unknown senders, refrain from responding to email retests for confidential information, ensure systems are logged out completely or screen locked when not in use, and that mobile devices are secured using multifactor authentication. In addition, all staff are aware and know the firm's procedures for reporting a breach or attempted unauthorized access to confidential data as well as understanding each staff's role, if any, in our firm's incident response plan.