



# BIRCHCORP PTY LTD

## FINANCIAL SERVICES GUIDE & CREDIT GUIDE

Birchcorp Pty Ltd. Authorised Representative No. 339299

Version 8

17<sup>th</sup> July, 2018

Authorised Representative No. 346058

This document has been prepared for financial planning clients of Birchcorp. This document explains our philosophy, our method and our fees. Please feel free to contact us if any aspect of this document is unclear.

### Your Adviser

Leigh Birch

Corporate Authorised Representative Code: 339299

440/14 Lexington Drive

Bella Vista, NSW 2154

Telephone: (02) 8814 6265 Fax: (02) 8814 6265

Authorised Representative of:

### NSW Complete Financial Services Group Pty Ltd

AFSL: 457600

ABN: 791 284 037 98

# Financial Services Guide (FSG)

## ABOUT BIRCHCORP

Your Adviser Leigh Birch (346058), provides financial planning advice to clients and is employed by Birchcorp Pty Ltd. Birchcorp Pty Ltd (339299) is an Authorised Representative of NSW Complete Financial Services Group (referred to as NSWCFSG in this document) Pty Ltd ABN 79 128 403 798, AFSL 457600). NSWCFSG has over authorised representatives who provide high quality advice of clients throughout Australia.

Leigh Birch has over 10 years' experience in the development of well-considered and prudent financial strategies that are designed to maximise his client's financial wellbeing.

Birchcorp Financial Advisers can provide assistance and advice on the following aspects of your financial management:

- Investments (investment strategy in relation to property, shares, cash and managed investments);
- Superannuation (including self-managed superannuation);
- Life and Disability Insurances;
- Debt Management;
- Cash-flow Management;
- Retirement Planning;
- Career Planning.
- Financial Planning
- Estate Planning
- Cash Management Trusts
- Social Security, and
- Wealth Creation

The Corporations Act 2001 defines various financial products and regulates the way in which consumers can be advised about those products. Birchcorp Pty Ltd has a list of approved financial products. This list of approved financial products is one of the longest of any financial planning service in Australia, although limited to those on NSWCFSG's approved product list. Birchcorp is independently owned and is not bound in any way to only use financial products provided by a particular product provider. If you would like to view the approved financial products list, please ask your adviser.

Birchcorp advisers can recommend investments, superannuation, and risk products on our approved product list (APL). The products on this list are analysed, reviewed regularly and must constantly meet NSWCFSG's stringent requirements. Birchcorp also utilises leading research houses to assist with this analysis. If you have an existing superannuation fund that is not on the APL, we can still advise you on your existing fund.

## HOW WILL MY ADVISER WORK WITH ME?

To ensure we understand your financial needs and recommend the most appropriate solutions, your Birchcorp adviser will:

1. Provide you with this guide and agree on how we will work with you.

2. Obtain relevant information about your financial needs, objectives, and your current financial affairs.
3. Research the solutions that will best satisfy those needs and objectives.
4. If there is consideration of any existing credit product/strategies, we will provide you with an assessment of whether your existing product or strategy is unsuitable. Considerations would include (amongst other things) your capacity to repay and compatibility with your objectives.
5. All recommended products are approved by NSWCFSG.
6. Provide you with a written Statement of Advice (SoA) which explains these recommendations, the key issues involved and how we are paid for advising you.
7. Discuss the SoA with you and vary the recommendations if necessary.
8. Provide you with a Product Disclosure Statement (PDS) for each product we recommend in the SoA. The PDS contains information about the product.
9. Implement the agreed recommendations.
10. Review your financial situation as agreed.

If you are an existing Birchcorp client, you may have been through this process. If you receive further advice from us, you will receive either a Record of Advice (RoA) or a SoA if the advice is in relation to a different type of financial product or your circumstances have changed.

### **HOW DO I COMMUNICATE WITH BIRCHCORP PTY LTD?**

You can give us instructions or information verbally or in writing. In some cases, we will need your instructions in writing. We will let you know what information we need or what forms we need you to complete and sign.

### **WHAT DO I NEED TO DO?**

To help us to advise you appropriately and to protect you throughout our relationship, please:

- **Provide accurate information about your personal circumstances.**
- **Update us on any changes to this information.**
- **Do not make any payments for investments, contracts, or fees “made payable” to your adviser.**
- **Do not sign blank forms.**

### **HOW DO I PAY FOR NSWCFSG'S ADVICE?**

The method and the specific amount you will pay for Birchcorp's advice will be explained in your SoA, the recommended product's PDS, and your adviser will discuss these with you.

