



## FINANCIAL SERVICES GUIDE

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**Benlyn Projects Pty Ltd ATF AG Practice Trust (Trading as Fitzpatricks Advisory)**

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## ABOUT THIS DOCUMENT

This Financial Services Guide describes Fitzpatrick's Advisory financial planning and advisory services to assist you to decide whether to use our services. It describes who we are, the services and types of product we are able to offer you, how we and our associates are paid or benefits we may receive, any conflicts of interest we may have and how we deal with any disputes including what to do if you have one.

### **Not Independent**

Fitzpatrick's Private Wealth Pty Ltd, Fitzpatrick's Advisory and our Advisers are unable to describe themselves as 'independent', 'impartial' or 'unbiased', because of the following:

- Recommendations may include investments or services provided by associated entities;
- When providing you with our advice we have the option to charge percentage-based fees; and
- We may receive commissions, gifts or benefits from product issuers allowable at Law.

See below for further details.

## What other documents are there?

When we provide you with personal financial product advice, you will receive an advice document. In the first instance this will be a Statement of Advice which describes our recommendations and how they will assist you achieve your goals. The SOA will also explain the risks of our advice, any associations we have with financial product providers or other parties that may influence that advice, and any fees or commissions we may receive if our recommendations are implemented.

When we provide further advice, we may provide you with another Statement of Advice (SoA) or give you (or keep our own) Record of Advice (RoA). Should you require additional copies of advice documents or a copy of the RoA, you can request a copy of this by contacting us at any time within 7 years from the date the advice was provided.

If we recommend that you acquire a financial product, we will also provide you with a Product Disclosure Statement containing information about the product's features and risks. In combination, these documents will assist you in making an informed decision about whether to proceed with our recommendations.

## WHAT ARE WE AUTHORISED TO DO?

At the heart of our business is our passion to provide personalised, successful, long term strategic financial planning to our clients, customised to your needs.

We can provide a tailored and highly focussed financial service offering to individuals seeking expertise around a co-ordinated service capturing all aspects of a sound financial strategy including appropriate structures, financial coaching and cash flow management, estate planning, risk management, and investment portfolio design and implementation.

To coordinate this across your personal, family and business interests, your adviser can liaise with your other professional advisers in relation to matters such as tax, insurance, risk management and estate planning. Alternately, we may offer a referral to one of our best of breed professionals to assist.

We are not, however, accountants, nor are we registered tax agents or lawyers.

To give you appropriate financial advice, your adviser will work with you to determine your individual financial objectives and needs. To enable your adviser to work with you, you will need to provide relevant information as

requested by your adviser. You are not obligated to provide this information, but if you decline to do so your adviser either may not be able to provide advice or the advice may not be entirely appropriate.

## **The detail**

Fitzpatricks Advisory is an authorised representative of Fitzpatricks Private Wealth Pty Ltd, and can provide advice to and apply on your behalf for the issue, variation or disposal of the following kinds of financial products:

- Life insurance
- Superannuation
- Securities
- Managed investment schemes
- Investor directed portfolio services
- Retirement savings accounts
- Deposit and payment products
- Government debentures, stocks or bonds
- Standard Margin Lending.

## **ABOUT FITZPATRICKS ADVISORY**

Leonard Gennusa (Authorised Representative number 312170) is an Authorised Representative of Fitzpatricks Private Wealth Pty Ltd and Director of Fitzpatricks Advisory.

## **OUR ADVICE PROCESS**

This will begin with initial meetings with you to assess if your personal and financial goals and objectives can be met through our professional services. The discussions will also help you to determine if you wish to engage us to assist you to achieve those goals and objectives.

It is important for you to understand that the discussions in our initial meetings will only be in general terms. This means you should not act or make any decisions until you receive your personal advice in an SoA or RoA. This will occur after we have thoroughly investigated and considered strategies and products that aim to meet your goals and objectives as agreed with you.

