



# PERSONAL FINANCIAL SERVICES

SINCE 2001

## Financial Services Guide Part 1

Issued: 1 December 2023

### About this Guide

It is important that you read this Financial Services Guide (FSG) as it contains important information about:

- the services we offer you and information designed to assist you in deciding whether to use any of those services;
- how we and our financial advisers are remunerated;
- any potential conflict of interest that may arise and how we deal with these;
- the complaints resolution processes that apply; and
- our professional indemnity and compensation arrangements.

This document must be read in conjunction with the FSG Part 2, which your financial adviser will give you. Part 2 also explains the range of financial advice services offered by the financial adviser, and the cost and remuneration arrangements relevant to those services.

In this document any references to:

- the licensee or we or us or our means Personal Financial Services Limited (PFS); and
- financial adviser means a representative of Personal Financial Services Limited, who is authorised to provide advice and services on behalf of the licensee.

If you need any clarification on what you have read, please don't hesitate to contact us. We are committed to having open and honest communication with you at all times, as this is the foundation of good advice and a successful ongoing relationship.

### Lack of independence

PFS is unable by law to use the terms 'impartial', 'unbiased' or 'independent' because it may receive either commissions that are not passed on in full to clients, or remuneration from a product issuer that is determined by the value of business placed. Payments received in this regard are all legal under the Corporations Act 2001.

# Financial Services Guide

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## ***Responsibility for the services you may choose to take***

We hold the Australian Financial Services Licence (AFSL) issued by the Australian Securities and Investments Commission (ASIC). This licence enables us to offer financial advice services. As the licensee, we are ultimately responsible for the delivery of the services by financial advisers whom we appoint as our representatives. The areas of advice which the financial advisers are each authorised to provide will differ, according to individual areas of expertise, training and focus of financial advice services, the details of which are set out in the FSG Part 2.

## ***The services that we can provide***

The AFSL that we hold sets out the areas of financial advice services that can be offered to you, and these cover the following areas:

- basic deposit products, commonly understood to be savings and transaction accounts for everyday deposits and withdrawals;
- non basic deposit products, such as term deposits;
- derivatives;
- debentures, stocks or bonds issued (or proposed to be issued) by a government;
- life products including investment life and life risk insurance products;
- interests in managed investment schemes including investor directed portfolio services;
- retirement savings accounts;
- superannuation including self-managed superannuation funds;
- securities, including direct equities; and
- margin lending;

Not all of our financial advisers can advise on every one of these areas, and some may be restricted to providing advice and services in only some of the above areas. The FSG Part 2 that is provided to you by the financial adviser will set out which areas of advice can be provided by that person.

PFS advisers are individually registered with ASIC as a Tax (Financial) Adviser.

Based on the information collected from you, your PFS adviser will consider the tax consequences of the financial advice they provide. However, this financial advice will not include a full assessment of your overall tax position or your tax liabilities and obligations. You should seek tax advice from your accountant.

## ***The services that PFS cannot provide***

Services that cannot be provided at all under our AFSL include:

- any personal advice relating to acquisition, development or disposal of direct property. Advice relating to direct property acquisition or investment will only relate to the investment strategy of an investment in property, such as asset sector allocation, cashflow and capital expenditure budgeting;
- credit advice, such as the arranging of a loan or the taking of credit. We may refer you to a broker that can assist with such matters.

We are only responsible for the financial services described in this document and recommendations relating to financial products which are on our approved product list.

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***Our approved product list***

We have our own focused approach to researching products and types of financial investments that may be suitable or of value to our clients. This process means that only those products which have been subject to the rigor of assessment become part of our approved product list and then may be recommended to you by the financial adviser. This list is extensive and incorporates a range of third party fund managers and life companies. A copy can be provided to you at any time upon request.

When providing personal product advice, we will conduct a reasonable investigation to recommend products that we deem are appropriate for you and in your best interests based on your individual circumstances, goals and objectives. This may include investigating and recommending products which are not on our approved product list.

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***How advice can be provided to you***

The first step in the process of financial advice is to gain an understanding of your existing financial situation and your particular objectives and concerns. This requires detailed information to be provided by you. Personal advice will be provided in writing, in a document called a Statement of Advice (SoA). This document sets out your personal circumstances and your needs and objectives, and then explains the resulting strategy and recommendations. The SoA will also, among other things, tell you about:

- the basis on which the advice is given;
- the cost of the advice including the impact of fees and commissions; and
- any associations we have with financial product issuers or other parties which may have the potential to influence the advice we give you.

After that, further advice may be given to you (such as at a review) and, if a formal SoA is not required by law to document the recommendation, we may provide you with a Record of Advice (RoA) which will set out limitations in the scope of the advice, the basis for the advice, and any fees associated with the advice.