For investment advice, you pay for Birchcorp's advice in one or a combination of these four ways: upfront, ongoing, adviser service fee, or fee for service.

**1. Upfront** – Birchcorp adviser's may charge an upfront fee for service for a specified amount agreed upon by the client. This can be taken from the amount you invest or paid directly.

**2. Ongoing** - Birchcorp adviser's may be paid an ongoing fee for service for an agreed specified amount.

**3. Fee for service** - You agree upfront with your adviser to pay for the services you receive either on an hourly rate, a set fee per year, a percentage of funds invested, or a combination of these.

For life risk insurance advice, Birchcorp adviser's may be paid in one of these three ways: upfront, hybrid, or level.

**1. Upfront** - Birchcorp adviser's may be paid a commission of up to 88% of the first year's premium and 22% of ongoing year's premiums. For example, commission on a premium of \$1,000 is up to \$880 upfront and up to \$220 each year thereafter.

**2. Hybrid** - Birchcorp adviser's may be paid a commission of up to 70% of the first year's premium and 30% of ongoing year's premiums.

**3. Level** - Birchcorp adviser's may be paid a commission of up to 30% of both the first year's premium and ongoing year's premiums. For example, commission on a premium of \$1,000 is up to \$300 per year from inception.

Details of these payments will be disclosed in the SOA you receive. The basis and amount of all commissions and fees for service will be set out in the SOA and explained by your adviser.

## **WHAT ARRANGEMENTS DOES BIRCHCORP HAVE WITH PRODUCT PROVIDERS?**

- Birchcorp has Introducer arrangements with many Investment, Insurance, Superannuation product providers and Lenders.
- Birchcorp maintains its agreements by not accepting any bonuses or volume-based incentives.
- Product providers may provide free Professional Development Training to Birchcorp advisers.

## **HOW DOES BIRCHORP DEAL WITH MY PERSONAL INFORMATION?**

Birchcorp holds personal information about you. We hold this information in accordance with our obligations under the Privacy Act. The information has been and will continue to be collected by us for the purposes of providing you with the financial services outlined in this guide.

Any personal information you give us will be maintained in a secure personal file. Please ask us if you want a copy of anything in this file, and we'll give it to you free of charge. You may request a copy of any advice records we keep. Any request for a copy of an advice document must be made within 7 years of the advice being provided.

We are required by the Corporations Act and the ASIC, to ask for this information about you for the purpose of providing you with our services.

If you do not provide us with the information requested by us, we may not be able to provide you with the services you require.

We may be required from time to time to disclose information about you to representatives of Birchcorp.

In the event that the adviser proposes to sell their business we may disclose your personal information to potential purchasers for the purpose of their conducting due diligence investigations any such disclosure will be made in confidence and it will be a condition of that disclosure that no personal information will be used or disclosed to them. In the event that a sale of the adviser's business is affected, we may transfer your personal information to the purchaser of the business. You will be advised if a transfer such as this takes place.

### **WHAT DO I DO IF I HAVE CONCERNS ABOUT BIRCHCORP'S ADVICE'S SERVICES?**

You have the right to express your concerns about NSWCFSS's services either verbally or in writing. Birchcorp has established procedures to consider and deal with your concerns.

First, please contact your Birchcorp adviser to discuss your concerns.

If your adviser has not satisfactorily resolved your concerns or if you do not wish to contact your adviser, please contact:

Director NSWCFSSG

1/11 Manning Street  
TUNCURRY NSW 2428

Telephone: 1300 700 777

Email: [nswcfs@bigpond.com](mailto:nswcfs@bigpond.com)

Website: [www.completefinancialservices.com.au](http://www.completefinancialservices.com.au)

If we have not been able to satisfactorily resolve your concerns, you may lodge a complaint with:

Financial Ombudsman Service Limited  
GPO Box 3  
Melbourne Vic 3001

Telephone: 1300 780 808

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

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

## Financial Services Guide in detail;

This FSG explains:

1. who we are;
2. how you can contact us;
3. what documents you will receive from us;
4. the financial services we provide;
5. any potential conflicts of interest;
6. our privacy policy;
7. our internal dispute resolution procedures;
8. our external dispute resolution procedures;
9. our compensation arrangements, i.e. our professional insurance arrangements;
10. warning on the limits of your adviser's authority from NSWCFSG;
11. Your understanding of your SOA;
12. disclosures required by ASIC;
13. our obligations as adviser and client;
14. additional disclosures for risk insurance contract, SMSF and taxation advice;
15. minimum holding period on investments; and
16. ASIC information forming part of our advice to you.

