



# Financial Services Guide

**Last Updated 24/10/2023**

**Prepared by: David Hartley**

**Hartley Financial**

Shop 2/139 Argyle Street  
Picton NSW 2571  
david@hartleyfinancial.com  
1300 55 44 77

**Hartley Financial Pty Ltd**

ABN 22 124 384 274  
AFSL 480751  
Shop 2/139 Argyle Street  
Picton NSW 2571

Create | Maintain | Protect

## Statement of Purpose

Hartley Financial Pty Ltd holds an Australian Financial Services Licence and an Australian Credit Licence issued by the Australian Securities and Investments Commission (“ASIC”) AFSL & ACL 480751, contact number 1300 55 44 77, ABN 22 124 384 274. As a licensee, we are required to comply with the obligations of the Corporations Act and the conditions of our licence. Hartley Financial Pty Ltd authorises the distribution of this Financial Services Guide (FSG). It is a condition of this licence that Hartley Financial Pty Ltd and its representatives provide you with this FSG. This FSG outlines relevant information on:

- Hartley Financial Pty Ltd
- Your financial adviser and how they are remunerated
- The services offered and associated costs
- How complaints are dealt with if you are not satisfied with our services

Other conditions of this licence include the need to have compensation arrangements in place with a Professional Indemnity insurer for the services that we and our representatives provide.

You have the right to ask Hartley Financial’s representatives about our charges, the type of advice we will give you, and what you can do if you have a complaint about our services. This information is detailed in this document. If you need more information or clarification, please contact us. This document should be read in conjunction with the terms of engagement letter we provide you. When we provide you with financial planning services, you may also receive:

- A Statement of Advice (SoA) or a Record of Advice (RoA), which documents the advice we provide to you.
- A Product Disclosure Statement (PDS), which explains the products we have recommended.

### **Lack of Independence Disclosure Notice:**

Despite not being linked in any way to a financial provider (e.g., a bank), current legislation makes it very difficult for us to say we are independent, unbiased or impartial.

As we get paid a commission to help clients arrange insurances, we are automatically prohibited from calling ourselves independent. From time to time, we receive these commissions, albeit they are often very little despite the advice or the help we provide putting a policy into place.

Although we always put your interests before ours when giving advice, we cannot (by law) call ourselves independent, unbiased or impartial.

## Our services

Our financial services focus on strategic planning advice, implementation and financial services to private client and corporate bodies. We have no exclusivity arrangements with investment or insurance product originators. We act as impartial advisers at all times and seek to partner our clients in their wealth protection and management.

Our core range of services include:

- Risk management and Insurance product selection.
- Strategic wealth planning advice.
- Investment portfolio planning and management.
- Superannuation (including SMSF) and Retirement advice.
- Estate planning advice.
- Mortgage broking services mainly as owner occupied and investment loans.
- Vehicle finance, chp, chattel mortgage, leasing style applications and personal loan applications.

In order for us to provide advice which is appropriate to your personal circumstances, you will be asked to provide certain detailed personal information about your financial circumstances and objectives. We will recommend financial options, choices and products that are suitable to your particular financial situation, needs and objectives based on the information you provide. You should ensure that your adviser becomes aware of any changes that may be relevant when advice is given in the future.

In addition to our initial advisory services we provide our clients with various ongoing advice, management and review services. These services include a regular review of strategies and financial products chosen, in line with changes in your objectives, needs and financial position as well as taking account of changes in the economic and global capital market environment.

Hartley Financial and its representatives are authorized to deal in and advise on the following classes of financial product:

- Insurance contracts and arrangements for Life, Income, Total and Permanent Disablement Insurance.
- Deposit and payment products including basic deposit products, deposit products other than basic deposit products, and non cash payment products.
- Debentures, stocks or bonds issued or proposed to be issued by a government.
- Interests in managed investment schemes.
- Retirement savings accounts products.
- Superannuation.
- Miscellaneous financial investment products.
- A range of mortgage and loan products.

#### **Our Financial Advisers**

David Hartley is the director and an Authorised Representative (No. 299348) of Hartley Financial Pty Ltd.

Chris Behringer is an Authorised Representative (No. 448444) of Hartley Financial Pty Ltd.

Isabel Hartley is an Authorised Representative (No. 1294859) of Hartley Financial Pty Ltd. Tax and Wealth Pty Ltd is a Corporate Authorised Representative (No. 1249855) of Hartley Financial Pty Ltd.

## **Fees**

All fees are payable to Hartley Financial Pty Ltd.

David Hartley is the owner of the business, and he is remunerated through the profits that it makes.