A Product Disclosure Statement (PDS) must be provided to you where the advice given either recommends or refers to a particular financial product, such as for insurance, superannuation or a managed fund. A PDS is a document issued by each particular product provider, and explains the features, limitations, terms and conditions of that product. Its purpose is to assist you to make an informed decision about that financial product and whether to acquire it, as it contains a description of the product features, risks and benefits, and information about your cooling-off rights. Even though advice to you may recommend a particular product, it is still up to you to read the PDS in its entirety, and to ensure that you fully understand the particular product, and if not, to raise any resulting concerns with your financial adviser. You should do this prior to making a decision about any product.

There may be instances, however, where we provide advice that is not based upon your own personal circumstances, needs and objectives. This is treated as General Advice, and you need to consider its appropriateness in light of your personal circumstances before acting on the advice. If any particular product is mentioned, a copy of its PDS should be provided to you and considered by you before making any decision. Please contact us to obtain a copy of the PDS.

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If you do not wish the financial adviser to advise you in relation to the financial products, the financial adviser may deal in or arrange those products by carrying out your instructions (i.e. product placement on an execution-only basis). If you do not obtain advice, you face the risk that the financial product/s you select will not fully take into account your objectives, financial situation or needs.

Advice given to you will consider aspects relating to risks, but it cannot predict or prevent risks from arising. You should carefully consider any warnings, and references to risk, contained in the documents or in the manner of advice provided to you before you make any decisions about a strategy or financial product.

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***Information which we will need in order to provide personal advice that is suitable for your circumstances***

We will require from you full particulars about your personal objectives and needs, details of your current financial situation and any other information that is relevant to the development of a plan that is directed to your short, medium and long-term goals. Detailed financial information is required, as well as sensitive information such as health details. You have the right not to disclose your personal information to us, but this can mean that the advice you receive may not be appropriate. Similarly, if the information you provide us with is inaccurate, the advice you receive may not be appropriate in light of your true circumstances.

In particular, if insurance cover is relevant to your needs, the omission of information, or the provision of inaccurate information by you, can have serious consequences to the ability to access the benefits of insurance cover. If we are to provide you with tailored advice relating to insurance, we will rely upon you to provide all information that could be relevant to whether the insurance company will give you insurance cover, and on what terms. You have a specific duty of disclosure when applying for insurance cover, and if it is not met by you, you could lose the benefit of that cover. Your financial adviser should be provided with all personal and health particulars, even if you are unsure whether it is important. You must not sign an application for insurance cover unless you have worked through, with your financial adviser, each of the health questions required to be completed.

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***How we protect your privacy***

We collect and keep a record of your personal information, including sensitive information (e.g. information about your health), in order to provide you services including financial advice. We may also use the information we have collected in order to comply with any legislative or regulatory obligations we have and to help us run our business.

PFS is committed to the confidentiality and security of your personal information. It will be necessary for us to collect, use and disclose your personal information. If you do not consent to this, or we are unable to collect all the necessary personal information, we will not be able to provide you with the relevant financial planning and advice services.

In most cases, we collect personal information directly from you. In other cases, however, we may collect your personal information from third parties. The third parties we may collect from include, but are not limited to: your accountant, your lawyer or solicitor, other financial services institutions, insurance providers and any other third parties where you have provided consent.

In order to manage and administer our financial planning services, it may be necessary for us to disclose your personal information to third parties. The parties to whom we may disclose your personal information include, but are not limited

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to: financial institutions for the provision of financial products, such as investments, superannuation, and life insurance; auditors; third parties providing mailing services, administration support, maintenance of our information technology systems, printing of our documents, research services; any government or regulatory body for whom we have a legal obligation to provide this information to; referral partners.

It is possible that an organisation listed above may disclose your personal information to overseas recipients, but it is not possible for us to provide any further details of that in this document. We may disclose your personal information to an entity which is located outside of Australia, to enable them to undertake specified services on behalf of PFS, your adviser or principal practice.

In addition, the principal practice and/ or your adviser may disclose your personal information to overseas recipients in order to access services they provide, such as paraplanning and administration.

Details of this can be found in our Privacy Policy, which includes details of how you may access, and seek correction of, your personal information which we hold. It also includes details of how you may complain if you believe that we have breached the Australian Privacy Principles under the Privacy Act and how we deal with such complaints.

You may obtain a copy of our Privacy Policy by telephoning us on 1300 700 189 or by visiting the following website <https://fortnum.com.au/fortnum-privacy-policy/>

You can authorise another person to act on your behalf, to receive information and/or undertake transactions. Both requesting this to occur, and removing this authorisation, are required to be notified in writing.