## **Reviews**

We cannot promise recommended strategies and your product solutions will remain suitable for you over time. Things change, your personal circumstances, the economic environment, legislation and/or product developments may create a need to change what we recommend from time to time.

For this reason, your adviser may recommend that you engage us to review your advice on an ongoing basis and we strongly recommend you consider this. Likewise, we encourage you to contact your adviser whenever your circumstances change to see if your strategy or the products that underpin that strategy need to be adjusted.

## **HOW DO YOU INSTRUCT US?**

We act for you when providing our services. You may give us instructions in writing, by post or email. Sometimes your adviser will be happy for you to tell them what you want to do over the phone or in person.

## FEES AND COSTS

### Fees for our Service and Advice

The work undertaken to explore your current financial situation, your goals and objectives, and assessing the suitability of options for you is extensive. As well as personal financial advice, this may include the delivery of a range of specific services agreed with you to get you financially organised even before we are able to provide personal financial advice.

Fees are calculated based on your individual needs and requirements, and the extent of any services provided to you. Before commencing work for you, we will discuss and agree with you the scope of the services to provide, the cost of providing those services and the method of payment. We will confirm this in an Engagement Agreement.

Other fees for any advice or work carried out by other professionals, after consultation and agreement with you, will be separately invoiced to you by that other professional.

### Initial/Fixed Term Service and Advice

The minimum fee for our Initial Advice is \$3,300 including GST.

As well as personal financial advice, we may agree to deliver a range of specific services to get you financially organised. Minimum fee is \$3,300 including GST.

### Ongoing Service and Advice

Establishing your financial strategy is important. Equally important is ongoing advice to cater for changes in your personal circumstances, legislation, economic and financial conditions.

The Ongoing Services and advice we provide to you will depend on your situation. We charge a minimum fee of \$3,300 per annum (including GST) or \$275 per month (including GST). Alternatively, we may calculate the Ongoing Advice Fees as a percentage of the value of your investments, using a flat percentage approach.

We charge a maximum of 1.3% per annum including GST of the value of your investment portfolio. The fee is charged monthly in arrears based on the average daily value of your portfolio during the preceding month. A minimum fee of \$3,300 including GST applies. So, for example, if your portfolio value is \$500,000, the maximum you would pay is \$6,500 per annum or \$542 per month, including GST.

In some cases, these fees will increase in line with CPI or a maximum of 3%p.a. If this is the case it will be documented in the Ongoing Service Engagement Agreement.

### Personal Insurance Services

We accept commissions from the insurers for the personal insurance advice and services we provide to you. The amount varies between insurers. As an indication, we may receive up to 66% of the first year's premium to reflect the amount of work we undertake when advising on and arranging the insurance and up to 33% of the ongoing annual premium thereafter, both excluding taxes and statutory charges. This is subject to which commission structure is selected and the product provider.

The table below illustrates how our commission would currently be calculated for a policy on a level commission structure costing \$2,000 in year 1 and increasing to \$2,200 in year 2.

	Year 1		Year 2	
Premium	\$2,000		\$2,200	
Upfront Commission	66%	\$1,320	-	-
Ongoing Commission	-	-	33%	\$726

Where these commissions can be negotiated with the product provider your adviser will agree the amount of up-front and ongoing commissions with you. These will also be set out in your advice document.

## **Referral Fees**

We chose not to receive or pay fees or commissions for referrals.

## **ADVISER REMUNERATION**

As an employee of Fitzpatricks Advisory, Leonard receives a salary. In addition, as a shareholder of Fitzpatricks Advisory, Leonard is also entitled to a share of dividends and profits.

## **RELATIONSHIPS AND ASSOCIATIONS**

### **Our Authorising Licensee**

We pay fees to our authorising licensee, Fitzpatricks Private Wealth Pty Limited, of up to 12.5% plus GST of all fees and commissions we receive for our services, subject to agreed minimums and maximums. This means for every \$1,000 of fee paid, Fitzpatricks Private Wealth will receive \$125 plus GST.