## **Initial Engagement Fee**

The fees we charge for our consulting and advisory services is dependent on the nature and extent of services you wish to engage us to deliver. The fee we charge for such work is based on our normal hourly rates and is directly related to the time estimated to complete. We will agree with you by way of an "initial engagement letter", detailing the exact scope and deliverables of such work, as well as the quantum of fees payable before proceeding. Our initial fees begin at \$4,000 plus GST. Our Initial fees may vary depending on the complexity of advice and the necessity to liaise with other professionals on your behalf. The relevant fee to complete your work will be quoted in an Initial Engagement Letter prior to formal advice.

## **Ongoing Fee**

Where you engage us to provide implementation services and/or ongoing advice, review and investment management services, we will detail the precise scope and deliverables of such arrangements in an "Ongoing Adviser Service Agreement". This letter will set out the exact fees and charges we levy with respect to any such services. Where ongoing services relate to strategic consulting and advice we will agree on an annual budget which relates to the time required to deliver the agreed service scope. Our ongoing fees begin at \$2,400 plus GST per annum for a single person, and \$3,000 plus GST per annum for a couple. A disclosure of your applicable fee will be provided to you in your Statement of Advice, should you engage with us.

In addition to any fee we directly invoice you, Hartley Financial may also receive commission payments from third party product providers. This tends to be the case particularly where insurance products are implemented for you. We will ensure you fully understand the nature of any such commissions before proceeding with any related contract or product applications.

Our business operates under fixed fee yearly contracts and most new engagements tend to take this format. These contracts, like all our current arrangements, can be cancelled by our clients at any time with fees to cease at the first practical opportunity which in most cases would be the next business day.

Other charges may be levied by the third-party providers of products, the rates of such fees may vary greatly. We will clearly outline to you all commissions, fees and charges payable on any financial product recommended by Hartley Financial before entering such contracts or arrangements. We work to ensure our clients are fully informed of the total costs of any financial decision before proceeding.

In some situations, we receive fees or commissions where we refer you to external parties. We will disclose the referral arrangements to you whenever we refer you to an external party.

In some situations, we pay fees or commissions to external parties who have referred you to us. We will disclose the referral arrangements to you when we provide you with a SoA.

### **Disclosure**

You have the right to be aware of commissions and other material benefits your adviser receives for recommending any particular financial product. We will disclose any interest that the adviser may receive which could reasonably be expected to be capable of influencing a recommendation made to you. All authorised employees of Hartley Financial are salaried professionals and are not remunerated on a commission basis.

### **Conflicts of Interest**

It should be noted that David Hartley is a director of other companies which have a relationship with Hartley Financial Pty Ltd. In cases where there is internal cross referral of business, we encourage you to question us on the benefits to us of the referral, including monetary gain.

We offer you complete transparency in our dealing with you.

### **Our process**

We recognise that the objectives and personal circumstances of each client are different. What is right for one client may not be right for another.

We will listen to you to understand your objectives and circumstances. We will also ask questions to ensure we address all issues.

When we first provide advice to you it will be explained thoroughly and documented in a Statement of Advice (SoA) which you will be able to take away and read.

The SoA will explain the basis for the advice, the cost of implementing the advice and any fees or commissions associated with the advice.

For managed funds and insurance recommendations, we will also provide you with a Product Disclosure Statement (PDS). This contains information to help you understand the product being recommended.

You are able to contact us at all times and ask questions about the advice and investments recommended.

You can provide instructions to us in writing, via phone or via email. Please note you are responsible for ensuring your instructions do however reach us.

We may provide further advice to you to keep your plan or risk insurance up to date for changes in your circumstances, changes in the law and changes in products.

If we provide further advice, it will typically be documented in a Record of Advice (RoA).

### **After you receive our advice**

Once your financial strategies are implemented we offer an ongoing monitoring and review service for both investments and strategy.

Our ongoing advice, consulting and management services may include at least annual strategy planning review meeting. We will meet with you on at least an annual basis to conduct a detailed review of your financial situation and decide actions for the next twelve months. The review meeting ensures your financial strategies stay on track to achieving your financial goals.

### **Our commitment**

We undertake to outline all risks involved in the financial products and strategies we recommend to you. If you do not understand the risks please ask us for assistance. We will only recommend financial products suitable to your financial situation, needs and objectives. We will maintain a confidential file of your information and all advice and recommendations made to you.

### **Your discretion**

You may instruct us as to specific financial product decisions. If you decide not to disclose your full personal position we may still be able to advise you, however cannot accept any liability for recommendations based on incomplete or inaccurate information. You should consider all risk warnings carefully.

### **Contacting you**

Please advise us how you want us to communicate with you, i.e. by e-mail, phone, fax or mail. Similarly, with financial product documentation, we can filter and pass on relevant

documents we feel are of value in addition to any financial documents which we feel are important to your decision making. Alternatively, at your request, we can forward all documents to you and maintain a copy only.

## **Privacy Policy**

Hartley Financial is committed to providing quality services to you and this policy outlines our ongoing obligations to you in respect of how we manage your Personal Information.