### Warning on the limits of Birchcorp's authority from NSWCFSG

This is a clear and prominent warning from NSWCFSG on the limits of Birchcorp's authority.

You should consider these limits before deciding to acquire financial services through Leigh Birch and you should not acquire these services unless you understand and accept these limits. This warning is part of NSWCFSG's commitment to the highest possible compliance standards. These standards include making sure you know the limits of Leigh Birch's authority before you decide to acquire a financial service.

Under the Corporations Act NSWCFSG is not responsible for anything done by Leigh Birch which is not within the authority provided by NSWCFSG in these circumstances.

Leigh Birch is only authorised to provide advice that complies with the Corporations Act and the related regulations and regulatory guidelines. Leigh Birch cannot provide advice or do anything else which breaches a law or an ASIC regulation, is outside of NSWCFSG's AFSL or which is not in your best interests or appropriate to your circumstances.

The limits on Leigh Birch's authority include:

- failing to disclose a commission or other amount payable by any person other than you;
- failing to disclose a conflict of interest;
- theft or any other fraudulent activity;
- churning an insurance policy, i.e. an inappropriate recommendation for a new insurance policy for the purpose of generating a commission or a similar fee;
- failing to adequately research a recommended financial product;
- failing to consider your circumstances when recommending a financial or service;
- failing to provide personal advice in the form required under the Corporations Act;
- transferring money to or from an account without your written consent for that specific transfer;
- acquiring or disposing of a financial product without your specific written consent;
- recommending a financial service that a reasonable financial planner would not recommend;

- failing to advise you of a tax liability, stamp duty or similar cost of a recommended action;
- failing to advise you of a negative consequence of a recommended action; or
- any act that breaches a law of Australia or a state of Australia including the law of negligence, the criminal law and the corporations law or any ASIC regulation or regulatory guideline; or
- advising on “off the plan” or similar property purchases.
- any act that breaches a law of Australia or a state of Australia including the law of negligence, the criminal law and the corporations law or any ASIC regulation or regulatory guideline.

Leigh Birch must observe these limits on his authority as part of the contract with you.

We ask that you read NSWCFSG’s license and understand the limits on Leigh Birch’s authority before you decide to accept our advice.

In the event that we make a recommendation to acquire a particular financial product (other than securities), we must also provide you with a Product Disclosure Statement containing information about the particular product which will enable you to make an informed decision in relation to the acquisition of that product.

### **Financial services Birchcorp is authorised to provide and the products those services relate:**

I am authorised by NSWCFSG Pty Ltd to offer you the following services:

Provide financial product advice and to deal in a financial product by arranging for a financial product to be acquired, varied, or disposed of.

### **Who do you act for when you provide financial services to me?**

I will be acting for you, on behalf of Birchcorp Pty. Ltd. Birchcorp is therefore responsible to you for any financial services your adviser provides.

### **When you get our advice.**

#### **Will you give me advice which is suitable to my needs and financial circumstances?**

Yes. But to do so we need to find out your individual investment objectives, financial situation and needs before we recommend any investments to you.

You have the right not to divulge this information to us if you do not wish to do so. In that case we are required to warn you about the possible consequences of us not having full personal information. You should read the warnings carefully.

Our advice will only be as good as the information you provide to us. We are required to warn you if the advice may be based on incomplete or inaccurate information relating to your relevant personal circumstances. Hence, before acting on any advice, you should consider the appropriateness of the advice, having regard to your objectives, financial situation and needs. You should not rely on our advice and you should contact us immediately to provide complete and accurate advice if the information you have provided to us is incomplete or inaccurate. We will then prepare a further statement of advice for you.

Once you have been provided with a SOA further advice may be provided in a form known as a record of advice or “ROA”, provided there has been no change in your personal circumstances or the basis of the advice set out in the SOA.

**What should I know about any risks of the financial products or strategies you recommend to me?**

We will explain to you any significant risks of financial products and strategies, which we recommend to you. If we do not do so, you should ask us to explain the risks to you.

**What information do you maintain in my file and can I examine my file?**

We maintain a record of your personal profile, which includes details of your investment objectives, financial situation and needs. We also maintain records of any recommendations made to you.

Birchcorp provides NSWCFSG with copies of statements of advice, fact finders and related documents to allow it to satisfy the requirements of the Corporations Act and ASIC's requirements regarding the retention of financial advice records.

We are committed to implementing and promoting a privacy policy, which will ensure the privacy and security of your personal information. A copy of our privacy policy is displayed on our website and shown below for your information.

If you wish to examine your file, you should ask us, and we will make arrangements for you to do so.