Where your adviser becomes a representative of, or sells their business to, another Australian Financial Services Licensee, PFS may also use and disclose the information collected about you to enable your adviser or the new business owner to continue to provide you with financial products and services.

We collect your personal information as permitted by, and in accordance with, the Privacy Act. Other legislation may also apply, such as the Anti-Money Laundering and Counter-Terrorism Financing Act.

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### ***Our relationships and associations***

We are associated with the following related parties and product issuers:

- Fortnum Private Wealth Ltd – PFS is a wholly owned subsidiary of Fortnum Private Wealth Ltd.
- PFS Investment Management Limited (PFSIM) – PFSIM is a wholly owned subsidiary of Fortnum Private Wealth Ltd and is a corporate authorised representative of PFS. PFSIM conducts professional investment research and investment management services including constructing and managing portfolios and/or investment strategies for model portfolios, managed accounts/separately managed accounts (SMA) or other similar constructs.

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### ***How you can provide instructions to your financial adviser***

You may specify how you would like to give us instructions, for example by telephone, in writing, or email. Please note that we cannot act upon all written or email instructions without verbal confirmation. If we execute your transactional instructions in instances where you have declined the offer of personal advice, you will be required to sign a letter confirming the instruction was execution-only.

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However, for your own protection you should never:

- sign any blank forms or documents;
- nominate a financial adviser to receive statements or records where you do not also receive a copy; or
- appoint a financial adviser generally to act as your agent or authorised signatory.

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***The fees charged for financial planning services***

**For the initial advice**

A fee may be charged for the initial advice, which would include a fee for preparation of a SoA.

The fee will be determined by the financial adviser once the complexity of the advice to be provided is understood and agreed with you. The range of likely fees is set out in the FSG Part 2 that your financial adviser must provide to you and will be disclosed fully in the Statement of Advice they give to you.

Where the advice given to you by a financial adviser relates to an insurance product, the cost to you of the advice may be reduced because we receive a commission payment from an insurer when you acquire an insurance policy. The payment amount will depend upon each particular insurance company and the type of insurance policy.

**For the implementation of advice**

The SoA that you will receive will explain whether the initial advice fee is an all-encompassing fee, which includes the work involved in implementing the advice provided to you. Alternatively, some financial advisers may prefer to segregate each of these fees, in which case a separate implementation fee will be explained, being the cost for the time and work involved in actually placing investments or effecting insurance cover. The FSG Part 2 explains the range of implementation fees that may apply.

**Ongoing services**

Real benefits of financial planning come from the ongoing relationship that you establish with your financial adviser, so that, on an ongoing basis, performance and trends of markets and underlying asset classes, as well as your own investment allocation, are regularly reviewed. Your financial adviser can provide you with ongoing financial advice services. These services can include annual, or more frequent, reviews of the performance of your investments, updates to your circumstances and any changing personal needs, market updates and portfolio valuation reports.

If you choose to receive ongoing advice, a separate fee will be discussed and agreed, reflecting the particular level of engagement which suits you. The payment options can be based upon the service option that you require, and can be agreed as:

- a dollar fee; or
- an hourly rate; or
- a percentage based fee, calculated by reference to the value of your portfolio, or a particular part of it. This can be paid directly by you, or in some cases, you can arrange with your financial adviser that it is deducted directly out of

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particular investments held.

You can cancel the ongoing services at any time. If you enter into an arrangement for ongoing advice, we are required to provide to you an Annual Renewal Document which contains the following information:

- the advice services you were entitled to receive over the last twelve months;
- the advice services provided to you over the last twelve months;
- The advice fees you paid over the last twelve months; and
- the advice services you are entitled to and the actual or estimated fees you will pay for those services for the next 12 months, should you wish to continue to receive ongoing advice as part of your ongoing service arrangement.

You will receive a renewal notice every year, giving you the option to continue, or to cease, the ongoing service arrangement.

### **Execution-only or ad hoc services**

These services may be charged on a per transaction basis, or included in an ongoing services cost, where applicable. The services provided usually relate to the purchase or sale of securities, such as shares, at your request.

Please ensure that you refer to the FSG Part 2 (which contains more detail about the costs of the services that the adviser can provide) before you make any commitment.

The fees which you pay for the financial planning advice are separate to any fees that you pay as a result of placing monies in any individual financial products. It is important that you fully understand the types of fees and costs, and the total cost borne by you, on an annual basis.