We have adopted the Australian Privacy Principles (APPs) contained in the Privacy Act 1988 (Cth) (the Privacy Act). The NPPs govern the way in which we collect, use, disclose, store, secure and dispose of your Personal Information.

A copy of the Australian Privacy Principles may be obtained from the website of The Office of the Australian Information Commissioner at [www.aoic.gov.au](http://www.aoic.gov.au)

### What is Personal Information and why do we collect it?

Personal Information is information or an opinion that identifies an individual. Examples of Personal Information we collect include names, addresses, email addresses, phone and facsimile numbers.

This Personal Information is obtained in many ways including interviews, correspondence, by telephone and email, and from third parties. We don't guarantee website links or policy of authorised third parties.

We collect your Personal Information for the primary purpose of providing our services to you, providing information to our clients and marketing. We may also use your Personal Information for secondary purposes closely related to the primary purpose, in circumstances where you would reasonably expect such use or disclosure. You may unsubscribe from our mailing/marketing lists at any time by contacting us in writing.

When we collect Personal Information we will, where appropriate and where possible, explain to you why we are collecting the information and how we plan to use it.

### Sensitive Information

Sensitive information is defined in the Privacy Act to include information or opinion about such things as an individual's racial or ethnic origin, political opinions, membership of a political association, religious or philosophical beliefs, membership of a trade union or other professional body, criminal record or health information.

Sensitive information will be used by us only:

- For the primary purpose for which it was obtained
- For a secondary purpose that is directly related to the primary purpose
- With your consent; or where required or authorised by law.

### Third Parties

Where reasonable and practicable to do so, we will collect your Personal Information only from you. However, in some circumstances we may be provided with information by third parties. In such a case we will take reasonable steps to ensure that you are made aware of the information provided to us by the third party.

### Disclosure of Personal Information

Your Personal Information may be disclosed in a number of circumstances including the following:

- Third parties where you consent to the use or disclosure; and
- Where required or authorised by law.

### Security of Personal Information

Your Personal Information is stored in a manner that reasonably protects it from misuse and loss and from unauthorized access, modification or disclosure.

When your Personal Information is no longer needed for the purpose for which it was obtained, we will take reasonable steps to destroy or permanently de-identify your Personal Information. However, most of the Personal Information is or will be stored in client files which will be kept by us for a minimum of 7 years.

### Access to your Personal Information

You may access the Personal Information we hold about you and to update and/or correct it, subject to certain exceptions. If you wish to access your Personal Information, please contact us in writing.

Hartley Financial will not charge any fee for your access request but may charge an administrative fee for providing a copy of your Personal Information.

In order to protect your Personal Information we may require identification from you before releasing the requested information.

### Maintaining the Quality of your Personal Information

It is an important to us that your Personal Information is up to date. We will take reasonable steps to make sure that your Personal Information is accurate, complete and up-to-date. If you find that the information we have is not up to date or is inaccurate, please advise us as soon as practicable so we can update our records and ensure we can continue to provide quality services to you.

Acceptance of our services indicates your acceptance of the use of an outsourced service provider. Where the outsourced service requires the disclosure of personal information to an overseas recipient, a consequence of your consent is that Hartley Financial will be required to take reasonable steps to ensure that the Australian Privacy Principles are complied with by the overseas recipients of the Personal Information.

Third-Party Services will be provided to you with utmost care and quality based on the



information you provide. Our third-party service provider will ensure that their staff are properly and reasonably trained and equipped to perform the services offered to you. Our third-party service provider will keep your information and data records confidential and secure and will not disclose any such information to third parties without your express written consent.

#### Privacy Policy Complaints and Enquiries

If you have any queries or complaints about our Privacy Policy please contact David Hartley at 1300 55 44 77.

#### **Complaints procedure**

We endeavour to provide you with the best advice and service at all times.

If you are not satisfied with our services then we encourage you to contact us.

If you have a complaint about the service that we have provided, you should take the following steps:

- Please call us or put your complaint in writing to our office – 1300 55 44 77
- If your complaint is not resolved satisfactorily within 5 working days please refer the matter in writing to;  
David Hartley, Manager Director of Hartley Financial Pty Ltd  
Shop 2/139 Argyle Street, Picton, NSW, 2571  
0412 956 272 or e-mail david@hartleyfinancial.com
- If you still do not get a satisfactory outcome with the above internal complaints procedure you have the right to complain to the Australian Financial Complaints Authority Limited (AFCA) of which we are members. Member number 43822.  
Australian Financial Complaints Authority Limited,  
GPO Box 3, Melbourne VIC 3001, Telephone – 1800 931 678, Email – [info@afca.org.au](mailto:info@afca.org.au)

#### **Annexure - Directorships**

David is also a director of:

David Hartley Finance & Management Pty Ltd

West Lake Management Pty Ltd

Tax & Wealth Pty Ltd