**Can I provide you with instructions and tell you how I wish to instruct you to buy or sell my financial products?**

Yes. You may wish to give us instructions by telephone, fax or other means.

This will enable us to prepare the documentation to transact business on your investments; however, your signature will be required on such documentation.

## Privacy Policy Statement

### **Your privacy is important to Birchcorp**

Your privacy is important to us. This statement outlines Birchcorp's policy on management and protection of the personal information we hold about our clients.

It is Birchcorp's policy to respect the confidentiality of information and the privacy of individuals. Birchcorp is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act.

Birchcorp's Privacy Policy Statement will be reviewed from time to time to take account of new laws and technology, changes to our operations and practices and to make sure it remains appropriate to the changing environment.

Any private information we hold will be governed by the most current Birchcorp's Privacy Policy Statement.

Our Privacy Policy is based on openness about how we use, and protect, your information. We are committed to being open about how we use personal information. Where our documents ask for personal information, we will state the purposes for its use and to whom it may be disclosed.

### **Why does Birchcorp collect personal information?**

We collect your personal information to ensure that we are able to provide you with the products and services that are appropriate to your needs. The process of providing financial advice may seem simple, but it is the result of carefully gathering all the right details to help us assess a client's financial situation and goals. In fact, under the law, we have to demonstrate that we know the client and have identified your needs, your objectives and your financial circumstances *before* we may offer you any advice.

We will only collect information that is reasonably necessary for our organisation functions and organisation. We will notify you if we intend to collect information and will only collect information with your consent.

The type of information that we collect and hold about you depends on the type of product or service that we provide to you.

We aim to ensure that the personal information that we retain about you is accurate, complete and up to date. If you provide us with incomplete or inaccurate information, we may not be able to provide you with the advice, products or services you are seeking.

### **What kind of personal information do we ask for?**

Because of the nature of the products and services provided, government regulations and taxation laws, we ask for a range of personal information from our customers and shareholders.

The type of personal information we may collect can include (but is not limited to) name, address, date of birth, contact details, identification documentation, details of dependents and beneficiaries, income, assets and liabilities, account balances, tax and financial statements, tax file number and employment details, health and in some cases insurance claim information and the products and services we provide or have provided to you.

We obtain most of this information directly from our customers through questionnaires or other forms, and from maintaining records or information provided in the course of ongoing financial planning advice or customer service. We may also obtain information from other sources.

Some of our insurance services also require us to collect sensitive information. For more details, see the section below 'Sensitive information is subject to greater restrictions'.

If you choose not to provide the information we need to fulfil your request for a specific product or service, we may not be able to provide you with the requested product or service.

### **How do we use this information and to whom may we disclose it?**

The personal information Birchcorp holds is used for establishing and managing your financial products or services, reviewing your ongoing needs, enhancing customer service and product options and giving you ongoing information or opportunities that we believe may be relevant to your financial needs and other circumstances.

Depending on the product or service concerned and particular restrictions on sensitive information, this means that personal information may be disclosed to: Birchcorp financial planners, brokers and those who are authorised by Birchcorp to review customers' needs and circumstances from time to time.

Service providers and specialist advisers to Birchcorp who have been contracted to provide Birchcorp with administrative, organisations offering products and services which you wish to invest in or obtain, financial, insurance, research or other services, other insurers, credit providers, courts, tribunals and regulatory authorities as agreed or authorised by law. Anyone authorised by an individual, as specified by that individual or the contract.

Generally, we require that organisations outside Birchcorp who handle or obtain personal information as service providers to Birchcorp acknowledge the confidentiality of this information, undertake to respect any individual's right to privacy and comply with the National Privacy Principles and this policy.

We only use and disclose personal information about you for the purpose for which it was disclosed to us and for related purposes which would reasonably be necessary. For example, we may from time to time use your personal information to inform you of investment opportunities or to provide information about product and services which may be of interest to you. However, we do respect your right to ask us not to do this so please let us know if you do not want us to provide you with this additional information. We do not sell personal information to other organisations to allow them to do this.

We may disclose your personal information to overseas entities if it is reasonably necessary for the provision of financial products and services.

Please note that by law, in some circumstances, we may be required to disclose your personal information to third parties without your authorisation such as to government authorities and law enforcement bodies in Australia and overseas.

### **Sensitive information is subject to greater restrictions**

Some personal information we hold is 'sensitive' in that it may relate to a person's state of health and medical history. We do not generally collect sensitive information about you unless required by applicable law or rules, or you have consented to it. Sensitive information includes information relating to: race, political or religious beliefs, sexual preferences, criminal

convictions, membership of professional trade associations or unions and health. The Law also restricts the way we use, store and access tax file numbers.