### **Fitzpatricks Financial Group**

Fitzpatricks Private Wealth Pty Limited is part of the Fitzpatricks Financial Group of companies and as such is associated with other Fitzpatricks Financial Group companies including Atrium Investment Management Limited ABN 17 137 088 745 that issues financial products and has investment management mandates for financial products issued by other institutions.

Fitzpatricks Financial Group retains all profit from these products and services. Both we and Fitzpatricks Private Wealth and our respective families, companies and trusts may have an interest in the investments or securities included in your portfolio.

Should an investment recommendation be required, we may recommend that you invest in a Fitzpatricks Financial Group or an associated entity's issued or branded product.

### **Alternative Remuneration**

From time to time we may accept alternative forms of remuneration from product providers or other parties, such as hospitality or support connected with our professional development (e.g. training or sponsorship to attend conferences). We maintain a register detailing any benefit we receive which is valued at between \$100 and \$300, and other benefits that relate to information technology, software or support provided by a product issuer, or that relate to educational and training purposes. A copy of the register is available on request.

## **WHAT ELSE SHOULD YOU UNDERSTAND?**

### **Professional Indemnity Insurance**

Fitzpatricks Private Wealth holds a professional indemnity insurance policy, which covers claims against us for errors or mistakes relating to our financial planning services. This insurance meets the requirements of the Corporations Act and covers the services provided by us for advice provided whilst authorised by Fitzpatricks Private Wealth Pty Ltd.

## Privacy

We are required to maintain documentation and records of any advice or services provided for you. This documentation includes information that personally identifies you and/or contains information about you. These records are required to be held for at least seven (7) years. If you want to access your personal information at any time, please let us know.

You have the right not to provide personal information. In this case your Adviser will warn you about the possible consequences, and how this may impact the quality or ability of the services or advice to be provided.

In delivering services, your personal information may be disclosed to other service or outsource providers, including companies that form part of the Fitzpatricks Financial Group. These include:

- Financial product providers,
- Financial planning software providers
- Administration and paraplanning service providers.

Some services may require disclosure of personal information to service providers outside Australia including the Philippines, European Union and USA. The purpose of such disclosure is to facilitate the provision of services through data storage or outsourcing arrangements.

We are committed to protecting and maintaining the security of the personal and financial information you provide us. For more information on how we handle your personal information, please refer to our Privacy Policy at [www.fitz.com.au](http://www.fitz.com.au).

## Anti-Money Laundering and Counter-Terrorism Financing

As a reporting entity under the Anti-Money Laundering and Counter-Terrorism Financing Act, we are committed to ensuring our services do not facilitate or are associated with money laundering or terrorism financing practices. Before we arrange a financial product for you, we will need to verify your identity by viewing your identification documents (e.g. passport, driver's licence). We will retain copies of this information and assure you that this information will be held securely.

## Complaints

Your satisfaction is very important to us and we have procedures in place to resolve any concerns promptly and fairly. If you are unhappy about any advice or service provided, you should let your financial adviser know in the first instance. If you cannot resolve this with your adviser, you may contact Fitzpatricks Private Wealth. For more information on how to make a complaint please ask for a copy of our Complaints Policy by contacting your Adviser or visiting our website at [www.fitz.com.au](http://www.fitz.com.au)

If you are dissatisfied with the response, you may raise the matter directly with the Australian Financial Complaints Authority (AFCA). AFCA provides fair and independent financial services complaint resolution that is free to consumers if you have a complaint that is not satisfied within 30 days of raising it. AFCA contact details are:

Telephone: 1800 931 678

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

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

Post: Australian Financial Complaints Authority, GPO Box 3, Melbourne VIC 3001

There are some complaints which AFCA are unable to deal with and AFCA will tell you if this is the case.

## LICENSEE CONTACT DETAILS

### Fitzpatricks Private Wealth Pty Ltd

Telephone: 02 9248 8000

Fax: 02 9248 8001

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

Office: GPO Box 1193, Sydney NSW 2000