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### ***The benefits or payments which may be (directly or indirectly) received by us because of the provision of financial planning services***

PFS will retain a portion of the fees or commissions paid by you or the product issuer, and the remainder is paid to your adviser or their corporate entity. PFS uses their portion of the fees or commissions to cover the costs associated with operating the AFSL under which your adviser or their corporate entity operates.

Some issuers of financial products may pay us amounts that are directly in consequence of financial planning services that are provided to you, and include:

**Risk insurance products:** An initial commission may be paid by an insurance company because of an insurance product that you acquire. The commission is not a cost to you. In addition, whilst you continue to hold an insurance product, ongoing commission may also be paid by the insurer. The amount of any commission paid should be fully disclosed to you by your financial adviser before you decide to acquire an insurance product. The amount will vary amongst insurance companies.

**Advice fees:** Some products you invest in will enable advice fees to be deducted from them where you give us authorisation to do so. If you choose to have advice fees paid from an investment product, the fee will show in your statements for that product. This may be a more convenient payment method for you instead of paying the financial adviser directly.

If you enter into an ongoing service arrangement, as detailed earlier, you may also choose to have your ongoing advice fees deducted from eligible products. Should you choose to have your ongoing advice fees paid from a product, we will



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seek your consent on a yearly basis to continue to deduct these fees from the product.

**Separately Managed Accounts (Managed Accounts):** If a recommendation is made that you invest into a PFS Managed Account Portfolio, then both PFS and a related entity, PFS Investment Management Limited (PFSIM) will receive fees derived from the recommended investment into the PFS Managed Account Portfolio. The fees are set out in the PDS and disclosure documents which will be provided to you. This payment may be included as part of, or in addition to, the Indirect Cost Ratio of the Managed Accounts

**Other arrangements:** PFS receives support from various platform providers, master trust administrators and fund managers for the purpose of providing education and training support to our advisers, or to assist with covering the costs associated with licensing and providing financial services. PFS has strict controls in place to ensure that these payments are not able to influence the financial product advice you receive.

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### ***Referral arrangements***

We may engage in referral practices with external parties. There may be occasions where PFS representatives engage in commission sharing and referral arrangements with other PFS representatives or external parties. Where this occurs, your advice document will disclose who will receive that fee or commission, and the amount they will receive. Details of referral arrangements are disclosed in the FSG Part 2.

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### ***Our complaints process***

In the first instance, if you are unhappy with the advice or service provided by your adviser, practice principal, or PFS, you can let us know by putting your concerns in writing or by calling us.

We will investigate your complaint and respond to your concerns as quickly as possible and within 30 days.

#### **Complaints Officer**

PO Box R1872

ROYAL EXCHANGE NSW 1225

Email: [pfscompliance@email.personalfs.com.au](mailto:pfscompliance@email.personalfs.com.au)

Telephone: 1300 700 189

You can authorise another person to act on your behalf, to receive information and/or undertake transactions. Both requesting this to occur, and removing this authorisation, are required to be notified in writing.

All licensees are required by law to have access to an External Dispute Resolution (EDR) scheme. PFS is a member of the Australian Financial Complaints Authority (AFCA). Therefore, in the event that we are unable to resolve the complaint to your satisfaction, or have not responded to your complaint within 30 days, you have the right to refer the matter to the external dispute resolution service listed below:

#### **Australian Financial Complaints Authority (AFCA)**

GPO Box 3, Melbourne VIC 3001

Website: [www.afca.org.au](http://www.afca.org.au)

Telephone: 1800 931 678

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Email: [info@afca.org.au](mailto:info@afca.org.au)

AFCA provides a fair and independent review of complaints, which is free to consumers.

You can also contact the Australian Securities and Investments Commission (ASIC). ASIC is Australia's corporate, markets and financial services regulator. ASIC contributes to Australia's economic reputation and wellbeing by ensuring that Australia's financial markets are fair and transparent, supported by confident and informed investors and consumers.

**Australian Securities and Investments Commission**

PO Box 4000, Gippsland Mail Centre Victoria 3841

Website: [www.asic.gov.au](http://www.asic.gov.au)

Telephone: 1300 300 630

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***Our compensation arrangements***

We maintain professional indemnity insurance cover in accordance with the law, which provides indemnity up to the sum insured for us and for our financial advisers in respect of our authorisations to those financial advisers, and the obligations under the Corporations Act and our AFSL. The insurance cover includes the authorised actions of our financial advisers for services provided or actions taken whilst authorised under our licence, and a claim can be made for such actions even where the financial adviser has ceased to be authorised by us. These compensation arrangements are in accordance with and satisfy the requirements for compensation arrangements under section 912B of the Corporations Act.

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Please retain this document for your reference.

If you have any further questions about the financial services PFS provides, please contact your financial adviser.