Sensitive information is usually needed for applications for life, sickness and disability insurance and to manage claims on those products. It may also be relevant to loans, finance and other applications. It is Birchcorp's policy that sensitive information will be used and disclosed only for the purposes for which it was provided, unless the customer specifically agrees otherwise or the use or disclosure of this information is allowed by law. Documents asking for sensitive information will explain this.

### **Anonymity and Pseudonymity**

Where practical and within the law, you will be given an option to not identify yourself or use a pseudonym.

### **Management of personal information**

Birchcorp trains its employees and financial planners who handle personal information to respect the confidentiality of customer information and the privacy of individuals. Birchcorp regards potential breaches of your privacy very seriously and will impose appropriate penalties, including dismissal.

Where the information we collect is no longer required, we will delete the information or permanently de-identify it.

Birchcorp has appointed a Privacy Officer to ensure that Birchcorp's management of personal information is in accordance with this statement and the Privacy Act.

### **How do we store personal information?**

Safeguarding the privacy of your information is important to us, whether you interact with us personally, by phone, mail, over the internet or other electronic medium. We hold personal information in a combination of secure computer storage facilities and paper-based files and other records and take steps to protect the personal information we hold from misuse, loss, unauthorised access, modification or disclosure.

We may, as a requirement of law, need to maintain records for a significant period of time. However, when we consider information is no longer needed, we will remove any details that will identify you and/or we will securely destroy the records.

### **How do we keep personal information accurate and up-to-date?**

Birchcorp endeavours to ensure that the personal information it holds is accurate and up-to-date. We realise that this information changes frequently with changes of address and other personal circumstances. To assist us with this, please advise us if you believe that any of the information that we have about you is not accurate, complete, or up-to-date and all reasonable efforts will be made to correct your information. We can generally update your customer information over the telephone or via email.

You have the right to check what personal information about you we hold.

Under the Australian Privacy Principles, you have the right to obtain a copy of any personal information that Birchcorp holds about you, and to advise Birchcorp of any perceived inaccuracy.

The Act does set out some exceptions to this.

In some circumstances, we may refuse to give you access to your financial information. Those circumstances are set out in the Australian Privacy Principles and include situations where we are required to do so at law or access is likely to prejudice an enforcement body in relation to unlawful activity or seriously improper conduct. If we are entitled, under the Australian Privacy Principles, to refuse to give you access to your personal information, we will tell you and provide reasons for our decision.

### **How do you make a request?**

To make a request, you will need to complete an application form verifying your identity and specifying what information you require.

We will acknowledge your request within 14 days and respond promptly to it. We may charge a fee to cover the cost of verifying the application and locating, retrieving, reviewing and copying any material requested. If the information sought is extensive, we will advise the likely cost in advance and can help to refine your request if required.

### **What if you have a complaint?**

If you consider that any action of Birchcorp breaches this Privacy Policy Statement or the Australian Privacy Principles or otherwise doesn't respect your privacy, you can make a complaint. This will be acted upon promptly.

To make a complaint, please telephone us on 02-8814-6265.

If you are not satisfied with our response to your complaint, you can telephone the Commonwealth Privacy Commissioner's hotline on 1300 363 992.

### **How to contact us?**

If you want to:

- Make a general enquiry about Birchcorp's Privacy Policy.
- Change your personal information.
- Obtain an application form for access to your personal information.

Phone Birchcorp on 02-8814-6265 or contact your financial planner directly.

Alternatively write to us at:  
Birchcorp Pty Ltd  
440/ 14-16 Lexington Drive  
Bella Vista. NSW 2153

Email: [admin@birchcorp.com.au](mailto:admin@birchcorp.com.au)

### **Privacy: Web supplement**

This statement outlines some privacy issues specific to the Birchcorp website - [www.birchcorp.com.au](http://www.birchcorp.com.au)

### **Interactive tools.**

The Birchcorp website may provide you with interactive tools designed to help you make an informed choice with certain financial and other decisions. Examples of these tools might include budget planners and superannuation calculators. Birchcorp may collect personal information you enter when using the interactive tools on our website.

### **What is a Cookie and how does Birchcorp use cookies?**

Cookies are small pieces of text stored on your computer to help us determine the type of browser and settings you are using, where you have been on the web site, when you return to the web site, where you came from, and to ensure your information is secure. The purpose of this information is to provide you with a more relevant and effective experience on the Birchcorp web site, including presenting web pages according to your needs or preferences.

Cookies are frequently used on many websites on the internet and you can choose if and how a cookie will be accepted by changing your preferences and options in your browser. You may not be able to access some parts of our website if you choose to disable the cookie acceptance in your browser, particularly the secure parts of the website such as client account queries. We therefore recommend you enable cookie acceptance to benefit from all the services on the website.

### **Technology improvements.**

Birchcorp is constantly striving to improve functionality on our website through technology changes. This may mean a change to the way in which personal information is collected or used. Any technology changes that may affect your privacy will be notified in this Supplement at the time of the change.

### **Links to third party websites.**

The Birchcorp website has links to external third party websites that may benefit or be of interest to the user, for example various Fund Managers. External websites such as these should contain their own privacy statements and we recommend you review them when using their websites.

Please note, however, that third party websites are not covered by Birchcorp's privacy policy and these sites are not subject to Birchcorp's privacy standards and procedures.

## **How We Deliver Our Financial Planning Service**

A number of elements must come together in order for an effective financial plan to be developed and implemented. We have developed a systematic process which enables us to ensure that our advice is as well-informed and relevant to your situation as it is possible for advice to be. As a client of Birchcorp Financial Advisers, you can expect the following process:

### **1. Getting to Know You**

In order to be able to give you advice that best suits your circumstances, we take the time to gain an understanding of all aspects of your financial profile. We do this by completing, in conjunction with you, the client questionnaire ('fact finder') that is attached to this Financial Services Guide.

Many clients complete the fact finder before their first meeting with their adviser. Other clients prefer to have the adviser complete the fact finder during a meeting. It is really up to you.

When it comes to financial planning; the more information, the better the outcome. So, please take the time to think about each element of the fact finder and help us to ensure that we are as well-informed as possible.

As part of the 'getting to know you' stage of our work, we will meet with you at least once. Meetings can be more frequent if required.

We observe all laws and regulations applying to financial planning and in particular the financial planning process and the preparation of statements of advice and similar documents for clients.

We affirm that we have read and understood the NSWCFSG Compliance Manual and Advisor Handbook and have agreed to observe and be bound by all procedures contained in it. This includes client complaint procedures and breach reporting procedures. We agree that it is a condition of our contract with NSWCFSG to observe all the requirements set out in the NSWCFSG Compliance Manual and Advisor Handbook.

We affirm that we have read and understood all written communications provided to us by NSWCFSG and will comply with NSWCFSG's requirements regarding professional standards and the conduct of our practices.

## 2. Delivery of Advice

Once we have decided on a plan for you, we will take the time to prepare a 'statement of advice.' Your statement of advice will contain all the information that you need in order to understand the advice that we are providing to you and the basis upon which we think it will meet your needs.

In addition to the statement of advice, we will provide any other documents which you need in order to fully understand what we are proposing for you. These documents may include educational material or the 'product disclosure guide' for any financial products recommended by us.

If for any reason you are not sure what we are recommending, or why, you should not rely on our advice and you should seek clarification and further explanations from us.

We will research any financial products recommended in the SOA and ensure they are appropriate to your personal circumstances and in your best interests under the Corporations Act.

The statement of advice may be delivered in one of three forms: in a face to face meeting, electronically via email or via the post. It is important that you realise that our service does not end with the delivery of advice. In many ways, the delivery of the advice actually represents the beginning of our service to you.

In conjunction with you, we will decide upon an implementation plan to ensure that our advice becomes more than just a good idea.

Once you have been provided with a SOA further advice may be provided in a form known as a record of advice or "ROA", provided there has been no change in your personal circumstances or the basis of the advice set out in the SOA.

### 3. Implementation of Advice

In order for our advice to be effective, it needs to be properly implemented. Our statement of advice will contain instructions on how the advice should be implemented. In addition to this, we will continue to work with you to ensure that the advice is properly implemented.

### 4. Time limits and responsibility for implementing our advice

You should not act on any recommendation after thirty days of the date of the statement of advice without our written confirmation that our recommendations are still suited to you.

No responsibility will be taken for any advice acted on after thirty days without our separate written confirmation that the advice is still suited to you.

We will not be responsible for any losses connected to our advice if it is not implemented by us, if you do not engage us as your adviser or if you cease to engage us as your adviser.

## Getting Started with Birchcorp Financial Advisers

Getting started with Birchcorp Pty Ltd is easy. Simply contact Birchcorp on (02) 8814 6265 to arrange an appointment.

In order to ensure that this meeting covers all aspects of your financial management, we ask that you complete the 'fact finder' attached to this Financial Services Guide. Ideally, we would like to receive this questionnaire at least a few days before we meet with you. This will give us the opportunity to review your information and prepare ourselves for our initial meeting with you.

The fact finder asks for an extensive amount of information and it may take you some time to gather this information. Please take the time to do this. Our experience is that an hour spent in preparation is always an hour well-spent.

In addition to the information requested in the questionnaire, we would appreciate being provided with the most recently completed copies of the accounts and tax returns for you and any entities which you are using (for example a business or a self-managed superannuation fund).

Please also feel free to provide us with any other information that you feel is relevant to your circumstances. There is no such thing as 'too much information' when it comes to the provision of financial advice.

### **Anti-money laundering and terrorism legislation**

Birchcorp must verify your identity before we provide any financial services.

This will be discussed at our meeting:

### **Can Birchcorp run an individually managed account?**

Birchcorp's authorised representative license does not allow individually managed account or similar facilities.

Birchcorp regards these facilities as excessively risky

## Fees

Birchcorp pays a yearly service fee to NSWCFSG Pty Ltd (AFSL: 307248). In return for this service fee, Birchcorp retains 100% of fees generated from the service that we provide to you. These fees are first paid to NSWCFSG, who subsequently pass the fees on to Birchcorp.

Birchcorp Pty Ltd may receive income in one of the following ways:

**1. Fees paid directly by you-** These fees will be agreed with you before Birchcorp commences any work for which you will be charged.

**2. Fees paid by a third party-** such as an insurance company ('commissions'). These fees will vary according to your circumstances, but will be an amount equal to or less than:

Birchcorp does not receive 'soft dollar' (i.e. non-cash) from any third party.

Birchcorp will agree upon a fee basis before providing any chargeable services to you.

If you agree to pay Birchcorp a fee directly, we will give you a firm estimate of the time involved and therefore the total fee to be paid by you. You will not be charged in excess of this fee. This fee will be communicated to you in writing.

If you prefer for Birchcorp to be paid by a third party, the specific amount payable in the initial and subsequent years will be shown in your statement of advice. If the specific amount cannot be known (for example, a fee calculated on the future balance of an investment), then a worked example will be made available.

It is very important to Birchcorp Pty Ltd that our clients are aware of all the fees that we are collecting for the work done on your behalf. This is the simplest and best way to ensure that your interests are being maintained at all times. Please feel free to discuss any aspects of our fees at any stage of our association with you.

**“End of Financial Services guide”.**

## Acknowledgment of Receipt

Please email me at [admin@birchcorp.com.au](mailto:admin@birchcorp.com.au) or sign below to acknowledge receipt of this **Financial Services Guide version 8 dated 16/07/2018.**

Client signature 1:

Client name: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Client signature 1:

Client name: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

# CREDIT GUIDE

## About Us

<b>Business Name</b>	Leigh Birch Birchcorp Pty Ltd
<b>Address</b>	440/14 Lexington Drive BELLA VISTA NSW 2153
<b>Phone</b>	(02)8814 6265
<b>Email</b>	leighbirch@birchcorp.com.au
<b>Australian Credit Licence Number</b>	376718
<b>EDR Scheme Name</b>	Credit Ombudsman Service Limited
<b>EDR Membership No</b>	M0004447
<b>EDR Contact Details</b>	(02) 9273 8400 or info@cosl.com.au
<b>Complaints Officer</b>	Leigh Birchl -Email: leighbirch@birchcorp.com.au

Birchcorp Pty Ltd is licensed under the National Consumer Credit Protection Act 2009. This Credit Guide sets out important information about us, the services we provide, and the person with whom you will be dealing.

We are required to provide this Credit Guide to you as soon as practicable after it becomes apparent that we are likely to provide credit assistance to you. We provide “credit assistance” when we:

1. suggest or assist you to apply for a particular credit contract with a particular credit provider; or
2. suggest or assist you to apply for an increase to the credit limit of a particular credit contract with a particular credit provider; or
3. suggest you remain in a particular credit contract with a particular credit provider.

## Preliminary Assessment

### What we will need from you

When we provide you with credit assistance, we must only recommend credit products that are not unsuitable for you.

To be able to determine which loan products are not unsuitable, we are required to complete a Preliminary Assessment. When we make this preliminary assessment, we determine:

- your requirements and objectives – that is, what kind of loan do you want, and for what purpose;
- your financial and relevant personal situation; and
- your ability to repay the loan that you are considering.

In assessing these factors, we are also required to take reasonable steps to verify some of the information you provide us.

This verification may include:

- asking you for copies of documents that demonstrate your financial situation – in some cases we may also need to sight original documents; and
- contacting third parties to assist in verifying the information that you provide.

## Obtaining a copy of your Preliminary Assessment

If we haven't already provided it to you, you may request a copy of our Preliminary Assessment, and we must give you a copy of it:

- at any time during the first 2 of years of completion of the assessment, within 7 business days; or
- between 2 years and 7 years after it was conducted we must provide it within 21 business days.

There is no charge for requesting or receiving a copy of the Preliminary Assessment.

## How we get paid

We are paid commissions by lenders for introducing customers. The lenders we deal with will usually pay us a commission based on:

- the size of loan; and
- the particular loan product you have selected

We will only be paid this commission if your loan is settled and drawn down.

We may also be paid an ongoing commission by your lender based on the outstanding balance of your loan.

The commissions that we are paid by your lender are not payable by you – they are paid to us either directly by the lender or paid to us by our Aggregator. You will not be charged, or your interest rate will not be increased for using our service. i.e. you will have the same interest rate as if you went to the selected financier directly.

If you would like a detailed estimate of how much commission we would be paid by a particular lender for a particular product, we will provide this for you. We will also provide you with a detailed explanation of how this commission is calculated.

Certain lenders may also pay us a bonus based on the amount of business that we introduce to them. The lenders that currently have such arrangements with our Aggregator are:

Commonwealth Bank

## Fees and charges that are payable by you in relation to our credit assistance

As a general rule, Birchcorp does not charge its clients a fee for our Mortgage Brokerage services. We sometimes charge a fee for our services if a client is flipping properties (buying and selling properties on a regularly basis:- this is due to the fact that our commissions receive a claw-back status). More details about the fees payable by you will be set out in a quote which we will give you before a finance application is lodged if you are charged a fee. You may obtain from us information about how these fees and charges are worked out and a reasonable estimate of those fees.

## Our Top 6 credit providers

We source credit products from a range of banks, lenders and other credit providers. However, at present, we write the most loans with the following banks, lenders and other credit providers:

1. Commonwealth Bank
2. ING
3. Me Bank
4. ANZ
5. St George Bank Ltd
6. AMP

If you would like further details about any of these lenders, please don't hesitate to ask us.

## Other People we Deal With

### Our Aggregator

In many cases, we gain access to the loan products we recommend to you through the services of our Aggregator. In order to gain access to their panel lenders, our aggregator charges us a fee. This fee may be made up of several different components, including:

- a membership fee for our business
- a monthly fee for each of our accredited loan writers

If you would like us to provide an estimate of the monthly fee, we will be pleased to provide this to you.

### Referrers and Referral fees

Your business may have been referred to us by non-regulated third parties such as real estate agents, accountants, financial planners etc. We will not, and do not pay a referral fee to these parties. If we do pay a fee to these parties, then

- they should already have told you about this; and
- we will disclose the actual fee in our final documentation

Alternatively, if you want to know, you can ask us about the fees and we will tell you how much was paid and how it was worked out.

## Dispute Resolution and Complaints

Whilst we always strive to provide the best possible service, we understand that there may be times where you are not satisfied. If this occurs, and you wish us to do something about it, we have a formal process in place to address your concerns.

### Internal Dispute Resolution

If you do have a complaint, please contact the Complaints Office using the details at the start of this document. If you choose to contact us by email, please make sure you include as much information as you can.

You should explain the details of your complaint as clearly as you can. You may do this verbally or in writing. When we receive a complaint, we will attempt to resolve it promptly.

## External Dispute Resolution

If you are not satisfied with how we have handled your complaint, you may make a formal complaint to our External Dispute Resolution Scheme Provider. The details of our EDR Scheme membership are set out at the start of this Credit Guide

## Things you should know

We don't make any promises about the value of any property you finance with us or its future prospects. You should always rely on your own enquiries.

We don't provide legal or financial advice under this contract. It is important you understand your legal obligations under the loan, and the financial consequences. If you have any doubts, you should obtain independent legal and financial advice before you enter any loan contract. Birchcorp Financial Planning is a Financial Advisory firm and is a separate entity to Birchcorp Mortgage Broking and is under different regulations as set out by ASIC.

## Questions?

If you have any questions about this credit guide or anything else about our services, just ask at any time. We're here to help you.

## **End of "Credit Guide**

*For the purposes of clarity this document has attached two of Birchcorp's regulatory guides for ease of reading. In the first instance it is difficult to ascertain how a client presents to our firm and the services required. The Financial Planning client requires a "Financial Services Guide" and a Mortgage Broking client requires the "Credit Guide". In most cases, our clients should read both documents.*

*Our "Financial Services Guide" and the "Credit Guide" are in two clear sections that have been titled and complete with a comment "End of Financial Services Guide" and "End of Credit Guide" respectively.*